



PORT ORANGE POLICE DEPARTMENT



MEMORANDUM

TO: IAPro File
FROM: Chief Manuel Marino *MM*
DATE: April 7, 2022
SUBJECT: IAPro Server Failure

This memorandum serves as notice that this file and the records once contained herein were impacted by an in-house server failure that was discovered on February 10, 2022. The server failure impacted all IA Pro/Blue Teams files created or modified between the dates of May 12, 2021, and February 10, 2022. Those records stored in IA Pro/Blue Teams within this timeframe have been corrupted and permanently lost.

The Police Department and the Information Technology Department made a diligent attempt to recover any records that may have been stored in alternate locations that were not impacted by the server failure (i.e., emails and working files). The records contained in this file have been successfully recovered from these alternate sources. However, it should be noted that there are likely records that were once contained in this file that were not recoverable and have been permanently lost as a result of this server failure.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

Complainant: Chief Manuel Marino

Employee: Retired Captain Kimberly Kilpatrick

Investigator: Lieutenant Thomas Aiken

Summary of Allegations

Cpt. Kimberly Kilpatrick retired from the Port Orange Police Dept. on Friday 10/29/2021. In the days leading up to her retirement, Cpt. Kilpatrick's POPD issued cell phone, SurfacePro, and desktop computer were returned to factory settings. On 10/28/2021, James Moore, City of Port Orange I.T. Specialist, reported discovering the condition of Cpt. Kilpatrick's desktop computer and SurfacePro. Cpt. Kilpatrick's city issued cellphone was then found to have been returned to factory settings. About 6 GB of data was recovered from the desktop computer, but none was able to be recovered from the Surface Pro. A minimal amount of data was eventually recovered off of the iCloud from the cellphone. The allegation is that Cpt. Kilpatrick violated the City's policy for use of electronic information systems by returning the devices to factory settings.

26.1.46 Failure to Follow Directive or Order - ref: General Administration Policy 01-32 Electronic Information Systems Use Policy –

All emails and text messages made or received in connection with the transaction of official City business, **EVEN FROM PERSONAL EMAIL ACCOUNTS AND PERSONAL CELL PHONES**, shall be subject to public disclosure as required by law. It shall be the responsibility of each person subject to this policy to retain and provide to the records custodian any public record stored on a personal email account or personal cell phone in accordance with this policy.

Investigative Narrative

Review of Email between Cpt. Kilpatrick and Robin Fenwick on 10/20/2021

During Robin Fenwick's interview on 11/11/2021, she stated the only thing she heard from Cpt. Kilpatrick in the days leading up to Kilpatrick's retirement was in reference to a public records request made by Mark Dickinson on 10/19/2021. Robin stated she informed Cpt. Kilpatrick that the request was being handled and that she (Kilpatrick) didn't need to do anything with it. Robin provided a copy of that email, and a review revealed the contents to be consistent with Robin Fenwick's description. No additional evidence was discovered in the email.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

Review of Emails To/From Cpt. Kilpatrick 10/11/2021 to 10/27/2021

A review was conducted of the emails to and from Cpt. Kilpatrick's work email address for the period of 10/11/2021 through 10/27/2021. Two emails sent to her from Apple were located that were of relevance to this investigation.

On 10/26/2021 at about 14:11hrs, the first email was sent to Cpt. Kilpatrick from appleid@id.apple.com. The subject line for the email read "Your Apple ID password has been reset." The body of the email read as follows:

"Your Apple ID password has been reset."

Dear Kimberly Kilpatrick,

The password for your Apple ID (kkilpatrick@port-orange.org) has been successfully reset. If you didn't make this change or if you believe an unauthorized person has accessed your account, go to iforgot.apple.com to reset your password immediately. Then sign into your Apple ID account page at <https://appleid.apple.com> to review and update your security settings.

If you need additional help, contact Apple Support.
Apple Support"

As noted by James Hicks during his interview, that email would only have been sent to Cpt. Kilpatrick if she sent a request to Apple to have her Apple ID password reset.

Immediately following that email, Cpt. Kilpatrick received another email from Apple from the email address of noreply@email.apple.com. The subject line for the email read "Find My has been disabled on iPhone." The body of the message read as follows:

"Find My has been disabled on iPhone."

"With Find My disabled, this device can no longer be located, placed in Lost Mode, or remotely erased using icloud.com/find or the Find My app. In addition, your Apple ID and password will no longer be required for someone to erase, reactivate, and use your iPhone."

James Hicks noted in his interview that the disabling of the Find My app was indicative that the phone was returned to factory settings.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

Review of C-Cure4000 Door Access Report

Asst. Chief William Proctor provided a copy of the C-Cure4000 Door Access Report showing the activity of Cpt. Kilpatrick's door access card for the dates of 10/25/2021 through 10/27/2021. The review revealed the following:

- 10/25/2021 08:54:01hrs – IC HALLWAY 166 TO OUTSIDE DOOR 166A
- 10/25/2021 09:15:14hrs – EAST CORRIDOR TO RECORDS
- 10/25/2021 14:13:23hrs – UPSTAIRS LOBBY TO WEST CORRIDOR
- 10/26/2021 09:07:59hrs – IC HALLWAY 166 TO OUTSIDE DOOR 166A
- 10/26/2021 10:34:24hrs – EAST CORRIDOR TO RECORDS
- 10/26/2021 13:13:46hrs – IC HALLWAY 137 TO OUTSIDE DOOR 137C
- 10/26/2021 14:19:29hrs – EAST CORRIDOR TO RECORDS
- 10/26/2021 14:59:39hrs – EAST CORRIDOR TO RECORDS
- 10/27/2021 09:28:34hrs – IC HALLWAY 166 TO OUTSIDE DOOR 166A
- 10/27/2021 09:41:20hrs – EAST CORRIDOR TO RECORDS
- 10/27/2021 11:33:40hrs – UPSTAIRS LOBBY TO WEST CORRIDOR
- 10/27/2021 13:06:51hrs – IC HALLWAY 137 TO OUTSIDE DOOR 137C
- 10/27/2021 13:11:26hrs – GENERAL STORAGE
- 10/27/2021 13:46:33hrs – EAST CORRIDOR TO RECORDS
- 10/27/2021 14:05:09hrs – DETECTIVE FRONT DOOR 239

The review showed that Cpt. Kilpatrick's door access card was used to enter the POPD building during normal business hours.

Review of Calls from Desk Phone – 386-506-5830

A request was made for a copy of all calls made from Cpt. Kilpatrick's desk phone for the time period of 10/11/2021 through 10/27/2021. The review revealed mostly calls to other internal phone extensions, with some calls having been made to numbers outside the POPD building. The telephone numbers were referenced via Fastpeoplesearch.com, which is an open-source website. The external calls were as follows:

Date	Time	Number	Name
10/12/2021	13:52hrs		Kimberly Wolpert of Palm Coast.
10/14/2021	09:48hrs		of Port Orange.
10/14/2021	15:49hrs		SAO Inv. Bob O'Connor.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

10/18/2021	10:38hrs	386-615-5014	No match found via Fast People Search.
10/18/2021	11:38hrs		Selycette Hamner of Palm Coast.
10/19/2021	10:42hrs		SAO Inv. Bob O'Connor.
10/25/2021	13:30hrs	386-254-2696	Tomoka Correctional Institution.
10/25/2021	13:46hrs	850-717-3361	No match found via Fast People Search or RMS.
10/26/2021	09:43hrs	352-817-4739	Christopher Jones of Ocala.
10/26/2021	09:51hrs		John Kieser
10/27/2021	14:09hrs		John Kieser

A search was conducted for the above listed names in Tiburon RMS, other than SAO Investigator Bob O'Connor and John Kieser, to see what, if any, involvements there were that would warrant a telephone call from Cpt. Kilpatrick. The results were as follows:

- Kimberly Wolpert – The last record in RMS was a 2008 pawn transaction.
- [REDACTED] – There were several people named [REDACTED], but one with a matching telephone number was located. The last record for that subject was a pawn transaction on 01/09/2020, and the last entry associated with the POPD was case #190004811 from 06/05/2019, where [REDACTED] was the victim of a vandalism.
- Selycette Hamner – No match was found in RMS by name or telephone number. Several subjects with the same last name were located, but none matching the first name of Selycette.
- Christopher Jones – Christopher F. Jones and Sonja I. Fountain were contacted on 09/29/2021 in POPD case #210007097.

Review of Information from Cell Phone – 386-527-5651

On 11/12/2021 I submitted a request for all telephone calls and text messages sent to & from Cpt. Kilpatrick's city issued cell phone # 386-527-5651 for the time period of 10/11/2021 through 10/27/2021. Kim Le Van, I.T. Helpdesk Specialist, was assigned the request and contacted AT&T First Net for the requested information. After numerous attempts were made, Kim Le Van was still unable to obtain the requested records. On 12/07/2021, Kim Le Van advised the Usage Details requested were not available from AT&T First Net.

A request was sent to James Hicks on 12/07/2021 asking for him to verify whether or not any text messages sent or received by Cpt. Kilpatrick during the

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

10/11/2021 through 10/27/2021 time period had been archived and could be made available. James Hicks provided a screen shot of text messages sent to and received by Cpt. Kilpatrick during that time frame, all of which were found to be transitory in nature.

With the Apple ID password provided by Cpt. Kilpatrick, James Hicks was able to access the iCloud account established for the cellphone. This investigator was then able to view information stored in the iCloud account, which consisted of the following:

Photos folder – Contained 251 .jpeg files and 91 .mov files.

iCloud Drive folder – Contained a Fortify FL Portal item and an audio recording of a call from Kathleen Rauscher.

Notes folder – Contained 5 notes.

Contacts folder – The contacts appeared to be intact.

A copy of the above items was saved onto the flash drive provided by Walter Combee with the data recovered from the desktop computer.

Review of Data Recovered from Cpt. Kilpatrick's Desktop Computer

Cpt. Brozio noted during his interview that when he was moving into the office vacated by Cpt. Kilpatrick, he attempted to sign onto the desktop computer in the office but received a message that there was no internet connection. Cpt. Brozio notified James Moore, the I.T. Specialist assigned to the POPD, who then checked the computer and found that it appeared to have been returned to factory settings. James Moore notified his supervisor, James Hicks, and secured the desktop computer inside his office as directed by Hicks. The computer was later turned over to Walter Combee, Systems Administrator, who brought the machine to the I.T. Dept. at City Hall for further inspection.

During his interview, Walter Combee stated he utilized a recovery software program named Recuva to see if there were any documents able to be recovered from the machine. On 11/17/2021 Walter Combee notified me via email that he finished going through the recovered files from the desktop computer and recovered 6 GB of files. Walter Combee advised he copied the files to a thumb drive and would hand-deliver them to me on 11/18/2021, which he in-fact did.

Upon opening the thumb drive, I observed that it contained several electronic folders labeled as follows:

- Documents: folder contained 2,065 files. Not all files could be opened.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

- Excel Files: folder contained 135 files. Not all files could be opened.
- Internet Shortcuts: folder contained 81 items.
- Message files – Outlook: folder contained 35 items. Not all files could be opened.
- Movie-audio files: folder contained 153 files. Some files could be opened, but none of them played in their entirety, due to being corrupted.
- One Note files: folder contained 75 files. Not all could be opened.
- PDF files: folder contained 1,090 files. Not all files could be opened.
- Pictures: folder contained 1,229 items. Not all files could be opened.

There were also twelve (12) files on the thumb drive outside of the labeled folders, with six (6) being "BAK" files and the other six (6) being "BASE64" files. Walter Combee advised were likely backup files or operating system files, but it would take significant work to determine what program would be needed to open them.

Review of PDF Files

While reviewing the recovered PDF files, I noted one was labeled "Signed Receipt_1". The file was able to be opened and read and it was found to be an IA Package Receipt for IA2018-0029. The document detailed items of information provided to Sgt. Jeremy Bird by Cpt. Kilpatrick and showed that they both signed the document on 11/30/2018.

I accessed IA2018-0029 in IAPro and did not see the document attached to the case file. I opened every PDF document attached to IA2018-0029, in case the document was mislabeled or was mistakenly scanned with a different document, but found that the IA Package Receipt from 11/30/2018 was not attached anywhere within the IAPro case file for IA2018-0029.

I accessed every IAPro file created by Cpt. Kilpatrick during the same time frame as IA2018-0029, to determine if the IA Package Receipt was mistakenly attached to a different case, but did not locate it. At the direction of Asst. Chief Proctor, I then accessed every Internal Affairs investigation created in 2018 to determine if the IA Package Receipt from IA2018-0029 was mistakenly attached to someone else's case file. I opened every PDF file attached to each of the 2018 IAs but was unable to locate that particular IA Package Receipt in any case file.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

FDLE and State Attorney's Office

On 11/30/2021, Asst. Chief Proctor sent a request to FDLE Special Agent Jason Kriegsman, Resident Agent in Charge (RAC), for an outside review for any potential violations of Florida State Statute by Cpt. Kilpatrick in this case. SA Kriegsman replied on 12/01/2021 that he was reviewing it with their legal team and the State Attorney's Office (SAO) to determine if further action was required. SA Kriegsman replied again on 12/09/2021, advising that the information was reviewed by the FDLE legal team, that no further action was warranted by FDLE, and that a criminal investigation will not be conducted.

On 12/13/2021, Asst. Chief Proctor received an email from John Reid, SAO Chief Assistant, advising that no further action was required.

Interview with Robin Fenwick, City Clerk

On 11/11/2021, at about 08:32hrs, I conducted a sworn recorded interview with Robin Fenwick in her office the Port Orange City Hall. The following is a synopsis of that interview.

Robin Fenwick stated that her position with the City of Port Orange is that of City Clerk, with one of her duties being the custodian of public records for the city. I explained that Cpt. Kimberly Kilpatrick retired from the POPD on 10/29/2021 and asked Robin if, in the days and/or weeks leading up to that retirement date, Cpt. Kilpatrick turned over any documents or records to her (Fenwick) to be held as public records. Robin replied "No." When asked if Cpt. Kilpatrick contacted her with any questions regarding saving files she may have been planning to remove from her city issued cell phone, SurfacePro, or desktop computer, Robin replied "No, I never heard from her." Robin confirmed that Cpt. Kilpatrick did not contact her regarding any public records implications if she (Kilpatrick) restored those devices to factory settings. When asked if anyone else contacted her with similar questions, Robin replied "No." When asked if anybody provided documents to her advising they came from Cpt. Kilpatrick, Robin replied "No." I asked if anyone else asked her anything about restoring a cell phone, SurfacePro and desktop computer to factory settings and what it would mean regarding records. Robin replied that James Hicks, I.T. Manager, contacted her about the issue once he learned it occurred, but that nobody asked about it leading up to Cpt. Kilpatrick's retirement. Robin stated that Cpt. Kilpatrick did not ask her for any assistance in resetting her city issued cell phone, SurfacePro, or desktop computer and that she (Fenwick) did not provide any assistance to Cpt. Kilpatrick in restoring those devices to factory settings.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

When asked if there was anything she wished to add or clarify, Robin Fenwick stated the only thing she heard from Cpt. Kilpatrick, leading up to her retirement, was an email regarding a public records request she received from Mark Dickinson on 10/19/2021. Robin said she informed Cpt. Kilpatrick in the email that she (Fenwick) had the request handled and that Cpt. Kilpatrick didn't have to do anything with it. Robin said Cpt. Kilpatrick sent an email reply acknowledging Robin. I asked Robin to forward that email to me, which she did while I was still in her office. The interview was concluded at 08:38hrs.

Interview with Walter Combee, Systems Administrator

On 11/11/2021, at about 14:28hrs, I conducted a sworn recorded interview with Walter Combee in his office the Port Orange City Hall. The following is a synopsis of that interview.

Walter Combee stated he was contacted by James Hicks, the I.T. Manager, regarding the issue with Cpt. Kilpatrick's SurfacePro and desktop computer. Walter stated James Hicks was notified of it by James Moore, I.T. Specialist assigned to the Port Orange PD, then passed the information along to him. When asked what James Hicks told him, Walter stated Hicks said James Moore found Cpt. Kilpatrick's desktop and SurfacePro had been "wiped", and that the devices would need to be picked up and brought back to the I.T. Dept. at City Hall to see if they could do data recovery on them. When asked to explain what he meant by the term "wiped", Walter stated the Windows 10 operating system had been reinstalled as a fresh install, which then removed all data and settings which had been stored on that computer. I asked if that included any additional files that had been saved on the computer, to which Walter stated "Yes, everything had been wiped back to as if it was a factory fresh straight out of the box." Walter stated that while he was at the PD, Cpt. Fisher contacted him advising he (Fisher) had Cpt. Kilpatrick's cell phone and that it appeared to also have been returned to factory settings. Walter said that Cpt. Fisher turned the phone over to him in a paper bag, after which Walter brought it back to the I.T. Dept. and placed it on James Hicks' desk. Walter Combee said he had not looked at the phone at all, but was tasked with looking at the SurfacePro and desktop computer.

When asked what work was done regarding the SurfacePro and desktop computer, Walter said they used a program called "Recuva" to see if they would be able to recover any files from the devices. He stated the only files able to be recovered from the SurfacePro were Windows system files, which are normal files for running the operating system. Regarding the desktop computer, Walter

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

stated they were able to recover a large amount of data, but were still going through it to determine what data might be usable and what files were corrupted. Walter said there was about 57GB of data recovered, of which he was able to see that there were some Word documents, some video files, and some PDFs, but it has not yet been determined if the files have been partially overwritten, thus making them unreadable. Walter stated that he did the work on the desktop computer, while Luke Grasberger did the work on the SurfacePro. Walter was unsure if anyone was reviewing the cell phone.

I asked Walter, based on what he'd so far seen on the desktop computer, what knowledge or expertise would be required to get the device to the condition it was found in. Walter stated it would not take an extensive amount of knowledge, but it would require the person to be familiar with loading a Windows operating system off of a USB drive, which information he stated can be found online. Walter also stated the person could have done it using a USB drive and instructions on how to do it. Walter agreed that the reset was most likely done in Cpt. Kilpatrick's office, since it would have been cumbersome to remove it from the building.

Walter Combee stated that Cpt. Kilpatrick did not contact him regarding returning the desktop, SurfacePro, or cell phone to the factory settings. I asked if he knew if Cpt. Kilpatrick reached out to anybody else for assistance in completing the reset. Walter replied that he checked with Bruce Campbell and Corey Stapleton, both former city I.T. employees who had previously been assigned to the POPD, with both indicating to Walter that Cpt. Kilpatrick had not contacted them. Walter said he also spoke with Ray Miller, a current city I.T. employee previously assigned to the POPD, who told Walter she had not contacted him, either. Walter stated he did not assist Cpt. Kilpatrick with returning the desktop, SurfacePro, or cell phone to their factory settings.

When asked if there was a way to determine the date the reset on the desktop was completed, Walter said he could look at the installation date, which would show the date the files were installed on the device. He stated it had not yet been checked, but that he would add it to the list of things to do and would get back to me. The interview was concluded at 14:40hrs.

Interview with Luke Grasberger, Information Security Administrator

On 11/11/2021, at about 16:06hrs, I conducted a sworn recorded interview with Luke Grasberger in the Patrol Conference Room at the Port Orange Police Dept. The following is a synopsis of that interview.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

Luke Grasberger confirmed that he was assigned to attempt a data recovery on Cpt. Kilpatrick's SurfacePro and that he used the Recuva program for it. Luke stated the program ran through its process and he reviewed the results, which showed a lot of system files, but no documents that would have been stored on the computer. Luke stated he was initially informed about the incident by James Hicks, and that Walter Combee brought the cell phone, desktop computer, and SurfacePro to the I.T. Dept. Luke stated that, to the best of his knowledge, nobody else did any work on the SurfacePro.

Luke stated that when he received the SurfacePro and looked at it, the device was at a "first run" experience, basically as though someone had reinstalled Windows on it. When asked how that could be accomplished, Luke stated there were a couple methods. One was to use a recovery USB that has a Windows 10 image and install it over the top of the existing system. Luke said a person could also boot into the Windows recovery environment and reinstall Windows that way. When asked if there was any way to determine what method was used in this case, Luke said they wouldn't be able to determine that with certainty. In his experience, however, Luke believed that the second method was used on the SurfacePro, because it would be easier than making a USB key. Luke said he was not able to determine a date and time when the SurfacePro was reset to factory settings. Luke stated Cpt. Kilpatrick did not contact him asking for assistance in returning her devices to factory settings and nobody reached out to him, prior to the event occurring, asking how it could be done. Luke Grasberger stated he did not reset the devices on behalf of Cpt. Kilpatrick. The interview was concluded at 16:14hrs.

Interview with James Moore, I.T. Specialist

On 11/12/2021, at 08:10hrs, I conducted a sworn recorded interview with James Moore in my office at the Port Orange Police Dept. The following is a synopsis of that interview.

James Moore became involved with the case when Cpt. Brozio was moving into the Patrol Commander's office and was unable to log into the desktop computer due to there being no internet. James stated he first thought that Cpt. Brozio may have plugged the computer into an incorrect port while rearranging the office, but when he went to check the computer he saw that there was no network connection and that Cpt. Brozio had signed into a local account instead of a domain account. When asked to explain that, James Moore explained that the local account was for that device only, while the domain account would be for the city's network, which would give access to the OneDrive, etc. James said

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

what he saw was indicative of the machine having a new Windows system, and after looking further into the desktop he was able to see that it had been wiped clean and had Windows reinstalled on it. James Moore stated he notified his supervisor, James Hicks, about what he found, then removed the desktop from that office and took it to his own office. He said that Walter Combee later came to the PD and picked up the machine to bring to the I.T. Dept. at City Hall. He said that pretty much ended his involvement with the desktop computer.

James Moore stated that Cpt. Kilpatrick's SurfacePro had already been returned to him in its box, so he then checked it and found it had also been returned to factory settings. James Moore said he also turned the SurfacePro over to Walter Combee's care. James Moore stated he did not handle Cpt. Kilpatrick's city issued cell phone.

James Moore stated that Cpt. Kilpatrick did not contact him asking for assistance in returning her devices to factory settings. James Moore added that he had a conversation with Cpt. Kilpatrick regarding the transition and that he told her he would need the SurfacePro so he could prepare it for the next person. When asked what her response was to that, James Moore said Cpt. Kilpatrick told him that she has it and would get it to him. James stated that, leading up to Cpt. Kilpatrick's retirement, nobody else asked him how to return the devices to factory settings. He added that would have raised an alarm for him, because I.T. would simply back-up the files that need to be saved/stored without needing to return the devices to factory settings. The interview was concluded at 08:23hrs.

Interview with James Hicks, I.T. Manager

On 11/12/2021, at about 09:43hrs, I conducted a sworn recorded interview with James Hicks in his office at the Port Orange City Hall. The following is a synopsis of that interview.

James Hicks stated he was notified of the issue with Cpt. Kilpatrick's desktop computer when James Moore sent him a Microsoft Teams message that Moore needed to speak with him about an urgent matter. When he spoke with Moore via telephone, it was relayed that during the course of getting Cpt. Brozio set up to use Kilpatrick's desktop computer, the computer was found to have "been effectively wiped", reset to factory settings. James Hicks stated that meant there were no applications, files, settings, or anything else on the computer, just Microsoft Windows. When asked if that would be out of the ordinary, James Hicks agreed and said that in his sixteen (16) years with the City of Port Orange he had never seen a computer factory reset. James Hicks stated that when an

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

employee leaves the organization, he would expect the employee to look for any personal documents they may want to take with them. He also said it would also not be uncommon for an employee to save their contacts on a USB drive for later use, if needed. He said that he would, however, expect the employee to leave the computer in its current state and not destroy files on the computer.

When asked to explain how a person would get a computer into the state James Moore found Cpt. Kilpatrick's, James Hicks said there are various ways to do it. He said they were perplexed at first as to how the computer could have been wiped, since Cpt. Kilpatrick did not have administrator rights on the computer, but he believed they found how it might have been done. James Hicks said they discovered a way in Microsoft Windows for a person to change a setting that would allow someone to decide how the computer would start up. If someone were to change that setting, the computer would boot up into what essentially is a recovery mode. Once that is done, there are several additional steps to be taken to get to the option to have the computer reset to factory settings, essentially wiping everything off the computer. James Hicks stated that measures have since been taken to turn that setting off throughout the organization. James Hicks stated he felt the same method was used to reset the SurfacePro to factory settings.

Regarding Cpt. Kilpatrick's city-issued cell phone, James Hicks stated it was in the same state, having been returned to factory settings. After being told that the phone appeared to be back to factory settings, like a brand new issued phone, James Hicks reviewed emails received by Cpt. Kilpatrick to see if she received instructions from someone on how to wipe her computers. He stated that a couple days before they discovered what occurred, Cpt. Kilpatrick emailed a request to Apple for them to reset the password for her Apple ID. Hicks stated Apple sent her a link to reset her password, then shortly thereafter they sent her another email advising that her "Find My iPhone" feature had been turned off for that device. He said that was indicative of the device having been reset, since it's an automated email sent anytime a device is factory reset.

When asked if these actions could have been accidental, or if there had to be steps taken for it to occur, James Hicks said he believed it was intentionally done, because multiple steps had to be taken to achieve that result. James Hicks stated the user would need to know their Apple ID and password, and believed the user would be prompted twice to confirm they wanted to reset the device to factory settings. He said that is a protective measure put in place by Apple so a user wouldn't accidentally wipe their phone.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

I pointed out that Walter Combee stated he was reviewing approximately 59GB worth of data recovered from the desktop computer, then asked James Hicks if they have yet determined what any of that data is. James stated it has not been determined yet what the documents/files might be and was doubtful they would be able to determine it, since it was likely that the documents/files were corrupted in the process of the hard drive being wiped.

I asked James Hicks if any of Cpt. Kilpatrick's emails showed she reached out to someone for assistance in resetting the devices, and he replied they did not. He stated, however, that he only reviewed the emails from a few days before the issue was discovered. He reiterated that the emails from Apple regarding resetting Cpt. Kilpatrick's Apple ID password, followed by the email advising the "Find My iPhone" feature was not disabled, were from just a couple days before the issue was discovered, while Cpt. Kilpatrick was still employed by the City.

James Hicks stated Cpt. Kilpatrick did not reach out to him asking if she could do the factory reset, that she did not ask him for assistance in accomplishing the task, and to the best of his knowledge she did not ask any of his staff for assistance. James Hicks stated his belief that Cpt. Kilpatrick would have needed technical help from someone to reset the desktop and SurfacePro back to factory settings, as he didn't believe she had the technical knowledge to do it on her own. The interview was concluded at 10:08hrs.

Interview with Captain Scott Brozio

On 11/19/2021, at about 08:39hrs, I conducted a sworn recorded interview with Cpt. Brozio in his office at the Port Orange Police Dept. The following is a synopsis of that interview.

Cpt. Brozio stated that when he was moving into the Patrol Captain's office he was instructed by James Moore to log into the computer in the office to create his profile. Cpt. Brozio said there was some type of message on the screen and the computer seemed as though it were stuck in a mode where it was trying to restart. Cpt. Brozio said he notified James Moore of what was occurring and that James Moore contacted someone at the I.T. Dept. at City Hall, asking them to remote into the computer to see what was going on. Cpt. Brozio stated that was when it was discovered that it wasn't an issue of a wire being plugged into the wrong port, but that there was an issue with the desktop computer itself. Cpt. Brozio said he was told by James Moore that he would need a new desktop computer because there was nothing left on the one left by Cpt. Kilpatrick. When

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

asked if the SurfacePro used by Cpt. Kilpatrick was also there, Cpt. Brozio stated he didn't think so and believed it had already been turned in by Cpt. Kilpatrick.

I asked Cpt. Brozio if Cpt. Kilpatrick said anything to him about her desktop computer, SurfacePro or cell phone in the days leading up to her retirement on 10/29/2021. He replied he believed that on Tuesday 10/26/2021 when he went to Cpt. Kilpatrick's office to talk to her, and saw she was doing something on her desktop computer. Cpt. Brozio said that her SurfacePro was sitting on the floor behind the desk, but he could see it because of the way she had her desk situated. Cpt. Brozio noted that both the desktop computer and SurfacePro had blue screens on their displays, which reminded him of when someone is installing a program and it's asking what language the user wants, etc., and looked as though it was at the point where it was asking what time zone it was in. Cpt. Brozio stated Cpt. Kilpatrick told him she was restarting the computer, which he thought meant she was restarting it or changing it over so someone else could use it when she turned it in. He said he didn't ask her any questions about it.

Cpt. Brozio stated that when he moved into that office he noted a lack of any paperwork left behind by Cpt. Kilpatrick. He believed that during the week of November 1st he was by Beth Unruh's desk speaking with Asst. Chief Proctor and mentioned that fact to him, at which time Beth Unruh said that Cpt. Kilpatrick provided Dwight (VIPS Sgt. Dwight Gault) about two recycle bins worth of documents for him to shred. Cpt. Brozio stated the hanging folders in the filing cabinet were left empty by Cpt. Kilpatrick.

Cpt. Brozio verified that the lock to that office door was changed back in 2018, and only the Command Staff can unlock the door with their master keys. To the best of his knowledge that was still the case after Cpt. Kilpatrick took over as the Patrol Captain. Cpt. Brozio stated the office door was closed and locked on the day he went to the office to begin setting up the desktop computer and discovered there was an issue with it. Cpt. Brozio hadn't heard anybody mentioning that Cpt. Kilpatrick sought assistance in getting her computers returned to factory settings. The interview was concluded at 08:52hrs.

Interview with VIPS Sergeant Dwight Gault

On 11/19/2021, at about 14:49hrs, I conducted a sworn recorded interview with VIPS Sgt. Dwight Gault in my office at the Port Orange Police Dept. The following is a synopsis of that interview.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

Dwight stated he was filling in for the VIP who normally does the shredding and noticed there was much more shredding to be done than was normal. He couldn't remember who he was talking with but recalled someone saying that Cpt. Kilpatrick had cleaned her files out, or something to that effect. Dwight believed that was in the first two weeks of October, but he wasn't certain of the date. Dwight clarified that Cpt. Kilpatrick didn't provide him the green recycle bins with documents to be shredded, and that he didn't go into her office to empty the recycle bins for her. When he arrived to do the shredding that morning, he found the large rolling bin by the shredder in the Report Writing Area was already full. Dwight did not know where the documents came from, who placed them in the large rolling bin, or what information was contained in the documents. The interview was concluded at 14:55hrs.

Interview with Retired Captain Kimberly Kilpatrick

On 12/15/2021, at about 14:03hrs, I conducted a sworn recorded telephone interview with Ret. Cpt. Kimberly Kilpatrick. The following is a synopsis of that interview.

After explaining that the investigation was due to her desktop computer, SurfacePro, and city issued cellphone having been returned to factory settings in the days leading up to her retirement, Cpt. Kilpatrick readily admitted to doing the reset of the devices. She stated that she thought she was simply removing herself as a user from the devices and was being helpful by doing it so someone else wouldn't have to before reassigning the equipment.

Cpt. Kilpatrick stated she did the cell phone first. She said the phone was previously assigned to now retired Lt. Timothy Wright and still had all of his contacts in it when it was reassigned to her. She stated that many of those contacts were in the phone several times and was a mess, that she wasn't able to merge the contacts and didn't want to leave it like that for whomever would be next to have the phone assigned to them. I pointed out the emails sent to her from Apple regarding resetting her password and the Find My app being disabled, to which she stated she didn't believe she reset the password. Cpt. Kilpatrick provided me with [REDACTED] as what she believed to be the correct Apple ID password she used. She later emailed me advising the Apple ID password might also have been one of the following: [REDACTED] or [REDACTED]. The passwords were provided to James Hicks to attempt to retrieve any of the phone's potential data from the iCloud. Cpt. Kilpatrick stated there were no PD files stored in the phone and that her text messages would have been automatically archived with the City.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

Regarding the desktop computer and SurfacePro, Cpt. Kilpatrick stated she recalled it having been mentioned that Cpt. Brozio would not have been able to bring his computer to the Patrol Captain's office from where it was currently located, and that he would be using her desktop. With that in mind she saved some personal pictures and files that had been stored on the computer onto a flash drive then reset the computer, again believing she was merely removing herself as a user from it. Cpt. Kilpatrick stated it was not done with any malicious intent, that she was trying to be helpful. When asked how she went about doing the reset, Cpt. Kilpatrick stated she went into the computer's settings and looked for anything that mentioned deleting a user or resetting a user, then simply followed the prompts. Cpt. Kilpatrick stated she did not have help from anyone else and did not research it prior to taking the action. She believed the reset was done on Wednesday 10/27/2021, which was her last working day prior to her retirement. Cpt. Kilpatrick stated she took the same action with her SurfacePro to reset it to factory settings.

Regarding public records, Cpt. Kilpatrick said she didn't create work in her position but was responsible for reviewing work from other people, so she didn't believe there was anything left on her desktop computer that would not have already been a part of an existing file somewhere else. Cpt. Kilpatrick stated she did have items saved on the city's OneDrive before she left, so items could also be found there. James Hicks later verified this and stated he downloaded a copy of her OneDrive items for preservation. Cpt. Kilpatrick did not save or back up any PD files to a flash drive before she reset the device. Regarding the SurfacePro, Cpt. Kilpatrick stated there wasn't really anything on it to begin with.

Regarding the filing cabinet and desk file folders, Cpt. Kilpatrick stated she did dispose of the files in them, stating they contained "a bunch of crap accumulated over...", but that there was an IA file pertaining to former Lt. Morrow which she turned over to Heather Rubin for proper storage.

Prior to concluding the interview, Cpt. Kilpatrick reiterated that she didn't believe at the time that she was doing anything wrong, that she's not that technologically capable, and that her intention was simply to be helpful in getting the devices cleared up and ready for the next person to be able to use them. The interview was concluded at 14:23hrs.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

Interview with Heather Rubin, Records Supervisor

On 12/16/2021, at about 09:57hrs, I conducted a sworn recorded interview with Heather Rubin in my office at the Port Orange Police Dept. The following is a synopsis of that interview.

After I explained the background for the investigation, Heather Rubin verified that Cpt. Kilpatrick did turn over an IA file to her involving Lt. Morrow. Heather wasn't certain of the date when Cpt. Kilpatrick gave it to her, but stated it was within a week or so prior to Cpt. Kilpatrick's retirement. Heather stated that no other files were given to her by Cpt. Kilpatrick. The interview was concluded at 09:57hrs.

Summary of Evidence

- Recovered documents
- C-Cure4000 Door Access Report
- Call log for desk phone
- Text messages
- Emails
- Interviews

Investigative Summary

On Thursday 10/28/2021, it was discovered that there was an issue with the desktop computer, SurfacePro, and city issued cellphone assigned to Cpt. Kimberly Kilpatrick having been returned to factory settings. Cpt. Kilpatrick retired from the Port Orange PD on Friday 10/29/2021.

The issue with the desktop computer was discovered when Cpt. Brozio was moving into the Patrol Captain's office, attempted to log onto the computer, but wasn't able to and contacted James Moore for assistance.

James Moore checked the computer and said during his interview that what he saw was indicative of the machine having a new Windows system installed. After James Moore looked further into the desktop computer, he was able to see that it had been wiped clean and had Windows reinstalled on it.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

Upon seeing the state of the desktop computer, James Moore checked the SurfacePro already turned in by Cpt. Kilpatrick and found that it, too, had been returned to factory settings. James Moore notified his supervisor, James Hicks, who tasked Walter Combee with retrieving the desktop computer and SurfacePro and bringing them to the I.T. Dept. at City Hall for further examination.

Cpt. Kilpatrick's issued cellphone, which had already been turned over to Cpt. Fisher, was then checked and found to have been returned to factory settings. The cellphone was also taken to the I.T. Dept. by Walter Combee.

The SurfacePro was examined further by Luke Grasberger, Information Security Administrator, who used the Recuva recovery software in an attempt to recover data from the device. Luke stated he found system files needed to run the machine, but no documents were recovered from it.

James Hicks, I.T. Manager, advised Cpt. Kilpatrick's cellphone had been returned to factory settings. He reviewed her emails and found she received emails from Apple indicating her Apple ID password had been changed, which was then followed by an email from Apple advising the Find My app was disabled. James Hicks said that was indicative of the phone being returned to factory settings.

James Hicks stated that Cpt. Kilpatrick would have been prompted a couple times by the phone's software to verify she wanted to proceed with the reset of the phone, which indicated to him that the reset to factory settings was done intentionally. James Hicks advised there was no way to retrieve any data that was removed from the phone when it was reset to factory settings, other than what may have been saved to the iCloud.

Walter Combee used the Recuva software on Cpt. Kilpatrick's desktop computer and was able to recover about 6 GB worth of files. He placed a copy of the recovered files on a thumb drive, which he handed directly to this investigator.

A review of the "PDF files" folder on the thumb drive revealed it contained 1,090 files, some of which could be opened. One such file able to be opened was labeled "Signed Receipt_1" and was found to be a scanned copy of an IA Package Receipt for IA2018-0029 bearing the signatures of Cpt. Kilpatrick and Sgt. Jeremy Bird.

A check of the case file for IA2018-0029 in IAPro revealed the document was not attached to it. A check of other IAPro case files from Cpt. Kilpatrick from that same time frame revealed the document still could not be located. All Internal

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

Affairs investigations from 2018 were checked and that particular document was not located in any of the case files.

Luke Grasberger stated the return to factory setting of the desktop computer and SurfacePro could have been accomplished by rebooting the computer with a recovery USB that has a Windows 10 image and install it over the top of the existing system. Another method would be to boot into the Windows recovery environment and reinstall Windows.

Regarding the second method described by Luke Grasberger, James Hicks stated Cpt. Kilpatrick would have had to know about a particular setting to change that would then allow her to decide how the computer would start up. Several additional steps then had to be taken to get to the option to have the computer reset to factory settings, essentially wiping everything off the computer. James Hicks stated it could not have been done accidentally.

Cpt. Brozio stated in his interview that Cpt. Kilpatrick's desktop computer and SurfacePro were displaying blue screens when he went to see her on Tuesday 10/26/2021, and that Cpt. Kilpatrick said she was restarting them.

Cpt. Brozio stated that no paper files were left behind by Cpt. Kilpatrick in the filing cabinet or desk drawers in the Patrol Captain's office. It is unknown what paper files were removed by Cpt. Kilpatrick.

Robin Fenwick, Port Orange City Clerk, stated that Cpt. Kilpatrick did not turn over any documents to her office for safe keeping as potential public records prior to her retirement on 10/29/2021.

A request was made to FDLE SA Jason Kriegsman for an outside review of the information to determine if there was a potential violation of Florida State Statute. SA Kriegsman replied on 12/09/2021 that the information was reviewed by the FDLE legal team, that no further action was warranted by FDLE, and that a criminal investigation will not be conducted.

On 12/13/2021, Asst. Chief Proctor received an email from John Reid, SAO Chief Assistant, advising that no further action was required.

During her interview on 12/15/2021, Ret. Cpt. Kimberly Kilpatrick admitted that she returned the desktop computer, SurfacePro, and city issued cellphone to factory settings in the days leading up to her retirement on 10/29/2021.

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

She stated she reset the cellphone first and believed it was on Tuesday 10/26/2021. She said the phone had previously been assigned to Lt. Tim Wright and all of his contacts were left on it when it was given to her, with some contacts having multiple entries. She remembered that she had been unable to merge the contacts and didn't want to do that to the next person who got issued the cell phone. Cpt. Kilpatrick stated no PD files had been stored on the phone while she had it.

Cpt. Kilpatrick willingly provided potential passwords that she may have used as her Apple ID password to return the cellphone to factory settings. That information was shared with James Hicks, who was then able to access the iCloud account for the phone. No items of crucial importance were observed.

Regarding the desktop computer and SurfacePro, Cpt. Kilpatrick stated she returned them both to factory settings on 10/27/2021 by going into the "Settings" menu and looking for anything that indicated she could remove herself as the user or deleting a user. She said she simply then followed the prompts.

Prior to resetting the devices, Cpt. Kilpatrick saved copies of some photos and personal documents to a flash drive. She didn't believe there were any PD files left on her desktop computer that would not have already been a part of an existing file somewhere else. Cpt. Kilpatrick stated she did have items saved on the city's OneDrive before she left, so items could also be found there. James Hicks verified that information and stated he downloaded a copy of her OneDrive items for preservation. Cpt. Kilpatrick did not save or back up any PD files to a flash drive before she reset the device.

Cpt. Kilpatrick stated her intention of returning the devices to factory settings was meant to be of help in getting the devices prepared to be issued to the next user. She stated there was no malicious intent on her part, that she was not attempting to destroy documents, but was merely trying to remove herself as a user of the devices to make it easier for them to be re-issued. Cpt. Kilpatrick stated nobody else assisted her with the factory reset of the devices.

Recommended Disposition

26.1.46 Failure to Follow Directive or Order – SUSTAINED

About 6 GB of data was recovered from Cpt. Kilpatrick's desktop computer, consisting of Word documents, PDF files, photos and videos, audio files, Excel files, and One Note documents. A small amount of data was able to be retrieved

Port Orange Police Department
INTERNAL AFFAIRS INVESTIGATION IA2021-0014

from the iCloud account for the cell phone after being provided the Apple ID password by Cpt. Kilpatrick. Emails Cpt. Kilpatrick received from Apple on 10/26/2021 indicated she returned the phone to factory settings on that day.

Cpt. Kimberly Kilpatrick admitted that she returned her desktop computer, SurfacePro, and city issued cellphone to factory settings in the days leading up to her retirement on Friday 10/29/2021. She stated her intention of returning the devices to factory settings was meant to be of help in getting the devices prepared to be issued to the next user. She stated there was no malicious intent on her part, that she was not attempting to destroy documents, but was merely trying to remove herself as a user of the devices to make it easier for them to be re-issued.

There is sufficient evidence to sustain the allegation.

**GENERAL ADMINISTRATIVE POLICY
PORT ORANGE, FLORIDA**



TITLE: Mobile Device Management
NUMBER: 1-15
EFFECTIVE: November 2017
RESTATED FROM: July 1993

STATEMENT OF POLICY

The purpose of this policy is to define the standards, organizational and employee responsibilities, and acceptable use for electronic communication devices owned by the City of Port Orange including, but not limited to, cell phones, smart phones, iPads, and tablets.

APPLICABILITY

This policy applies to all related mobile devices owned by the City and issued to City employees, elected officials, and appointees of the City Council who may participate in the program.

OWNERSHIP

The City of Port Orange's mobile devices, and information produced and stored within these devices, are the sole property of the City. The City has exclusive rights to review, retain and maintain files, messages and documents generated on any City owned mobile device. Communications records and data stored, sent, or received for the purpose of conducting City business are subject to the Freedom of Information Act (FOIA) and apply to all City owned mobile devices.

AUTHORIZATION & REQUEST FOR DEVICE

A mobile communications device may or may not be a mandatory tool for an employee to effectively perform his or her daily job. All requests for mobile devices should be coordinated through the Information Technology (IT) Division of Administrative Services.

The IT division procures the mobile devices and activates services, subject to approval from employee's respective Department Director, unless otherwise exempted by the City Manager. The Department will be responsible for the replacement and repair cost for all mobile devices.

Approval Criteria

Positions that are eligible for assignment of mobile communication devices shall generally have a business need such as:

- a) Management – The employee is in a managerial or supervisory role and a critical component of his/her job responsibilities, regardless of location, is contact with staff, citizens, and other agencies.
- b) Work location – The requirements of the job regularly take the employee away from his/her primary work location, either to serve the public or to complete work assignments, and the Department Director believes a mobile device is a critical tool for performing the job. Employees who are regularly assigned to a desk with access to an IP telephone and who do not meet other criteria will ordinarily not be assigned a mobile communications device.
- c) On-Call – The employee is either regularly on call or regularly expected to respond to City related matters during non-business hours.

GENERAL POLICY

City-owned mobile devices are to be used for City business purposes in a responsible, efficient, ethical, and legal manner in accordance with the rules and regulations of the City of Port Orange. All operations of these devices must be in accordance with Policy 1-32, Electronic Information Systems Use.

City Responsibilities

- The need for each wireless device is clearly justified for City business purposes only.
- Alternative solutions for work production and communication have been considered.
- Detailed equipment usage billings are received and reviewed for conformance with this policy.
- Use of City equipment and related accounts are terminated when no longer justified by business requirements or when the employee has by actions demonstrated a disregard for the limitations of this policy.
- Upon notification of separation of an employee by a department, all mobile devices will be suspended until the vacancy is filled, unless otherwise requested by the department in writing.

Participating Employee Responsibilities

- Employees provided with City equipment understand the purpose and limitations of usage.
- Understand the proper and safe use of mobile devices.

ACCEPTABLE USE

The City expects that employees will use mobile communication devices in an ethical and appropriate manner. The device should be operated primarily for City business and as intended by all other City policies.

Reasonable physical and security measures must be followed. All devices should be secure at all times so as not to subject the unit to theft, loss, or damage. If a City owned

mobile device is lost, the employee should immediately notify the IT division help desk who shall contact the vendor and other appropriate contacts, so that the device can be deactivated to prevent fraudulent use.

UNACCEPTABLE USE

Any call, e-mail message, data transaction, or internet query that could reasonably be made from a standard desktop or other electronic communication that would not impact customer service and is available at a lesser cost.

Any use of the device made in relation to an employee's personal business enterprise or personal income-producing work.

Any use for the purpose of personal entertainment such as 900 numbers, movie links, iTunes, personal social networking, personal pictures, internet shopping, etc.

Usage at any time by anyone other than the employee.

Texting while operating a motor vehicle will not be allowed at any time.

Talking on mobile devices while driving a motor vehicle is discouraged and not recommended at any time. Drivers must use handsfree devices where available. For those employees without handsfree devices, they are encouraged to pull off the road and park in a legal location before dialing or talking on mobile devices.

 Date 11/27/17
Michael H. Johansson
City Manager



**GENERAL ADMINISTRATION POLICY
PORT ORANGE, FLORIDA**

TITLE: Electronic Information Systems Use Policy
NUMBER: 01-32
EFFECTIVE: August 2019
SUPERSEDES: 11/2014

PURPOSE

To establish policy for the use and accessibility of the electronic information systems provided to employees, boards and commission members, or volunteers by the City. Electronic Information Systems ("EIS") shall include all computers, phones, software, internet access, and other electronic devices and systems provided by the City. To ensure that the City and its users benefit from the use of these systems, the following guidelines are hereby established. This policy is also intended to provide guidance and direction for the preservation of emails and text messages under the public records law. These guidelines provide a minimum standard to be followed. Individual departments may impose rules and regulations that are more restrictive.

IN GENERAL

It is the general policy of the City that any use of EIS provided by the City shall be used in a responsible, efficient, ethical, and legal manner to support the programs of the City.

The City reserves the right to monitor and log all activity on any of its EIS including email, text messaging, and internet use, with or without notice. Users shall have no expectation of privacy or confidentiality when using City EIS.

Although the City maintains firewalls and other security measures, users of EIS may be exposed to content that is offensive, indecent, or objectionable. Users shall access EIS including email and internet services at their own risk.

SCOPE

This policy shall apply to all employees including full-time, part-time, permanent, and temporary positions. This policy applies during all hours of the day and night including normal business hours, after-hours, and weekends. This policy also applies to boards

and commission members. Ordinance No. 2014-12 additionally addresses the applicability of these provisions to these members.

LICENSING AND SECURITY ISSUES

All electronic or digital software, data files, and applications residing on the City's EIS are either owned by or licensed solely for the City's use. Unauthorized reproduction of such software, data files, or applications is prohibited.

Software and applications that are not owned or licensed by the City may contain computer "viruses" which are capable of inflicting enormous damage upon the City's EIS. In addition, the City may face liability under copyright laws if users make or use unauthorized copies of copyright protected programs. As a result, users shall not install or use non-City owned or licensed software or applications on the City's EIS, except as specifically authorized by the City on a case-by-case basis. These software and applications include "screen savers," games, "shareware," and "freeware." If any user needs to use such software or application on the City's EIS, that user shall contact the IT Division for appropriate authorization. The IT Division shall maintain a list of approved and compatible software programs.

PROHIBITED ACTIVITIES

All employees are expressly prohibited from using the City's EIS to engage in any of the following activities:

1. Use that interferes with job performance;
2. Viewing electronic materials that contain obscene, pornographic, or otherwise offensive content;
3. Dissemination of sexually explicit, hate orientated, discriminatory, threatening or illegal images or information, including offensive jokes or cartoons;
4. Accessing any web site that promotes discrimination based on race, religion, gender, age, marital status, national origin, or disability;
5. Accessing gambling sites;
6. Promoting or endorsing any outside business venture;
7. Non-work-related chat or messenger services;
8. Playing video type games during the City's regular business work hours or using streaming services that interrupt normal work performance;

9. Engaging in unauthorized fund-raising efforts (any fund-raising effort utilizing the City's EIS must be approved by the City Manager);
10. Engaging in political activities prohibited by Section 10.02 of the Civil Service Rules and Regulations;
11. Downloading illegal or "pirated" software, incompatible software, games, audio, or video files, including but not limited to the use of any bittorrent, "torrent", or unauthorized peer-to-peer like applications;
12. Distributing, sending, or forwarding chain letters that contain discriminatory or offensive content;
13. Distributing, sending, or forwarding copies of documents, files, or applications in violation of copyright laws;
14. Accessing the electronic information of others without a bona fide business purpose;
15. Transmitting confidential information without authorization or using an unsecure means of transmission;
16. Conduct considered threatening, libelous, intemperate, abusive, or insulting towards the City or its various organizations, employees, and citizens; and
17. Any violation of local, state, or federal law.

The above is not an exhaustive list of prohibited EIS usage. Using the City's EIS in any manner which may cause disruption in the workplace is strictly prohibited.

NON-BUSINESS PURPOSE USE

Limited use of City EIS for non-business purposes may be permitted in accordance with express authorization from the Department Head. Any usage of City EIS for non-business purposes shall conform to the following requirements:

1. Use does not include any of the prohibited activities listed and does not otherwise create a real threat of immediate disruption in the workplace;
2. Use occurs during the employee's personal time (i.e., lunch break, before and after work, weekends, or off-duty);
3. Use does not otherwise impact the system bandwidth such that it raises a concern to IT Division or the normal flow of City operations; and

4. Use is scheduled so as not to infringe upon the employee's duties and work productivity.

PUBLIC RECORDS MANAGEMENT

Many employees are provided an email account and/or a cell phone by the City for official business use. All employees who have been provided a city email account shall use the city email account in furtherance of city business to ensure the maintenance and retention of all public records. All employees who have been provided a City cell phone are discouraged from using text messaging. If text messaging must be used, it may only be used when the message transmitted is transitory in nature and created primarily to communicate information of short-term value. Transitory messages are not intended to formalize or perpetuate knowledge and do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt. All emails and text messages sent and received using a City provided email account or cell phone are subject to public disclosure as required by law. In the event that unavoidable circumstances require an email or text message related to official City business be sent to or received from a personal email account or personal cell phone, the same shall be immediately forwarded to cityclerk@port-orange.org within seventy-two (72) hours of being sent or received to ensure proper maintenance and retention of the public record. Emails or text messages being preserved pursuant to this policy shall identify the sender, recipient(s), and contents of the message along with the date and time of transmission.

Employees are encouraged to use personal email accounts or personal cell phones when communicating private, non-business-related information which the employee does not wish to be made public. Any personal emails or text messages which do not fall within the definition of a "public record" pursuant to Fla. Stat. Section 119.011 (12) and containing sensitive personal information that has been inadvertently stored on a City email address or City cell phone should be reported to IT personnel immediately. The City Clerk's Office will endeavor to omit such personal (non-public records) when processing public records request involving emails and text messages. **HOWEVER, THE CITY SHALL NOT BE RESPONSIBLE FOR THE RELEASE OF ANY PRIVATE/PERSONAL COMMUNICATION THAT WAS SENT OR RECEIVED FROM A CITY-PROVIDED EIS.**

All emails and text messages made or received in connection with the transaction of official City business, **EVEN FROM PERSONAL EMAIL ACCOUNTS AND PERSONAL CELL PHONES**, shall be subject to public disclosure as required by law. It shall be the responsibility of each person subject to this policy to retain and provide to the records custodian any public record stored on a personal email account or personal cell phone in accordance with this policy.

Upon separation of employment or no longer serving on a board or commission, an employee's EIS account will be inactivated as quickly as possible. However, public records will be maintained in accordance with applicable law which may be requested in accordance with Policy 1-47, Processing of Public Records Request.

SOCIAL MEDIA

"City Social Media Accounts"

When using City EIS, the City's social media pages (i.e. Facebook, Twitter, etc.) may only be accessed for business purposes by employees with express authorization from their respective department head and the City Manager. When using social media to transmit or communicate information to the public, all information transmitted or communicated shall be retained in accordance with the Public Records Act. All employees expressly authorized to use social media shall conduct themselves at all times as representatives of the City and accordingly, shall adhere to all City rules, procedures, and standards of conduct. All content posted by an authorized user of social media shall represent the City's point of view, not that of the employee.

"Personal Social Media Accounts"

The First Amendment does not require a public employer to tolerate embarrassing, vulgar, vituperative, ad hominem attack, even if such attack touches on a matter of public concern. Accordingly, any defamatory, obscene, slanderous, or unlawful speech, writing, or other expressions posted by an employee on his/her personal social media account may result in disciplinary action. However, this policy shall not be interpreted in any way as to interfere with, restrain, or coerce public employees in the exercise of any rights guaranteed them by Chapter 447, Part 11, Florida Statutes, including but not limited to the right to engage in concerted activities not prohibited by law, for the purpose of collective bargaining or other mutual aid or protection.

CONSEQUENCES OF POLICY VIOLATION

Employees violating this Policy are subject to disciplinary action up to and including termination. The severity of the disciplinary action and/or legal action taken will depend on the nature of the offense. Violation of this policy may also be grounds for revocation of City EIS access.

THE CITY OF PORT ORANGE RESERVES THE RIGHT TO EXAMINE ALL DATA STORED, VIEWED, OR TRANSMITTED ON ANY CITY EIS TO ENSURE THAT ALL USERS ARE IN COMPLIANCE WITH THIS POLICY. USERS OF CITY EIS SHALL HAVE NO PRIVACY RIGHTS IN ANY INFORMATION SENT, RECEIVED OR STORED WITH THE USE OF CITY EIS.



Michael H. Johansson
City Manager

Date 8/13/2019



Name Details 

- RMS Web - - CAD Web - - Admin - Help
 System Favorites Searches Crystal ARS RMS Reports Incident
 Records Property Warrants Traffic Field Case Crime
 Contact Mngmt Analysis

• Index

Name Master Information

No mug shot system has been enabled												
Name	JONES, CHRISTOPHER F	MNI	2560719	Associates	LINKS	2560719	Race	W	Sex	M	Date of Birth	01/09/1965
Height	600	Weight	185	Hair Color	BLD		Eye Color	BLU				
OLN	520-106-65-009-0			OLS	FL	Soc Sec No	SPN					
Jail ID No				SID		FBI No						

Linked Vehicles

Details	Involvement	License No.	State	Lic. Year	Veh. Year	Veh. Make	Veh. Model	Veh. Style	Veh. Color	Agency	Primary Ref.	Secondary Ref.
1811406	OTH	2730PQ	FL	2021	2000	Ford/Courier/Ford Goldline Camper	F15	3-door Truck		POPD	21000709Z (Incident)	

Phone Record

Juve?	Details	Phone No	Phone Type	Agency	Reference No	Date	Other
Adult		(352)817-4739	Home	POPD	21000709Z (Incident)	09/29/2021	n/a

Address Record

Juve?	Details	Address	Address Type	City	State	Agency	Reference No	Date	Other

Adult	UNEMPLOYED	Additional	PORT ORANGE	FL	POPD	210007097 (Incident)	09/29/2021	n/a
Adult	GENERAL DELIVERY		PORT ORANGE	FL	POPD	210007097 (Incident)	09/29/2021	n/a
Adult	448 6TH ST		HOLLY HILL	FL	HHPD	210001523 (Incident)	08/02/2021	n/a
Adult	448 6TH ST		HOLLY HILL	FL	HHPD	21F005479 (CAS Person)	08/03/2021	

Summaries

Juve?	Details	Agency	Reference No	Sec Reference No	Invl	Reason	Date
Adult		POPD	210007097 (Incident)	3741078 (Person)	OTH	DV	09/29/2021
Adult		HHPD	21F005479 (CAS Person)		FCN	FCN	08/03/2021
Adult		HHPD	210001523 (CAS Person)		OTH	OTH	08/02/2021
Adult		HHPD	210001523 (Incident)	3712861 (Person)	OTH	NARC	08/02/2021

End of document

- RMS Web - - CAD Web - - Admin - Help

System Favorites Searches Crystal ARS RMS Reports Incident

Records Property Warrants Traffic Field Case Crime Flags

Contact Mngmt Analysis

• Index

Name Master Information

No mug shot system has been enabled												
Name	WOLPERT, KIMBERLY REGINA	MNI	811595	Associates	LINKS	811595	Race	W	Sex	F	Date of Birth	10/02/1968
Height	502	Weight	154	Hair Color	BLN	Eye Color	BLU					
OLN	W41651668862	FL	OLS	Soc Sec No	SPN							
Jail ID No	SID			FBI No								

Phone Record

Juve?	Details	Phone No	Phone Type	Agency	Reference No	Date	Other
Adult		(386)793-2670	Home	VCSCO	800243 (Pawnd Property)	01/28/2008	n/a
Adult		(386)793-2670	Home	VCSCO	701867 (Pawnd Property)	08/08/2007	
Adult		(386)793-2670	Home	VCSCO	701721 (Pawnd Property)	07/24/2007	n/a

Address Record

Juve?	Details	Address	Address Type	City	State	Agency	Reference No	Date	Other
Adult		88 EVANS DR		PALM COAST	FL	VCSCO	800243 (Pawnd Property)	01/28/2008	


Summaries

Juve?	Details	Agency	Reference No	Sec Reference No	Invl	Reason	Date
Adult		VCISO	800243 (Pawnd Property.)		PAW	PAW	01/28/2008
Adult		VCISO	701867 (Pawnd Property.)		PAW	PAW	08/08/2007
Adult		VCISO	701721 (Pawnd Property.)		BUY	BUY	07/24/2007

End of document

• Index

Name Master Information

No mug shot system has been enabled													
Name	FOUNTAIN, SONJA I	MNI	1153079	Associates		LINKS	1153079	Race	W	Sex	F	Date of Birth	07/12/1965
Height	504	Weight	160	Hair Color	BRO	Eye Color	BRO						
OLN	F535789657520	OLS	FL	Soc Sec No	SPN								
Jail ID No		SID		FBI No									

Aliases

Juve?	Details	Alias Name	Race	Sex	Date of Birth	Agency	Reference No	Other
Adult		FOUNTAIN, SONJA IRENE	W	F	07/12/1965	OBPD	FPL0009359 (Citation)	n/a

Linked Vehicles

Details	Involvement	License No.	State	Lic. Year	Veh. Year	Veh. Make	Veh. Model	Veh. Style	Veh. Color	Agency	Primary Ref.	Secondary Ref.
849371	CIT	842JRD	FL	2010	1998	Chevrolet		Station Wagon	Red	OBPD	FPL0005711 (Citation)	
937246	CIT	S42JRD	FL	2012	1998	Chevrolet		Station Wagon	Red	OBPD	FPL0009359 (Citation)	
1011106	CIT	BHDN40	FL	2013	1998	Chevrolet		Station	Red	OBPD	FPL0002801	

Wagon (Citation)

Phone Record

Juve?	Details	Phone No	Phone Type	Agency	Reference No	Date	Other
Adult		(352)817-4739	Home	POPD	210007097 (Incident)	09/29/2021	n/a
Adult		(352)512-3660	Home	SDPD	200800116 (Incident)	08/29/2020	

Address Record

Juve?	Details	Address	Address Type	City	State	Agency	Reference No	Date	Other
Adult		UNEMPLOYED	Additional	PORT ORANGE	FL	POPD	210007097 (Incident)	09/29/2021	n/a
Adult		GENERAL DELIVERY		PORT ORANGE	FL	POPD	210007097 (Incident)	09/29/2021	n/a
Adult		1930 S RIDGEWOOD AV #63	Home	SOUTH DAYTONA	FL	SDPD	201000071 (Incident)	10/11/2020	n/a
Adult		1930 SOUTH RIDGEWOOD AVE 63		SOUTH DAYTONA	FL	VCSO	10786 (Pawned Property)	11/19/2019	
Adult		22 DOWNING AVE		PORT ORANGE	FL	VCSO	10471 (Pawned Property)	06/20/2019	n/a
Adult		500 SHADOW LAKES BLVD #39		ORMOND BEACH	FL	OBPD	FPL0002801 (Citation)	01/27/2013	
Adult		500 SHADOW LAKES BLVD #3A		ORMOND BEACH	FL	OBPD	FPL0009359 (Citation)	05/26/2012	n/a

Summaries

Juve?	Details	Agency	Reference No	Sec Reference No	Invl	Reason	Date
Adult		POPD	210007097 (Incident)	3741077 (Person)	OTH	DV	09/29/2021
Adult		SDPD	201000071 (Incident)	3544763 (Person)	OTH	INFO	10/11/2020
Adult		SDPD	200800116 (Incident)	3522887 (Person)	VIC	ABAT SIMP	08/29/2020
Adult		VCSO	10786 (Pawned Property)		PAW	PAW	11/19/2019
Adult		VCSO	10605 (Pawned Property)		PAW	PAW	08/20/2019
Adult		VCSO	10471 (Pawned Property)		PAW	PAW	06/20/2019
Adult		OBPD	FPL0002801 (Citation)		CIT	322.34(1)	01/27/2013
Adult		OBPD	FPL0009359 (Citation)		CIT	322.34(1)	05/26/2012
Adult		OBPD	FPL0005711 (Citation)		CIT	320.07(3)(B)	04/12/2011


End of document








- RMS Web - - CAD Web - - Admin - Help
 System Favorites Searches Crystal ARS RMS Reports Incident
 Records Property Warrants Traffic Field Case Crime Flags
 Contact Mngmt Analysis

• Index





Name Master Information

No mug shot system has been enabled													
Name	SULLIVAN, TYLER	MNI	1040216	Associates		LINKS	1040216	Race	W	Sex	M	Date of Birth	06/11/1998
Height	602	Weight	200	Hair Color	BRO	Eye Color	HAZ	Soc Sec No	SPN				
OLN	S415800982110		FL	OLS	SID								
Jail ID No	FBI No												

Phone Record















Juve?	Details	Phone No	Phone Type	Agency	Reference No	Date	Other
Adult		(386)852-5456	Home	VC SO	282092 (Pawnd Property)	01/09/2020	
Adult		(386)212-2059	Home	POP D	190003741 (Incident)	04/30/2019	n/a
Adult		(386)316-6926	Home	VC SO	277097 (Pawnd Property)	01/11/2019	

Address Record

Juve?	Details	Address	Address Type	City	State	Agency	Reference No	Date	Other
Adult		194 LOQUAT LN		PORT ORANGE	FL	VC SO	282092 (Pawnd Property)	01/09/2020	
Adult		194 LAQUAT LN		PORT ORANGE	FL	DLPD	190006548 (Incident)	09/05/2019	n/a
Adult		194 LOQUAT LN		PORT ORANGE	FL	POP D	190004811 (Incident)	06/05/2019	n/a

		194 LOQUAT LN	PORT ORANGE	FL	POPD	A10A3NE (Citation)	07/12/2014	n/a
		4317 CLOVERHILL TER	CINCINNATI	OH	VCSO	100008109 (Incident)	03/16/2010	n/a

Summaries

Juve?	Details	Agency	Reference No	Sec Reference No	Invl	Reason	Date
Adult	 282092 (Pawnd Property)	VCSO			PAW	PAW	01/09/2020
Adult	 281890 (Pawnd Property)	VCSO			PAW	PAW	12/23/2019
Adult	 280956 (Pawnd Property)	VCSO			PAW	PAW	10/21/2019
Adult	 190006548 (Incident)	DLPD	3318426 (Person)		DRV	MV	09/05/2019
Adult	 280168 (Pawnd Property)	VCSO			PAW	PAW	08/26/2019
Adult	 279741 (Pawnd Property)	VCSO			PAW	PAW	07/29/2019
Adult	 279506 (Pawnd Property)	VCSO			PAW	PAW	07/15/2019
Adult	 279463 (Pawnd Property)	VCSO			PAW	PAW	07/12/2019
Adult	 190004811 (Incident)	POPD	3266272 (Person)		VIC	VAND	06/05/2019
Adult	 190003741 (Incident)	POPD	3270602 (Person)		WIT	TRES	04/30/2019
Adult	 278348 (Pawnd Property)	VCSO			PAW	PAW	04/18/2019
Adult	 278308 (Pawnd Property)	VCSO			PAW	PAW	04/16/2019
Adult	 278064 (Pawnd Property)	VCSO			PAW	PAW	03/25/2019
Adult	 277097 (Pawnd Property)	VCSO			PAW	PAW	01/11/2019
Adult	 276627 (Pawnd Property)	VCSO			PAW	PAW	12/12/2018
Adult	 273354 (Pawnd Property)	VCSO			PAW	PAW	05/16/2018
Adult	 272538 (Pawnd Property)	VCSO			PAW	PAW	03/21/2018
Adult	 272517 (Pawnd Property)	VCSO			PAW	PAW	03/19/2018
Adult	 272032 (Pawnd Property)	VCSO			PAW	PAW	02/08/2018
Adult	 271781 (Pawnd Property)	VCSO			PAW	PAW	01/23/2018
Adult	 271253 (Pawnd Property)	VCSO			PAW	PAW	12/18/2017
Adult	 269554 (Pawnd Property)	VCSO			PAW	PAW	08/26/2017
	 A10A3NE (Citation)	POPD			CIT	316.130(1)	07/12/2014
	 100008109 (Incident)	VCSO		1430137 (Person)	REC	8	03/16/2010

End of document

Aiken, Thomas

From: Proctor, William
Sent: Thursday, December 2, 2021 9:18 AM
To: Aiken, Thomas
Subject: FW: [EXT] RE: Update

For your records.

From: Kriegsman, Jason <JasonKriegsman@fdle.state.fl.us>
Sent: Wednesday, December 01, 2021 9:35 AM
To: Proctor, William <wproctor@port-orange.org>
Subject: [EXT] RE: Update

AC Proctor,

I am reviewing with Legal and SAO to determine if further action is needed and will let you know asap, thanks.

Jason Kriegsman
Resident Agent in Charge
Brevard/Volusia County
321-752-3107



From: Proctor, William <wproctor@port-orange.org>
Sent: Tuesday, November 30, 2021 1:53 PM
To: Kriegsman, Jason <JasonKriegsman@fdle.state.fl.us>
Subject: FW: Update

CAUTION: This email originated outside of FDLE. Please use caution when opening attachments, clicking links, or responding to this email.

Good afternoon. Port Orange Information Technologies has provided us with the information recovered for Captain Kilpatrick's desktop computer. Lt. Aiken discovered a record used by Capt. Kilpatrick in an internal affairs investigation that was not included in the IA, Lt. Aiken could not find the form anywhere in our IAPro system. Please see the e-mail below. In order to have an outside review of the data and determine if there is a violation of Florida statute, I am requesting your office investigate the potential violation. We intend to interview Captain Kilpatrick as part of our internal affairs investigation, but we want to avoid a conflict with a possible criminal investigation. Please feel free to contact me if you have any questions.

From: Aiken, Thomas <ThomasA@port-orange.org>
Sent: Tuesday, November 23, 2021 2:49 PM
To: Proctor, William <wproctor@port-orange.org>
Subject: Update

Asst. Chief Proctor, here is an update regarding IA2021-0014.

On Thursday 11/18/2021, Walter Combee (I.T.) provided me a flash drive containing the 6.83GB of data recovered from Cpt. Kilpatrick's desktop computer. Upon accessing the flash drive I saw it contained several sub-folders labeled as follows:

Document files
Excel Files
Internet Shortcuts
Message files – Outlook
Movie-audio Files
One Note files
PDF files
Pictures.

Below the file folders there were several stand-alone BAK and BASE64 files, which Walter Combee advised he included on the flash drive because they appeared to be intact. Walter Combee further advised the BAK and BASE64 files were likely backups of the operating system files, but it would take a substantial amount of digging into them to determine what specific program would even be used to open them.

While looking through the folder labeled PDF files, I found several files that were readable, one of which was labeled "Signed Receipt_1.pdf". Upon opening the file I saw it was a scanned copy of a signed IA Package Receipt for IA2018-0029, which Cpt. Kilpatrick was the investigator for. The receipt documented the various items of evidence she provided to Sgt. Jeremy Bird (the subject officer), and bears the signatures of both Sgt. Bird and Cpt. Kilpatrick at the bottom of the form.

I accessed IA2018-0029 in IAPro and found that the form was not attached to the IAPro case. I opened each document attached to IA2018-0029, to see if the original IA Package Receipt was mistakenly included with another file or was simply mislabeled in IAPro, but still did not locate the IA Package Receipt. A check was also made of the other IAs conducted by Cpt. Kilpatrick in 2018, but the IA Package Receipt for IA2018-0029 was not located in any of those cases. I additionally checked the other IAPro incidents assigned to Cpt. Kilpatrick around the same time frame (Nov 2018), but did not locate the IA Package Receipt in any of those cases.

Respectfully,

Lieutenant Thomas W. Aiken
Support Services Division
Port Orange Police Department
4545 Clyde Morris Blvd
Port Orange, FL 32129
386-506-5879 ...office
386-756-5311 ...fax
ThomasA@port-orange.org

www.port-orange.org

Your e-mail communications may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. The views expressed in this message may not necessarily reflect those of the City of Port Orange. If you have received this message in error, please notify us immediately by replying to this message, and please delete it from your computer.

Aiken, Thomas

From: Apple <appleid@id.apple.com>
Sent: Tuesday, October 26, 2021 2:11 PM
To: Kilpatrick, Kim
Subject: [EXT] Your Apple ID password has been reset.





Your Apple ID password has been reset.

Dear Kimberly Kilpatrick,

The password for your Apple ID (**kkilpatrick@port-orange.org**) has been successfully reset.

If you didn't make this change or if you believe an unauthorized person has accessed your account, go to iforgot.apple.com to reset your password immediately. Then sign into your Apple ID account page at <https://appleid.apple.com> to review and update your security settings.

If you need additional help, contact [Apple Support](#).

Apple Support

[Apple ID](#) | [Support](#) | [Privacy Policy](#)

Copyright © 2021 One Apple Park Way, Cupertino, CA 95014, United States All rights reserved.

Aiken, Thomas

From: Find My <noreply@email.apple.com>
Sent: Tuesday, October 26, 2021 2:11 PM
To: Kilpatrick, Kim
Subject: [EXT] Find My has been disabled on iPhone.



Find My has been disabled on iPhone.

With Find My disabled, this device can no longer be located, placed in Lost Mode, or remotely erased using icloud.com/find or the Find My app.

In addition, your Apple ID and password will no longer be required for someone to erase, reactivate, and use your iPhone.



iCloud is a service provided by Apple.

[Apple ID](#) | [Support](#) | [Terms and Conditions](#) | [Privacy Policy](#)

Copyright © 2021 Apple Inc. One Apple Park Way, Cupertino, CA 95014 USA. All rights reserved.

Aiken, Thomas

From: Proctor, William
Sent: Monday, December 13, 2021 10:04 AM
To: Aiken, Thomas
Subject: FW: [EXT]

For the file

From: Kriegsman, Jason <JasonKriegsman@fdle.state.fl.us>
Sent: Thursday, December 09, 2021 3:19 PM
To: Proctor, William <wproctor@port-orange.org>
Subject: [EXT]

Good afternoon AC Proctor,

The information provided to FDLE in reference to the factory reset of Retired Captain Kim Kilpatrick's computer was reviewed by our legal and no further action is warranted by FDLE and a criminal investigation will not be conducted. Please let me know if you have any questions, thank you.

-Jason

Jason Kriegsman
Resident Agent in Charge
Brevard/Volusia County
321-752-3107



From: Hicks, James
Sent: Tuesday, December 21, 2021 2:45 PM
To: Aiken, Thomas
Subject: Hicks, James shared the folder "KIM K FILES" with you.




Hicks, James shared a folder with you

LT.,

I downloaded all of Kim's OneDrive files to my own OneDrive to preserve them since OneDrive only saves the files for 30 days after we terminate their license. This link should give you access to everything I preserved.



 This link will work for anyone.



[Privacy Statement](#)



Aiken, Thomas

From: Hicks, James
Sent: Friday, December 17, 2021 2:16 PM
To: Aiken, Thomas
Subject: RE: Cell phone
Attachments: Text Summary.PNG; Text Conversation.PNG

LT.,

Attached is a summary of the texts sent/received during that period. I also attached the conversation that looked relevant, the rest seem to be either junk or fortifyfl alerts.

From: Aiken, Thomas <ThomasA@port-orange.org>
Sent: Thursday, December 16, 2021 9:26 AM
To: Hicks, James <jhicks@port-orange.org>
Subject: Cell phone

James, I just looked found an old cellphone listing and saw I was correct that Kilpatrick's number was 386-527-5651. While on the subject of the cellphone, were you able to determine if any text messages she may have sent or received from 10/11/2021 through 10/27/2021 got archived?

Respectfully,

Lieutenant Thomas W. Aiken
Support Services Division
Port Orange Police Department
4545 Clyde Morris Blvd
Port Orange, FL 32129
386-506-5879 ...office
386-756-5311 ...fax
ThomasA@port-orange.org
www.port-orange.org

Proctor, William

From: Reid, John <ReidJ@sao7.org>
Sent: Monday, December 13, 2021 1:41 PM
To: Proctor, William
Subject: [EXT] Kilpatrick

No further action required. Please see below.

Thank you and Happy Holidays

John K. Reid, Esq., B.C.S.
Chief Assistant
251 North Ridgewood Avenue
Daytona Beach, Florida 32114
(386) 239-7710 ext. 14758

From: Kriegsman, Jason
Sent: Thursday, December 9, 2021 3:19 PM
To: Proctor, William (wproctor@port-orange.org) <wproctor@port-orange.org>
Subject:

Good afternoon AC Proctor,

The information provided to FDLE in reference to the factory reset of Retired Captain Kim Kilpatrick's computer was reviewed by our legal and no further action is warranted by FDLE and a criminal investigation will not be conducted. Please let me know if you have any questions, thank you.

-Jason

Jason Kriegsman
Resident Agent in Charge
Brevard/Volusia County
321-752-3107



LEGAL NOTIFICATION: Florida Sunshine Statutes entail very broad public records requirements (F. S. 119). As required by law, all e-mails to and from the State Attorney's Office of Circuit 7 are kept as a public record. Your e-mail communications, including your e-mail address may be disclosed to the public and media at any time. If you have received this communication in error, do not distribute it. Please notify the sender immediately by electronic mail and delete this message.

LEGAL NOTIFICATION: Florida Sunshine Statutes entail very broad public records requirements (F. S. 119). As required by law, all e-mails to and from the State Attorney's Office of Circuit 7 are kept as a public record. Your e-mail communications, including your e-mail address may be disclosed to the public and media at any time. If you have received this communication in error, do not distribute it. Please notify the sender immediately by electronic mail and delete this message.

Aiken, Thomas

From: Aiken, Thomas
Sent: Thursday, December 16, 2021 8:41 AM
To: Hicks, James
Subject: FW: [EXT] Passwords

Good morning, James. Since Kim emailed me the below information for additional possible Apple ID passwords for her phone, here's the one she mentioned during her interview yesterday: Please let me know if any of the three potential passwords gets you what you need.

Respectfully,

Lieutenant Thomas W. Aiken
Support Services Division
Port Orange Police Department
4545 Clyde Morris Blvd
Port Orange, FL 32129
386-506-5879 ...office
386-756-5311 ...fax
ThomasA@port-orange.org
www.port-orange.org

From: Kim Kilpatrick <mccraney_25@hotmail.com>
Sent: Wednesday, December 15, 2021 5:40 PM
To: Aiken, Thomas <ThomasA@port-orange.org>
Subject: [EXT] Passwords

So I looked on my phone and my apple password might be
or the one I gave you already.

Kim

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

Aiken, Thomas

From: Le Van, Kim
Sent: Tuesday, December 7, 2021 1:50 PM
To: Aiken, Thomas; Fenwick, Robin
Cc: Hicks, James
Subject: RE: [EXT] FirstNet Ticket Escalation Needed

Of course Tom. I'll keep you in the loop, and you're very welcome.

From: Aiken, Thomas <ThomasA@port-orange.org>
Sent: Tuesday, December 7, 2021 1:44 PM
To: Le Van, Kim <klevan@port-orange.org>; Fenwick, Robin <rphenwick@port-orange.org>
Cc: Hicks, James <jhicks@port-orange.org>
Subject: RE: [EXT] FirstNet Ticket Escalation Needed

Understood. Please let me know if the requested information from October 2021 is somehow eventually made available to us, because I'll still want to include it in my investigation. Thank you, Kim, for your perseverance in pressing the issue with them to at least get it rectified for future use.

Respectfully,

Lieutenant Thomas W. Aiken
Support Services Division
Port Orange Police Department
4545 Clyde Morris Blvd
Port Orange, FL 32129
386-506-5879 ...office
386-756-5311 ...fax
ThomasA@port-orange.org
www.port-orange.org

From: Le Van, Kim <klevan@port-orange.org>
Sent: Tuesday, December 7, 2021 1:35 PM
To: Fenwick, Robin <rphenwick@port-orange.org>; Aiken, Thomas <ThomasA@port-orange.org>
Subject: RE: [EXT] FirstNet Ticket Escalation Needed

It seems that FirstNet "Usage Details" will not be available until hopefully the next billing cycle. If not, definitely the next bill.

As of this date "Usage Details" will not be available for the previous months.

From: Fenwick, Robin <rphenwick@port-orange.org>
Sent: Tuesday, December 7, 2021 1:33 PM
To: Aiken, Thomas <ThomasA@port-orange.org>; Le Van, Kim <klevan@port-orange.org>
Subject: RE: [EXT] FirstNet Ticket Escalation Needed

I agree, sounds like a "moving forward" type of response but doesn't speak to the previous records we are looking for. Kim, can you just confirm that for us? As for the PRRs, I will provide that response if they confirm it.

Thanks for all the follow up.

Robin

Robin Fenwick, MMC

City Clerk

City of Port Orange

1000 City Center Circle | Port Orange, FL 32129

Office: 386.506.5563 | Email: rfenwick@port-orange.org

Website: www.port-orange.org



City of Port Orange Core Values:

Commitment, Adaptability, Respect, Ethics and Integrity (C.A.R.E.)

Tell us how we did!

[Click Here to Take the Clerk's Office Satisfaction Survey.](#)

From: Aiken, Thomas <ThomasA@port-orange.org>

Sent: Tuesday, December 7, 2021 1:31 PM

To: Le Van, Kim <klevan@port-orange.org>

Cc: Fenwick, Robin <rfenwick@port-orange.org>

Subject: RE: [EXT] FirstNet Ticket Escalation Needed

Kim, from Tony's response it's difficult to tell if we'll be receiving the information I was looking for from October, or if he's just saying that they'll start providing the detailed billing information again in the next bill or the or the one after. What's the impression you're getting from them?

Respectfully,

Lieutenant Thomas W. Aiken

Support Services Division

Port Orange Police Department

4545 Clyde Morris Blvd

Port Orange, FL 32129

386-506-5879 ...office

386-756-5311 ...fax

ThomasA@port-orange.org

www.port-orange.org

From: Le Van, Kim <klevan@port-orange.org>

Sent: Tuesday, December 7, 2021 1:23 PM

To: Fenwick, Robin <rfenwick@port-orange.org>; Aiken, Thomas <ThomasA@port-orange.org>

Subject: FW: [EXT] FirstNet Ticket Escalation Needed

I'm not sure when it will start, but I'll certain let you know.

From: PADRON, ANTONIO <ap1771@att.com>
Sent: Tuesday, December 7, 2021 10:42 AM
To: Le Van, Kim <klevan@port-orange.org>; UFRET, RICKY <ru824n@att.com>
Cc: Hicks, James <jhicks@port-orange.org>; Bob Burns <bob.burns@dmsstl.com>; GONZALEZ, ISMAEL <ig2476@att.com>; KURILA, KAREN E <kk4286@att.com>; MONTALVO, OMAR <om7214@att.com>; WALKER, BROOKE <bw039c@att.com>
Subject: RE: [EXT] FirstNet Ticket Escalation Needed

Good morning Kim,

The FirstNet Specialists were able to add the detailed billing to the FAN to correct the issue. Depending on the bill date it should reflect in the next bill or the one after.

Let us know if we can assist with anything else.

Regards,
Tony

From: Le Van, Kim <klevan@port-orange.org>
Sent: Friday, December 03, 2021 7:52 AM
To: UFRET, RICKY <ru824n@att.com>
Cc: Hicks, James <jhicks@port-orange.org>; Bob Burns <bob.burns@dmsstl.com>; GONZALEZ, ISMAEL <ig2476@att.com>; PADRON, ANTONIO <ap1771@att.com>; KURILA, KAREN E <kk4286@att.com>; MONTALVO, OMAR <om7214@att.com>; WALKER, BROOKE <bw039c@att.com>
Subject: RE: [EXT] FirstNet Ticket Escalation Needed

Good morning Ricky,

Per my email yesterday, below are the ticket numbers I've gotten from the various Customer Service Reps I've spoken to for the past couple of months:

2779323
CM20211112_151528141
2790798

Thanks for all your help.

Kim

From: UFRET, RICKY <ru824n@att.com>
Sent: Thursday, December 2, 2021 9:35 AM
To: Le Van, Kim <klevan@port-orange.org>
Cc: Hicks, James <jhicks@port-orange.org>; Bob Burns <bob.burns@dmsstl.com>; GONZALEZ, ISMAEL <ig2476@att.com>; PADRON, ANTONIO <ap1771@att.com>; KURILA, KAREN E <kk4286@att.com>; MONTALVO, OMAR <om7214@att.com>; WALKER, BROOKE <bw039c@att.com>
Subject: RE: [EXT] FirstNet Ticket Escalation Needed

Thank you Kim, I will research the usage request to see if that is available in the meantime.

Yes once you send me the tickets I can escalate as well.

Ricky Ufret

Strategic Account Lead III-Mobility
Florida State, Local and Education
AT&T Business

AT&T Business Solutions-Global Public Sector
1101 Greenwood Lakes Rd, Lake Mary, FL 32746
m 407.430.9388 | ricky.ufret@att.com



From: Le Van, Kim <klevan@port-orange.org>
Sent: Thursday, December 2, 2021 9:32 AM
To: UFRET, RICKY <ru824n@att.com>
Cc: Hicks, James <jhicks@port-orange.org>; Bob Burns <bob.burns@dmsstl.com>; GONZALEZ, ISMAEL <ig2476@att.com>; PADRON, ANTONIO <ap1771@att.com>; KURILA, KAREN E <kk4286@att.com>; MONTALVO, OMAR <om7214@att.com>; WALKER, BROOKE <bw039c@att.com>
Subject: RE: [EXT] FirstNet Ticket Escalation Needed

Good morning Ricky

I'm working remote today, and will be in the office tomorrow where those 3 ticket numbers are. The second ticket I put in for "Usage Details" on both my FirstNet bills came back almost immediately, denying my request for that information.

FirstNet used to supply all the "Usage Details" on the bill, but stopped. If it's not possible anymore to get those details, all I need is for someone to let me know, so I can pass the information on to the people with Public Records Requests.....of which there are a few.

First thing tomorrow, I will forward you the ticket numbers. But all I'm looking for are to have the "Usage Details" for my cell phones available. For every month. Again, though, if that's not possible anymore, please let me know.

Thanks for everything.

Kim

From: UFRET, RICKY <ru824n@att.com>
Sent: Thursday, December 2, 2021 9:23 AM
To: Le Van, Kim <klevan@port-orange.org>
Cc: GONZALEZ, ISMAEL <ig2476@att.com>; PADRON, ANTONIO <ap1771@att.com>; KURILA, KAREN E <kk4286@att.com>; MONTALVO, OMAR <om7214@att.com>; WALKER, BROOKE <bw039c@att.com>
Subject: [EXT] FirstNet Ticket Escalation Needed

Good morning Kim, I am the mobility specialist and I understand you have a few tickets open that you need escalated.

Can you please forward me the ticket number so I can escalate?

Thanks, and have a nice day

Ricky Ufret
Strategic Account Lead III-Mobility
Florida State, Local and Education
AT&T Business

AT&T Business Solutions-Global Public Sector
1101 Greenwood Lakes Rd, Lake Mary, FL 32746
m 407.430.9388 | ricky.ufret@att.com



Good morning Antonio.

I'm having some issues with the FirstNet portion of AT&T. I've put in the same three (3) tickets the last two weeks with no satisfaction to date.

My bills don't show usage details anymore on both of my FirstNet accounts. Usage details stopped being available on the April-May bills to date.....If AT&T has stopped providing such information, I need someone to send me an email saying as much. I've spent multiple hours on the phone with Customer Service Reps, who have promised all types of satisfaction, but nothing has ever come of it. One Rep was going to send me a copy of paper bills, but I never saw those either.

If you can give me some direction or someone other than a Customer Service Rep to speak to about this, I'd be very grateful. We get multiple Public Records Requests and a lot of that consists of cell phone records. So either way, can someone just let me know what I or someone else needs to do? I'd really appreciate it.

Thanks for your help, Antonio.

Kim

Aiken, Thomas

From: Combee, Walter
Sent: Wednesday, November 17, 2021 4:38 PM
To: Fisher, Eric; Aiken, Thomas
Cc: Hicks, James; Moore, James
Subject: Recovered Files

I have finally finished going through the recovered files from the desktop that had been erased.

I found 6 GB of files. They are documents, pdf files, video and audio fiels, excel files and a few others.

The rest of the files seem to be system files that would be found on any windows computer.

I cannot speak at this time to the completeness of the files, or to any level of corruption on them.

Some of them were given a generic name by the recovery system, which in most cases, means that they are at least partially corrupted, and may not be able to be read.

Other files were given the name that they most likely were before they were erased, and that generally means that at least some of the data was recovered.

I am copying the files to a thumb drive, and will hand deliver it tomorrow morning.

Walter Combee
System Administrator
City of Port Orange
1000 City Center Cir.
Port Orange, FL 32129
Office: 386-506-5551
Help Desk: 386-506-5555
wcombee@port-orange.org

Aiken, Thomas

From: Fenwick, Robin
Sent: Thursday, November 11, 2021 8:38 AM
To: Aiken, Thomas
Subject: FW: [EXT] Coordinate with Sargent bird for this email

Robin Fenwick, MMC
City Clerk
City of Port Orange
1000 City Center Circle | Port Orange, FL 32129
Office: 386.506.5563 | Email: rfenwick@port-orange.org
Website: www.port-orange.org

City of Port Orange Core Values:
Commitment, Adaptability, Respect, Ethics and Integrity (C.A.R.E.)

Tell us how we did!
[Click Here to Take the Clerk's Office Satisfaction Survey.](#)

-----Original Message-----

From: Kilpatrick, Kim <kkilpatrick@port-orange.org>
Sent: Wednesday, October 20, 2021 10:29 AM
To: Fenwick, Robin <rfeinwick@port-orange.org>
Subject: RE: [EXT] Coordinate with Sargent bird for this email

Captain Kimberly Kilpatrick
Patrol Division
Port Orange Police Department
4545 Clyde Morris Blvd
Port Orange, Fl 32129
386-506-5830
kkilpatrick@port-orange.org

-----Original Message-----

From: Fenwick, Robin <rfeinwick@port-orange.org>
Sent: Wednesday, October 20, 2021 10:28 AM
To: Kilpatrick, Kim <kkilpatrick@port-orange.org>
Subject: RE: [EXT] Coordinate with Sargent bird for this email

Robin Fenwick, MMC
City Clerk

City of Port Orange
1000 City Center Circle | Port Orange, FL 32129
Office: 386.506.5563 | Email: rfenwick@port-orange.org
Website: www.port-orange.org

City of Port Orange Core Values:
Commitment, Adaptability, Respect, Ethics and Integrity (C.A.R.E.)

Tell us how we did!
[Click Here to Take the Clerk's Office Satisfaction Survey.](#)

-----Original Message-----
From: Kilpatrick, Kim <kkilpatrick@port-orange.org>
Sent: Wednesday, October 20, 2021 10:26 AM
To: Fenwick, Robin <rfeinwick@port-orange.org>
Subject: RE: [EXT] Coordinate with Sargent bird for this email

Captain Kimberly Kilpatrick
Patrol Division
Port Orange Police Department
4545 Clyde Morris Blvd
Port Orange, FL 32129
386-506-5830
kkilpatrick@port-orange.org

-----Original Message-----
From: Fenwick, Robin <rfeinwick@port-orange.org>
Sent: Wednesday, October 20, 2021 10:24 AM
To: Kilpatrick, Kim <kkilpatrick@port-orange.org>
Subject: RE: [EXT] Coordinate with Sargent bird for this email

Robin Fenwick, MMC
City Clerk
City of Port Orange
1000 City Center Circle | Port Orange, FL 32129
Office: 386.506.5563 | Email: rfenwick@port-orange.org
Website: www.port-orange.org

City of Port Orange Core Values:
Commitment, Adaptability, Respect, Ethics and Integrity (C.A.R.E.)

Tell us how we did!
[Click Here to Take the Clerk's Office Satisfaction Survey.](#)

-----Original Message-----
From: Kilpatrick, Kim <kkilpatrick@port-orange.org>
Sent: Wednesday, October 20, 2021 10:23 AM
To: Fenwick, Robin <rfeinwick@port-orange.org>

Subject: RE: [EXT] Coordinate with Sargent bird for this email

Copy, thank you

Captain Kimberly Kilpatrick
Patrol Division
Port Orange Police Department
4545 Clyde Morris Blvd
Port Orange, FL 32129
386-506-5830
kkilpatrick@port-orange.org

-----Original Message-----

From: Fenwick, Robin <rfeenwick@port-orange.org>
Sent: Wednesday, October 20, 2021 9:18 AM
To: Bird, Jeremy <JBird@port-orange.org>; Kilpatrick, Kim <kkilpatrick@port-orange.org>
Subject: RE: [EXT] Coordinate with Sargent bird for this email

I've entered this request in JustFOIA. No need for either of you to do anything at this time. IT will search for the email.

Thanks,

Robin

Robin Fenwick, MMC
City Clerk
City of Port Orange
1000 City Center Circle | Port Orange, FL 32129
Office: 386.506.5563 | Email: rfeenwick@port-orange.org
Website: www.port-orange.org

City of Port Orange Core Values:
Commitment, Adaptability, Respect, Ethics and Integrity (C.A.R.E.)

Tell us how we did!
[Click Here to Take the Clerk's Office Satisfaction Survey.](#)

-----Original Message-----

From: Mark Dickinson <mark@markdickinsonphotography.com>
Sent: Tuesday, October 19, 2021 8:59 PM
To: Fenwick, Robin <rfeenwick@port-orange.org>; Bird, Jeremy <JBird@port-orange.org>; Kilpatrick, Kim <kkilpatrick@port-orange.org>
Subject: [EXT] Coordinate with Sargent bird for this email

I'd like to get my hands and eyes and a copy of an email that was sent to or from Sergeant Bird to or from Kim kilPatrick 10-23-2020 through 10-28-2020

I just got wind that this email exists and it would've occurred at the time the day of or within three days after my criminal charges.

A keyword is "Dickinson" arrest, or "arrest" during those times.

Sergeant bird is that the same administrator you had mentioned to me before that would not let me sign charges for stocking for my previous issues?

Thanks.

Sent from my iPhone

Aiken, Thomas

From: Port Orange IT Helpdesk <ithelpdesk@port-orange.org>
Sent: Thursday, November 11, 2021 11:50 AM
To: Aiken, Thomas
Subject: IT Helpdesk Ticket ##DC00010611 Created

IT Helpdesk Ticket ##DC00010611

Dear Aiken, Thomas,

A Port Orange IT helpdesk ticket has been successfully created for you. The ticket # is above. Please reference this in any future communication to the helpdesk. The details you provided are below:

Category: [ITHELPDESK] Request for Emails

Details:

Good morning. As part of POPD Internal Affairs Investigation #IA2021-0014, I respectfully request a copy of all emails sent to & from Cpt. Kimberly Kilpatrick for the following dates: 10/11/2021 through 10/27/2021. I have a folder on my desktop screen labeled "IA PDFS" where the file can be placed if you remote into my desktop computer. Please let me know if you need any further information for this request. Thank you in advance.

Respectfully,

Lieutenant Thomas W. Aiken

Support Services Division

Port Orange Police Department

4545 Clyde Morris Blvd

Port Orange, FL 32129

386-506-5879 ...office

386-756-5311 ...fax

ThomasA@port-orange.org

www.port-orange.org

Sincerely,

Port Orange Information Technology Helpdesk
<https://portorange.happyfox.com>
ithelpdesk@port-orange.org
(386) 506-5555

Aiken, Thomas

From: Port Orange IT Helpdesk <ithelpdesk@port-orange.org>
Sent: Friday, November 12, 2021 11:09 AM
To: Aiken, Thomas
Subject: IT Helpdesk Ticket ##DC00010614 Created

IT Helpdesk Ticket ##DC00010614

Dear Aiken, Thomas,

A Port Orange IT helpdesk ticket has been successfully created for you. The ticket # is above. Please reference this in any future communication to the helpdesk. The details you provided are below:

Category: [ITHELPDESK] Request for Information

Details:

Good morning. As part of POPD Internal Affairs Investigation #IA2021-0014, I respectfully request a copy of the following information:

1. All telephone calls and text messages sent to & from the city issued cell phone # 386-527-5651 for the following dates: 10/11/2021 through 10/27/2021.
2. A list of all telephone calls to & from desk phone # 386-506-5830 for the following dates: 10/11/2021 through 10/27/2021.

Respectfully,

Lieutenant Thomas W. Aiken

Support Services Division

Port Orange Police Department

4545 Clyde Morris Blvd

Port Orange, FL 32129

386-506-5879 ...office

386-756-5311 ...fax

ThomasA@port-orange.org

www.port-orange.org

Sincerely,

Port Orange Information Technology Helpdesk
<https://portorange.happyfox.com>
ithelpdesk@port-orange.org
(386) 506-5555

Selection Criteria

Property
Options
Sort Organization
Costing Option
Internal Call Handling
Date/Time
Extension

Values
Organization
Name
Billed
Placed
10/11/2021 through 10/27/2021
Includes "5830"

<u>Date</u>	<u>Time</u>	<u>Dur.</u>	<u>Cost</u>	<u>Type</u>	<u>Phone Number</u>	<u>Location</u>	<u>Ext.</u>	<u>Account</u>	<u>Ring Time</u>	<u>Abn</u>
10/12/2021	9:55 AM	0:00:24	0.00	INT (P)	5881	Fields, Eric	5830		4	
10/12/2021	1:52 PM	0:01:58	0.00	LCL	1-386-586-2391	BUNNELL, FL	5830		2	
10/13/2021	9:50 AM	0:01:07	0.00	INT (P)	5888	Rubin, Heather	5830		8	
10/13/2021	10:28 AM	0:05:39	0.00	INT (P)	5561	Carrizales, Heather	5830		8	
10/14/2021	9:33 AM	0:00:42	0.00	INT (P)	5892	Unassigned	5830		16	
10/14/2021	9:48 AM	0:02:26	0.00	INB	386-212-2059	DAYTONABCH, FL	5830		8	
10/14/2021	11:15 AM	0:00:43	0.00	INT (P)	5811	Swiger, Sierra	5830		2	
10/14/2021	11:41 AM	0:00:12	0.00	INT (P)	5892	Unassigned	5830		3	
10/14/2021	11:42 AM	0:00:06	0.00	INT (P)	5892	Unassigned	5830		5	
10/14/2021	3:36 PM	0:00:02	0.00	INT (P)	6800	Voicemail	5830		19	
10/14/2021	3:49 PM	0:00:30	0.00	LCL	1-386-239-7814	DAYTONABCH, FL	5830		19	
10/18/2021	10:38 AM	0:05:21	0.00	LCL	1-386-615-5014	DAYTONABCH, FL	5830		3	
10/18/2021	11:38 AM	0:01:50	0.00	LCL	1-386-445-1234	PALM COAST, FL	5830		11	
10/18/2021	11:41 AM	0:00:07	0.00	INT (P)	5892	Unassigned	5830		16	
10/19/2021	10:42 AM	0:04:27	0.00	LCL	1-386-239-7814	DAYTONABCH, FL	5830		6	
10/19/2021	2:13 PM	0:00:01	0.00	INT (P)	6800	Voicemail	5830		19	
10/19/2021	2:33 PM	0:02:35	0.00	INT (P)	5840	Gaver, Dean	5830		4	
10/20/2021	10:07 AM	0:00:25	0.00	INT (P)	5831	Magee, Ryan	5830		3	
10/20/2021	10:08 AM	0:01:00	0.00	INT (P)	5873	Unassigned	5830		4	
10/20/2021	10:09 AM	0:00:29	0.00	INT (P)	5873	Unassigned	5830		3	
10/20/2021	2:16 PM	0:00:19	0.00	INT (P)	5873	Unassigned	5830		6	
10/21/2021	2:52 PM	0:00:02	0.00	INT (P)	6800	Voicemail	5830		19	
10/25/2021	10:00 AM	0:00:06	0.00	INT (P)	6800	Voicemail	5830		19	
10/25/2021	1:30 PM	0:04:19	0.00	LCL	1-386-254-2696	DAYTONABCH, FL	5830		13	
10/25/2021	1:46 PM	0:00:05	0.00	LD	1-850-717-3361	TALLAHASSE, FL	5830		24	
10/25/2021	2:19 PM	0:02:19	0.00	INT (P)	5873	Unassigned	5830		3	
10/26/2021	9:43 AM	0:00:20	0.00	LD	1-352-817-4739	OCALA, FL	5830		36	
10/26/2021	9:51 AM	0:01:38	0.00	LCL		DAYTONABCH, FL	5830		8	
10/26/2021	10:03 AM	0:00:27	0.00	INT (P)	5811	Swiger, Sierra	5830		3	
10/26/2021	10:21 AM	0:00:04	0.00	INT (P)	6800	Voicemail	5830		19	

<u>Date</u>	<u>Time</u>	<u>Dur.</u>	<u>Cost</u>	<u>Type</u>	<u>Phone Number</u>	<u>Location</u>	<u>Ext.</u>	<u>Account</u>	<u>Ring Time</u>	<u>Abn</u>
10/26/2021	10:25 AM	0:00:34	0.00	INT (P)	5811	Swiger, Sierra	5830		3	
10/26/2021	2:16 PM	0:00:32	0.00	INT (P)	5811	Swiger, Sierra	5830		4	
10/27/2021	9:33 AM	0:00:01	0.00	INT (P)	6800	Voicemail	5830		19	
10/27/2021	2:09 PM	0:01:30	0.00	LCL		DAYTONABCH, FL	5830		9	

Call Count: 34

PERSONNEL

Text1:

Journal

Cardholder Name	Door Name	Journal Log Message Type	Message Text	Message Date/Time
Kilpatrick, Kimberly	IC HALLWAY 166 TO OUTSIDE DOOR 166A	Card Admitted	Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'IC HALLWAY 166 TO OUTSIDE DOOR 166A' (IN).	10/25/2021 8:54:01 AM
Kilpatrick, Kimberly	EAST CORRIDOR TO RECORDS	Card Admitted	Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'EAST CORRIDOR TO RECORDS' (IN).	10/25/2021 9:15:14 AM
Kilpatrick, Kimberly	UPSTAIRS LOBBY TO WEST CORRIDOR	Card Admitted	Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'UPSTAIRS LOBBY TO WEST CORRIDOR' (IN).	10/25/2021 2:13:23 PM
Kilpatrick, Kimberly	IC HALLWAY 166 TO OUTSIDE DOOR 166A	Card Admitted	Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'IC HALLWAY 166 TO OUTSIDE DOOR 166A' (IN).	10/26/2021 9:07:59 AM
Kilpatrick, Kimberly	EAST CORRIDOR TO RECORDS	Card Admitted	Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'EAST CORRIDOR TO RECORDS' (IN).	10/26/2021 10:34:24 AM
Kilpatrick, Kimberly	IC HALLWAY 137 TO OUTSIDE DOOR 137C	Card Admitted	Admitted 'Kilpatrick, Kimberly' (Card:	10/26/2021 1:13:46 PM

PERSONNEL

Journal

Cardholder Name	Door Name	Journal Log Message Type	Message Text	Message Date/Time
Kilpatrick, Kimberly	EAST CORRIDOR TO RECORDS	Card Admitted	37775) at 'IC HALLWAY 137 TO OUTSIDE DOOR 137C' (IN). Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'EAST CORRIDOR TO RECORDS' (IN).	10/26/2021 2:19:29 PM
Kilpatrick, Kimberly	EAST CORRIDOR TO RECORDS	Card Admitted	Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'EAST CORRIDOR TO RECORDS' (IN).	10/26/2021 2:59:39 PM
Kilpatrick, Kimberly	IC HALLWAY 166 TO OUTSIDE DOOR 166A	Card Admitted	Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'IC HALLWAY 166 TO OUTSIDE DOOR 166A' (IN).	10/27/2021 9:28:34 AM
Kilpatrick, Kimberly	EAST CORRIDOR TO RECORDS	Card Admitted	Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'EAST CORRIDOR TO RECORDS' (IN).	10/27/2021 9:41:20 AM
Kilpatrick, Kimberly	UPSTAIRS LOBBY TO WEST CORRIDOR	Card Admitted	Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'UPSTAIRS LOBBY TO WEST CORRIDOR' (IN).	10/27/2021 11:33:40 AM
Kilpatrick, Kimberly	IC HALLWAY 137 TO OUTSIDE DOOR 137C	Card Admitted	Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'IC HALLWAY 137 TO OUTSIDE DOOR 137C' (IN).	10/27/2021 1:06:51 PM

PERSONNELJournal

Cardholder Name	Door Name	Journal Log Message Type	Message Text	Message Date/Time
Kilpatrick, Kimberly	GENERAL STORAGE	Card Admitted	37775) at 'IC HALLWAY 137 TO OUTSIDE DOOR 137C' (IN). Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'GENERAL STORAGE' (IN) ((Unused)).	10/27/2021 1:11:26 PM
Kilpatrick, Kimberly	EAST CORRIDOR TO RECORDS	Card Admitted	Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'EAST CORRIDOR TO RECORDS' (IN).	10/27/2021 1:46:33 PM
Kilpatrick, Kimberly	DETECTIVE FRONT DOOR 239	Card Admitted	Admitted 'Kilpatrick, Kimberly' (Card: 37775) at 'DETECTIVE FRONT DOOR 239' (IN).	10/27/2021 2:05:09 PM

IA Package Receipt

IA #: 18-0029

Date: 11-29-18

Investigator: Capt Kilpatrick

Officer: Sgt. Bird

Information provided:

(✓) or N/A

Complaint form - memo's from Sgt. Trentacosta

Witness statements - written
of statements provided

Comments: _____

Copies of all recorded interviews/statements

1 # of discs provided

Comments: Audio - Sipe, Merrick, Trentacosta

Photographs

4 # of photographs provided

Comments: photo's phone ID in jail

Copies of original offense report and supplements

Case#: 18-0009055 - CAD Report, DBPD report,

Copies of policies alleged to have been violated

Other: TAR email, David report, Door Access, IT Email & add
VPN copy, Cereity, Bill of Rights, Notice letter

Officer Signature: Sgt. Bird

Date: 11/29/18

Investigator: Capt. Kilpatrick

Date: 11/30/18

2794



PORT ORANGE POLICE DEPARTMENT

4545 CLYDE MORRIS BOULEVARD
PORT ORANGE, FLORIDA 32129
TELEPHONE (386) 506-5870
FAX (386) 756-5311
www.port-orange.org

Date: January 25, 2022

Kimberly Kilpatrick,

This is to advise you that Lt. Thomas Aiken has investigated the complaint filed against you by Chief Manuel Marino on 11/01/2021 and that the investigation is officially closed.

The complaint alleged that in the days leading up to your retirement on 10/29/2021, you reset your city issued desktop computer, Surface Pro, and cellphone back to factory settings in violation of the City's policy on the use of electronic information systems..

This investigation has been filed under tracking number IA2021-0014. Regarding the complaint, the investigative finding has been classified as:

SUSTAINED. Since you are no longer an employee of the Port Orange Police Dept., no further action is required.

I appreciate your patience during this investigation. Please do not hesitate to contact me should you have any further questions regarding this investigation.

Sincerely,

A handwritten signature in black ink that reads "Thomas W. Aiken". The signature is fluid and cursive.

Lieutenant Thomas Aiken
Port Orange Police Department
(386) 506-5879

G G GAVER

Mon Oct 11 20:

Can u adjust my workday. 9/28 and 10/5 I forgot to clock out at 5:00pm. All else is good

P POLICE KIMBERLY KILPATRICK

Ok

1,09:40 AM ▼

Mon Oct 11 2021, 09:41 AM ▼



Search



MORE OPTIONS

+1(386)527-5651 ✕

DATE

- Today
- Prior 7 Days
- Prior 30 Days
- Custom Range

10/11/2021 to 10/27/2021

Summary Report

Exports

Administration

	1410100040 +1(386)527-5651	Sat Oct 23 2021, 08:11 PM Weekend-Promo 10-iPhone13 from AT&T Today https://shortlink.ba/47Hlp#cl/4363_md/555
	1410100039 +1(386)527-5651	Thu Oct 21 2021, 03:37 PM Hello your \$4,081 rebate from the D.M.V is waiting! https://kragata.com/cl/4081_md/555/c
	1410100038 +1(386)527-5651	Tue Oct 19 2021, 06:21 PM CVS Gift card for CID#88047622 src="https://ahgwee.com/cl/3846_md
	+1(855)292-3678 +1(386)527-5651	Tue Oct 12 2021, 11:40 AM FortifyFL: New Report https://portal.getfortifyfl.com/?id=5J9WME9 (Creskide Middle School)
	+1(855)292-3678 +1(386)527-5651	Tue Oct 12 2021, 09:38 AM FortifyFL: New Report https://portal.getfortifyfl.com/?id=EQMNQP5 (Atlantic High School (Port...
	+1(855)292-3678 +1(386)527-5651	Mon Oct 11 2021, 11:24 AM FortifyFL: New Report https://portal.getfortifyfl.com/?id=N4G46OQ (Spruce Creek High School)
	+1(386)527-5651 +1(386)316-8997	Mon Oct 11 2021, 09:41 AM Ok
	+1(386)316-8997 +1(386)527-5651	Mon Oct 11 2021, 09:40 AM Can u adjust my workday. 9/28 and 10/5 i forgot to clock out at 5:00pm. All else is good