

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report will document my interview with former Edgewater Police Department officer Adam Burris on March 27, 2019.

On January 23, 2019, I met with former police officer Adam Burris at which time he provided a sworn statement regarding this investigation. During that statement, some of his responses did not appear to be consistent with other witness statements.

On March 19, 2019, I obtained a State Attorney Investigative subpoena for Adam Burris to appear at the Office of the State Attorney located at 251 N Ridgewood Avenue, Daytona Beach, FL to provide a sworn statement.

On Wednesday, March 20, 2019 at approximately 11:25am, I attempted to make contact with Edgewater Police Chief Joe Mahoney, at the police department. However, Chief Mahoney was on leave. I served the subpoena on his secretary and requested she notify the Chief as soon as he was available.

On Wednesday, March 20, 2019 at approximately 11:45am, I received a text message from Chief Mahoney indicating he had an officer requesting my telephone number. I called the Chief on the number from which he texted me and advised him he was welcome to share my cellular number, but that I would not be discussing the subpoena with any witnesses until the time of their interview.

On Wednesday, March 27, 2019 at approximately 1:01pm, State Attorney Investigator James Parker, Assistant State Attorney Robin Hutcheson and I made contact with Adam Burris at the Office of the State Attorney located at 251 N. Ridgewood Avenue, Daytona Beach, FL 32114, at which time he provided a sworn statement that better clarified questions from his previous sworn statement.

Mr. Burris substantively stated that:

- He attended Deltona High School.
- He graduated in 1997.
- He attended some college at Daytona State college.
- He attended the Police Academy at Daytona State college.
- He graduated the police academy in 2010.
- He started working for the Edgewater Police Department in June 2012.
- His immediate supervisor then was Tim Webb.
- He worked as a patrol officer, detective and patrol sergeant.
- He was never the subject of any internal investigations.
- He was never the subject of any disciplinary actions.
- While working at the police department, he also worked at the [Daytona] Speedway and where he currently is employed; Right to Bear.
- Right to Bear is an online shipping company that ships gun parts.
- He first started at Right to Bear around 2016.
- He was paid "under the table" and worked as needed.
- Sometimes he worked one day a month or one day a week.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 26

Page 1 of \_\_\_\_\_

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

When asked twice what his duties of employment were, Mr. Burris became argumentative. At which time, ASA Hutcheson explained the requirements of the subpoena entailed. After ASA Hutcheson explained the requirements of the Investigative Subpoena, Mr. Burris continued the interview.

Burris continued:

- He helps out at work by pulling parts and stocking shelves.
- He was working at the police department on New Year's Day 2018.
- He was present at a police involved shooting on that day.
- On April 13, 2018, he began FMLA and/or medical disability leave as a result of the New Year's Day incident.
- When he started FMLA, he was distraught.
- HR Manager said they would take care of him and gave him papers to sign.
- Apparently one of the papers he signed was that he was report to HR.
- Rather than report to HR, he reported to Captain Mahoney.
- After a certain time he stopped reporting directly to HR.
- He called the Captain.
- In the beginning, he provided written reports to HR.
- While on medical disability leave, he tried working at Kohl's.
- He did not recall the date.
- While working his anxiety and depression "kicked in" and he could not deal with the crowds.
- Around October [2018] he started working for Right to Bear Arms.
- During the approximate 6 month period of time from April 2018 to October 2018 while on disability leave, he worked at Right to Bear Arms.
- He did the same type of work as he does now.
- His schedule was the same as before, one day a week to one day a month.
- He was not compensated during that time.
- Some time around October he received a letter from Edgewater regarding his leave.
- At the time he received the letter is when he found out he was to provide progress reports to HR after each doctor visit.
- He was terminated because his FMLA and worker's comp status was up and they verbally threw in the fact that he was not checking in.
- After he received the termination letter, he probably texted or called Chris Balmer, they are friends.
- Balmer did not give him advice on what to do.
- He did not recall Balmer telling him to contact city council members.
- He spoke to a bunch of people after he spoke with council members.
- He likely spoke with Balmer but he could not be sure.
- He emailed all 5 council members.
- Four called him back.
- He discussed how they terminated him and how he wanted the policy changed so someone else would not be blindsided by a 5 day termination.
- He never expressed a desire to have the city manager terminated.
- The city council members were sympathetic to him, but never expressed any intention to fire the city manager.
- He just wanted the process changed.
- He did not discuss the termination of the city manager with any of the city council members.
- During his meeting with the city manager, the city manager told him the city manager would likely be fired.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 26

Page 2 of \_\_\_\_\_

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Burris continued:

- He did not share any of the details of his conversations with one council member with another council member.
- He did not share anything any one council member may have shared with him with any other council member.
- No council member asked him to share their discussion with any other council member.
- He did not believe the effect of his conversations with city council members would result in the termination of the city manager until his meeting with the city manager.
- He did not tell, email, text, Chris Balmer the city council was prepared to terminate the city manager until after his meeting with the city manger.
- When he did speak with Chris Balmer he told Balmer what the city manager had said.
- He did not tell Chris Balmer Tracy Barlow [city manger] would be terminated by a 3 to 2 vote by the town council.
- If Chris Balmer said that he did tell Balmer that information, Balmer would not be lying; But he is not lying.
- He does not recall saying it would be a 3 to 2 vote.
- He does recall saying Tracy Barlow would probably be fired after his meeting with Tracy Barlow and Mike Scudiero [PBA].
- [In reference to the text message from Balmer to Tracy Barlow pertaining to the 3 votes to terminate Barlow] There were 3 council members who were upset with Tracy Barlow.
- Those 3 council members, were the 3 of 4 who called him, but never said they were going to vote to terminate Barlow.
- All the council members said was that they wanted a special meeting to discuss his situation.
- The one who did not call him [mayor], he knew whatever Gary Conroy said, the mayor would be the opposite.
- Christine Powers was very sympathetic to him but did not show any displeasure [with Tracy Barlow].
- There were 3 who showed displeasure [with Tracy Barlow].
- He never said there was going to be a 3 to 2 vote or that Barlow would be ousted.
- He did say Conroy, O'Keefe and Vogt don't like Barlow and have been trying to get him out for a while, but also want to see the policy changed for situations like this.
- The mayor didn't have the audacity to call him.
- If someone wants to take that as a 3 to 2 vote, he physically never said that.
- He never told Chris Balmer it was a 3 to 2 vote, he told Balmer there were 3 council members who were upset with the way Barlow had handled his situation.
- None of the council members told him they were going to fire Tracy Barlow.
- None of the council members asked him to share with another council member that they were upset with Barlow.
- He remembered saying [to a council member] I just spoke with Vogt.
- Their response was, they expected them [other council members] to call.
- Powers was the last one to call him.
- He told Powers that he still had not received a call from the mayor.
- Powers told him that he probably would not.
- Once he said that he already spoke to Conroy or already spoke to O'Keefe, their response was okay.
- He never said anything about them being upset.
- He proceeded with his speech about the email he sent them.
- No one asked him what their [other council members] feelings were and he never shared that with anyone.
- He told council members that other council members were upset with the situation.
- He had no ill will towards Tracy Barlow.
- His intention in sending the email was to get things changed.
- He and Julie in HR had it out after he got the certified letter.
- He felt if he went to her [Julie Christine] nothing would happen.



Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 26

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Burris continued:

- He had not heard from the Chief of Police in 6 months.
- He knows Mahoney, but knows Mahoney can only go so far.
- He felt Tracy Barlow did not really know what happened.
- He felt like the two department heads, Chief Arcieri and Julie Christine, presented Barlow with the facts and he should be terminated.
- He was told all he needed to do was personally as for Article 11, 2(b)(c) of the contract, extension of FMLA and this is where he got upset with the Chief for not helping him out.
- Who knows a 600 page contract?
- If someone had said, go here [in the contract] and request an extension, everything will be done.
- So he took it upon himself to send an email to effect a city policy change.
- Once that was brought up, they expressed their displeasure and what they did to him, Gary Conroy played it out "hero cop with PTSD fired".
- He told Gary Conroy, that wasn't what he wanted.
- All he wanted was a policy change, if his time is up, it's up.
- He was okay in the position where he was with his sick time and leave time, he was good until the 2nd or 3rd week in December.
- Gary said "hero cop with PTSD" fired by the city, they were going to get this fixed for him.
- Gary said they were going to get him put back on the books.
- He told Gary he was not looking to be put back on the books, he just wanted the policy changed.
- He wanted the next person who followed his footsteps to not be blindsided with a 5 day notice of termination with no insurance and no pay checks.
- It could happen to some rookie cop with no leave who has a family then need to care for.
- He wanted to make sure they know three months down the line their last day.
- He wanted policy change to allow a 30 day notice not a certified letter and bring the person in is all he wanted.
- It was coward to hide behind a certified letter, whether it was the city manager, HR or the Chief.
- He felt it was the Chief, who was ultimately in charge of him.
- That was his intention of sending his letter.
- They [city council] said Tracy is just doing his own thing.
- They [city council] said they were going to take care of him and request a special meeting and it kept getting pushed back.
- From the time he sent the email and met with the city manager, he had no idea the city manager would be fired.
- Once he had the meeting with the city manager, he said the council would probably fire him in a 3 to 2 vote.
- He told the city manager that was not his intention, if anything someone should be reprimanded.
- He told the city manager everyone keeps "hanging their hats" on the fact he was not checking in.
- He told the city manager, he was checking in with his immediate supervisor and apologized he was not checking in with HR.
- He was in constant communications with Captain Mahoney, his immediate supervisor on a weekly basis, before appointments, after appointments, and that is another policy change he would like to make.
- HR is so busy, let the immediate supervisor or Chief deal with the checking in and reports.
- Barlow said he was ready to go, he has done his 33 years.
- He told Barlow that was not his intention.
- [Barlow's resignation] was solely up to Barlow.
- There's a good chance that he may have said, Conroy is upse, Vogt is upset, O'Keefe is upset, Ann Powers is upset.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 26

Page 4 of \_\_\_\_\_

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Burris continued:

- But once he said what he said, not one council member asked what another [council member] said.
- What he just said, he has said hundreds of times.
- He was pretty pissed the mayor did not call him.
- He told Balmer 3 of the council members are upset with Barlow and and sympathetic to his issue.
- He told Balmer 4 of the council members are sympathetic to his issue.
- Chris and Tracy are best friends, or were for 30 plus years.
- He thinks Chris is the Godparent of one of [Barlow's] kids and vice versa.
- Chris has told Tracy it is time for Tracy to go, that Tracy was out of touch with the city way before everything happened with him.
- Chris has said Tracy has to go.
- He did not attend Robert Barlow's wedding.
- He now knows who Samantha Bergeron is.
- He does not know if Chris Balmer asked Samantha Bergeron if she wanted to be the next city manager.
- He was at Merk's Bar the night of Robert Barlow's wedding.
- He was with several police officers.
- Chris Balmer showed up later that night.
- He did not recall seeing Robert Barlow, but he did remember seeing Robert's wife.
- Either Tim Webb or Chris Balmer pointed Samantha Bergeron out to him.
- He did not say anything to Samantha Bergeron about being the next city manager.
- The only conversation he heard was that Samantha Bergeron or Brenda Dewees were the two possible [replacements].
- He does not recall ever saying "there goes the next city manager" as Samantha Bergeron walked by.
- He was not sure if it was Tim Webb or Chris Balmer who said Samantha would be next.
- Tim Webb was very familiar with the inner workings of the Police Department.
- He remembered working at his place of employment last Wednesday.
- The warehouse where he works is under video surveillance.
- The video captures inside and outside of the warehouse.
- He remembers meeting with me when I served him the subpoena.
- He remembers that I explained the subpoena required him to show up [for the interview].
- He remembers I did not raise my voice to him inside [the warehouse].
- He remembers I did not use any profanity.
- He remembers when he asked if the subpoena was about the Sunshine Law, I advised partially and some and that I would see him Wednesday.
- He remembers me telling him to have a good day and I left.
- He did not watch me walking to my vehicle from the camera, but he was told that I took a picture of the building.
- He exited the warehouse and saw me in my vehicle about to pull away.
- He remembers I backed up and asked if there was something he needed.
- He remembers asking me why i was taking a picture of his vehicle.
- He remembers me explaining that I had actually taken a photograph of the warehouse.
- He remembers saying he did not know my attitude was with him.
- He remembers me telling him that I did not have an attitude, but it appeared that he did have an attitude and that he should deal with it before he met with me for the interview today.
- He remembers me telling him that I suggest he get back inside the building.



Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 26

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Burris continued:

- [As he stood in an aggressive posture in close proximity to my vehicle, while i was confined in the driver's compartment] He remembered me telling him to step back away from my vehicle.
- He remembers having some choice words for me.
- He remembers saying I was a "Fucking Asshole".
- He remembers me telling him to step away from my vehicle.
- As a former police officer he is familiar with obstruction of justice and failure to obey a lawful command.
- He remembers after he stepped back from the vehicle and I was pulling away, he remembers probably saying I was a "Fucking Asshole".
- Later the same day, he contacted State Attorney Investigator Gina Baker to inquire how to file a complaint against a State Attorney Investigator who had a bad attitude.
- His wife and people he works with know he was at the interview.
- He spoke with Chris Balmer yesterday about a mime that was made about him.
- They did not discuss their testimony.

The following items have been attached to this investigative report as Related Items:

1. State Attorney Investigative Subpoena.
2. CD-ROM digital sworn statement.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 26

Page 6 of \_\_\_\_\_

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report will document my interview with Edgewater Police Department Reserve Detective Chris Balmer on March 27, 2019.

On January 9, 2019, I met with Reserve Detective Chris Balmer at which time he provided a sworn statement regarding this investigation. During that statement, some of his responses did not appear to be consistent with other witness statements.

On March 19, 2019, I obtained a State Attorney Investigative subpoena for Edgewater Reserve Detective Chris Balmer to appear at the Office of the State Attorney located at 251 N Ridgewood Avenue, Daytona Beach, FL to provide a sworn statement.

On Wednesday, March 20, 2019 at approximately 11:25am, I attempted to make contact with Edgewater Police Chief Joe Mahoney, at the police department. However, Chief Mahoney was on leave. I served the subpoena on his secretary and requested she notify the Chief as soon as he was available.

On Wednesday, March 20, 2019 at approximately 11:45am, I received a text message from Chief Mahoney indicating he had an officer requesting my telephone number. I called the Chief on the number from which he texted me and advised him he was welcome to share my cellular number, but that I would not be discussing the subpoena with any witnesses until the time of their interview.

On Wednesday, March 20, 2019 at approximately 11:56am, I received a text message from (386) 314-1591. The sender identified himself as Chris Balmer requesting a copy of the recorded sworn statement that he previously provided. I did not return the message.

On Wednesday, March 27, 2019 at approximately 10:05am, State Attorney Investigator James Parker, Assistant State Attorney Robin Hutcherson and I made contact with Reserve Detective Chris Balmer at the Office of the State Attorney located at 251 N. Ridgewood Avenue, Daytona Beach, FL 32114, at which time he provided a sworn statement that better clarified questions from his previous sworn statement.

At the beginning of the interview, Reserve Detective Balmer requested for his PBA (Police Benevolent Association) attorney be permitted to listen in on the interview via telephone. We permitted him to contact PBA attorney Greg Forhan at (904) 673-7989 so that Mr. Forhan could listen to the interview. Assistant State Attorney Hutcherson explained the requirements of the subpoena.

Reserve Detective Balmer substantively stated that:

- He attended Colonial High School in Orlando.
- He graduated in 1992.
- He attended several colleges and has several degrees.
- He received his bachelor's degree from Stetson in 1996.
- He has a master's degree.
- He attended the Police Academy at Daytona State college.
- He graduated the police academy in 2013.
- He is not employed full-time.



Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 25

Page 1 of \_\_\_\_\_

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Chris Balmer continued:

- He previously worked as a banker where he worked from 1996 until 2010, which he owned and sold.
- He has never worked full-time as a police officer.
- He started working as a reserve police officer in November 2013.
- His immediate investigations supervisor was Tim Webb.
- He could not remember who was in charge of the reserve program.
- His duties involve helping other officers with their cases when they need help.
- He tries to help with their financial crimes cases and Arson because he is dual certified as a fireman.
- He has been volunteering with the fire department since 1992.
- He went through a Field Training Officer Program when he started at the police department.
- As soon as he completed the FTO Program he was assigned to investigations.
- He averages 8 hours of volunteer work with the police department per week.
- He was the subject of an "II" (internal inquiry) when he first started.
- Someone alleged he and his partner threatened to take their children if the person did not cooperate.
- He has never been the subject of any discipline.
- He formerly owned a company called "CRG" Colleteral Recovery Group that he started in 2008 and sold in 2016.
- CRG is a recover/repo business.
- He currently owns "ICF" Investigators of Central Florida, which is a start up company.
- ICF was part of CRG, but when he sold CRG he kept the private investigation portion of the business under ICF.
- He knows Adam Burris.
- He has a working relationship with Adam Burris; has a few drinks with him once in a while.
- He is familiar with a domestic violence incident around New Year's of 2018 involving Adam Burris.
- He understands a subject was fighting with his wife and the wife called 911.
- Officers responded, the wife ran from the home, the husband/subject exited the residence shooting at her.
- Responding officers fired upon the subject.
- He thinks Adam Burris shot the subject.
- Burris and another officer fired upon the subject, but he does not know who actually hit the subject.
- He is sure he discussed the incident with Burris, however he does not recall any specific instance.
- He thought Burris sprayed lawns.
- He now knows Burris currently works for an online gun parts distributor.
- He did not know if Burris worked at the online gun parts distributor prior to the shooting.
- He knows Burris went on medical leave from what was in the paper.
- He has had conversations with Burris about his leave.
- For a couple of weeks Burris did not show up for work.
- When Burris started medical leave, he knew Burris was meeting with doctors, city people, union people.
- He queued into Burris's problems with the city after Burris's termination.
- He believed after Burris's termination, Burris said he was supposed to report to HR once a week.
- He does not know if Burris complied.
- He had no clue whether Burris sought employment and/or obtained employment while Burris was on medical leave.
- He does not know if Burris worked for the gun parts distributor while Burris was on medical leave.
- He heard Burris applied at Kohl's.
- He does not recall Burris telling him that Burris was unable to complete one shift [at Kohl's].
- He knows Burris is currently working at a gun parts distributor, but does not know what Burris's duties are.
- When Burris was employed, they spoke every day that he worked.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 25

Page 2 of \_\_\_\_\_



**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Chris Balmer continued:

- While Burris was on medical leave, they spoke an average of once a week.
- Burris told him that Burris received a termination letter via certified mail.
- He told Burris to get with the union, HR, Chief and anyone who will listen.
- The city manager [at the time] was the Godfather of his first child, with whom he has been friend for a long time.
- He is sure he encouraged Burris to speak with the city manager.
- He does not recall Burris reporting back to him on the results of Burris's communications with any officials.
- He does not know whether Burris ever did reach out to any of the officials.
- Edgewater police officers are represented by the PBA as a union.
- He does not know if Burris was a member of the union.
- He does not know whether or not Burris was assigned a PBA representative to assist him.
- He does not know whether the PBA agreed or disagreed that the city had followed state, federal and city HR requirements pertaining to Burris's termination.
- He does not know whether or not the PBA filed any grievances with the city pertaining to Burris's termination.
- He does not have any personal relationship with any members of the town council.
- He does not recall Burris telling him that Burris wanted to speak with members of the town council.
- He believed he would have told Burris to contact the city council.
- He would not have been specific [as to any one council member], he would have told Burris to speak to anyone who will listen and tell what happened.
- Burris performed his duty and killed a man, is now having medical issues as a result, and instead of being taken care of [by the city], Burris was fired by a certified letter.
- He is embarrassed as a city resident that this is the way Burris was treated.
- He does not know whether or not the city followed federal and state law and current city policies and he does not care, he believes as an employer he can extend benefits for his employees and he believes the city council has the same authority.
- Burris never told him that Burris wanted the city manager fired.
- Burris never reported back to him about his conversations with town council members; he does not know whether Burris spoke with council members.
- He learned there was a town council meeting about Burris's situation through Tracy Barlow.
- Burris did not tell him any council member was prepared to terminate Tracy Barlow.
- He did not personally speak or communicate with any council member during this period of time.
- Within an hour after the town council fired Tracy Barlow was the first time he contacted any member of the council, except for the occasional passing at a public event.
- He met Tracy Barlow in 1998 during the wildfires while he was working as a volunteer fireman.
- Barlow recruited him to come to work as a volunteer for the city of Edgewater fire department.
- He spoke with Barlow about Burris's termination.
- He told Barlow that Barlow was wrong and Barlow needed to fix it.
- He was an advocate for Burris.
- Barlow felt like he was following his job.
- He does not think he received "push back" from the city manager.
- He had so many conversations with Barlow about Burris.
- Every tells him Barlow followed policy.
- He believes Barlow was not ethical in his action.
- The law does not dictate you fire someone who did their duty and killed someone then fire them via a letter.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 25

Page 3 of \_\_\_\_\_

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Chris Balmer continued:

- He has never been a city manager.
- He has never been a director of Human Resources.
- He has a master's degree in Human Resources, but has never been hired in that capacity.
- As a bank executive he dealt with a lot of human resource issues.
- He is a detective and understands how to follow leads and conduct investigations.
- He did not investigate Adam Burris's situation as he discussed the matter with Burris to determine why the city fired Burris.
- He took the "leap" that Burris went on leave and was fired [improperly by the city] .
- He did discuss the then upcoming special town council meeting with the city manager many times prior to the actual meeting.
- The city manager told him that the city manager would be terminated.
- The city manager told him for the previous 6 months Gary Conroy was out to get him.
- He did not personally discuss the termination of the city manger with any members of the city council prior to the city manager's termination.
- He did not personally discuss the termination of the city manger with any members of the city council prior to the city manager's termination.
- No one ever told him the town council was prepared to terminate the city manager in a vote of 3 to 2 prior to the town council meeting.
- After reviewing text messages between himself and city manager Tracy Barlow, he and the city manager played "devil's advocate" with each other all of the time in many different decisions for the city, if the city manger ever needed advice or counsel.
- He texted the city manager "Nevermind, Burris just called me" then, "Ya they have 3 votes to terminate, Arcieri gone too." But, the text was not a result of Adam Burris's call to him.
- What the text meant was [follow up to] many conversations he and the city manager had about Gary Conroy trying to fire him and Tracy Barlow was trying to see if the council had enough votes to fire him.
- Burris did not tell him that information.
- He does not know who told him "they have 3 votes, Arcieri gone too".
- He knows Dave Arcieri, who was the former police chief.
- He had no issues with Chief Arcieri.
- He has known Dave Arcieri since he started with the police department.
- The first time he heard a rumor about an alleged secret meeting in Oak Hill by city council members and police officers to discuss the termination of the city manager and police chief was when Chas (Charles) Geiger filed a complaint against Chief Arcieri.
- He does not know whether or not the rumor was true.
- Whether Chief Arcieri would be considered a good police chief, depends on how you might characterize that.
- He does not think Arcieri was the best leader, but he thinks Arcieri did his job.
- He has never been a police chief.
- He has never been a law enforcement supervisor or administrator.
- After they [town council] fired Tracy Barlow for firing Burris, he said they needed to fire Arcieri and the HR director too, because they were just as responsible [for Burris's firing] if not more.
- He knows Andrew Spurlock.
- Spurlock is a police officer with his department.
- He has a working relationship with Spurlock.



Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 25

Page 4 of \_\_\_\_\_

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Chris Balmer continued:

- He now knows Spurlock's girlfriend is Megan O'Keefe.
- He recently met O'Keefe and sent her a text message after Tracy Barlow was fired.
- He does not know if O'Keefe is married.
- O'Keefe is a town councilwoman with Edgewater.
- He knows of Jason O'Keefe and that J. O'Keefe works for the city.
- He thinks Jason O'Keefe and Megan O'Keefe are husband and wife.
- He does not know whether or not Megan O'Keefe and Andrew Spurlock have been having an affair.
- He thinks Megan O'Keefe's father is or used to be a councilman in Oak Hill.
- He sees M. O'Keefe's father at Chick-Fil-A.
- He does not know if M. O'Keefe and A. Spurlock ever attended a Sunday dinner at her father's home in Oak Hill.
- He does not know if any other police officers ever attended any gathering in Oak Hill with M. O'Keefe and A. Spurlock.
- He does not know if M. O'Keefe and A. Spurlock and/or any other public officials from the town of Oak Hill have ever met outside of a public meeting.
- He knows Charles Geiger as a police officer with Edgewater.
- Geiger was his first training officer.
- Geiger is a friend, same as Burris.
- He is aware of a complaint Geiger filed against former Chief Arcieri.
- As he was aware, the Chief approached Geiger regarding the previously discussed complaint; the Chief told Geiger that Geiger's name came up in the rumor; Geiger told the Chief that Geiger was not involved and Geiger was loyal to the Chief.
- He was told Geiger was going to meet the Captain to file a complaint against the Chief.
- He read the complaint after it was filed.
- He never spoke with Geiger about the complaint prior to it being filed.
- He does not know whether or not contacted members of the town council regarding his complaint.
- He does not recall giving advice to Geiger about the complaint, but he did give Geiger advice after the complaint was made to have it investigated.
- He would probably not have been offended if the Chief had confronted him [about the same type of rumor].
- He would have probably been thankful the Chief came to him to quash a rumor.
- He took Geiger's complaint as "time and place".
- Geiger was on traffic crash investigation and the Chief pulled him aside and spoke with him [on the side of the road].
- He did not spend a lot of time and energy on the complaint.
- His concern was that any complaint that an officer makes should be investigated.
- In his opinion, he would not be offended, he would be thankful.
- He did not share that opinion with Geiger, rather told Geiger to go to the council to have the matter investigated because the matter was never investigated; it had nothing to do with the content of the complaint.
- If a citizen files a complaint with law enforcement that does not constitute a criminal violation they are classified as information reports, which are probably not investigated.
- If an information report came across his desk, he would not investigate it, although in his department it would probably be assigned to him.
- To his knowledge Geiger's complaint would still need to be investigated because the Chief spoke with Geiger on night shift on the side of the road.
- He suggested Geiger contact the city council because the complaint was not investigated.
- He does not know if Geiger had help from anyone else to write the complaint.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 25

Page 5 of \_\_\_\_\_

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Chris Balmer continued:

- He does not know if Geiger contacted any city council members about his complaint.
- He does not know if Geiger and Spurlock are friends.
- He does not know if Geiger discussed his complaint with Spurlock.
- He thinks you cannot talk about complaints after they are filed.

In Geiger's complaint there is a reference to Balmer's text message to have the Chief fired. According to Geiger, during the Chief's conversation with Geiger, the Chief asks Geiger for his opinion regarding Balmer's text messages and offers his opinion that Balmer is seeking to have him terminated and Lt. Webb appointed Chief. Following his conversation with the Chief, Geiger then enters Lt. Webb's patrol vehicle and discloses his private conversation with the Chief to Lt. Webb.

Geiger wrote in his complaint "I felt as if the conversation put me in a predicament" [after disclosing the conversation Geiger had with the Chief to Lt. Webb].

Balmer continued:

- It makes sense and he understands the appearance of police officers working in a concerted effort to have a city manager and police chief fired for maintaining discipline to ensure everyone followed the rules.
- He sent the text message to the city council to fire Chief Arcieri and Julie Christine within an hour of the firing of Tracy Barlow.
- He did not file any complaint citing any law or rule that either member had violated.
- He and Geiger were not working together to get Chief Arcieri fired.
- He was not disciplined or terminated for his texts.
- He knows Robert Barlow.
- He attended R. Barlow's wedding the Saturday before the special town council meeting.
- There were quite a few police officers who attended the wedding, including Chas Geiger, Kevin Nugent, Sammy Epitropoulous, and Jeff Larisey.
- He does not think Adam Burris was at the wedding.
- He knows Samantha Bergeron.
- He has known of her for 10 years.
- S. Bergeron is employed with the city of Edgewater as the director of Parks and Recreation.
- He believes he told S. Bergeron at Robert's wedding if Tracy [Barlow] gets fired that she or Brenda [Deweese] would be the next city manager in his opinion.
- It was a wedding and he is sure he had a few drinks.
- He does not recall asking S. Bergeron if she wanted to be the next city manager.
- He did not tell S. Bergeron the votes were 3 to 2 to terminate the city manager and if she wanted to be the next city manager, he could make it happen.
- The 3 to 2 was a running tally of what we thought how people would vote.
- He told Tracy [Barlow] that Barlow had to change course, they have the 3 votes.
- He met with Barlow many times when Barlow said Barlow would be fired on Tuesday, his RV was already packed.
- It's like when you count congressman when you are trying to pass a bill, but you don't know.
- They all assumed Barlow would not survive, but he did not know.
- Conroy has always been [against Barlow].

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 25

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Chris Balmer continued:

- He knows Conroy camps with Christine, another council member.
- Just the tally of what you know about people, you get a count.
- Every vote that comes up in council, he could tell what he thinks.
- He told Tracy [Barlow] this [the situation with Burris] does not look good.
- He agreed with Barlow that Barlow was being fired.
- They met at Dustin's when Barlow told him that Barlow was being fired.
- Barlow wanted to do one thing before he left.
- He went to Merk's bar after the wedding.
- He sat in the back room.
- The bar was packed, it was a Saturday night.
- He had quite a few drinks.
- In his vicinity were all cops.
- Geiger showed up, then "uberred" home.
- Burris was there.
- Epitropoulous was there.
- He does not recall any business being discussed.
- Samantha was there.
- When she walked by, he said congratulations he heard she will be the next city manager.
- When he said he heard, he meant she and Brenda were the only two eligible in his opinion.
- He would have bet money on Samantha.
- Brenda was the city manager until last week, until the new guy was selected.
- He is not sure if the other police officers engaged in any joking with S. Bergeron about "there goes the next city manager".
- He recalls her giving him a friendly kiss and he said congratulations you are going to be the next city manager.
- If S. Bergeron or any other person said they overheard him say Tracy Barlow would be fired in a 3 to 2 vote in the upcoming city council meeting, that would be the truth.
- Barlow told him that [although he told Barlow that information in his text message].
- If S. Bergeron or any other person said they overheard him say "do you want to be the next city manager" as if he was offering her the job, they would be lying.
- If S. Bergeron or any other person said they overheard him say "are you ready for this" as if she would be appointed, he could have said that.
- He is willing to take a polygraph regarding his statement, if offered.
- The only thing he can tell me is unequivocally he does not know of any council members getting together anywhere at anytime other than a certified meeting to discuss employment with Tracy Barlow.
- What he can tell me is that he is a big vote counter, like counting votes on the marijuana initiative.
- They had 55% last time, they have 60%.
- People know if they have the votes, but they surmise this is not going your way, the chatter around town is this guy killed someone and [the city] cut him loose.
- They have the votes. They are going to get rid of you [Barlow].
- Who is they, there is no they.
- There is no Burris calling him. He could not tell me what Adam Burris called him about and if it is even related to any of this so he does not want to go back and look at his texts and try to explain.
- He understands how it looks bad, but he is not hiding anything.



Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 25

Page 7 of \_\_\_\_\_

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

---

Complainant Name: Frederick, Henry

Case Number: CP-190000403

---

Narrative:

Chris Balmer continued:

- He told me to get the texts.
- On top of everything, if someone violated the Sunshine Law, go get them.
- He will be shocked if Adam Burris got with people to get the votes.
- He personally did not think they [city council] had the votes going into the meeting.
- He understands that does not help clarify everything.

The following items have been attached to this report as Related Items:

1. State Attorney Investigative Subpoena.
2. Text Message from Chief Mahoney.
3. Text Message from Chris Balmer
4. CD-ROM digital sworn statement.

---

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 03/28/19 Time: \_\_\_\_\_ Report Number: 25

Page 8 of \_\_\_\_\_

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report will document the time line of significant events discovered during this investigation

Adam Burris started employment with the city of Edgewater in June of 2012. Sometime between June of 2012 and January of 2018, Burris began working part time for Right to Bear Arms, LLC, an online gun parts distributor.

On January 1, 2018 Edgewater police officers responded to domestic disturbance. Sergeant Burris responded to the call with officers from his squad. Upon their arrival they were confronted by a male actively shooting at a woman exiting the residence. Responding officers exchanged gunfire with the male, who was shot by one of the other officers. The male subsequently expired. All responding officers were placed on administrative leave, pending an FDLE investigation and psychological evaluation. On January 6, 2018, all officers reported back to work.

On April 13, 2018, Burris notified Captain Mahoney the he believed he was suffering from PTSD due to the January 1st shooting incident. Once the non-physical injury was reported to Human Resources, Burris was placed on leave under worker's compensation. Burris was given a letter, which he signed, outlining his responsibility to notify the city of Edgewater Personnel Department of all doctor's appointments and obtain a work status Report for each visit with instructions he would not be permitted to return to work unless he complied.

On May 7, 2018, Burris was released by his physician to return to work with no restrictions. Burris returned to work until May 22, 2018.

On May 25, 2018, Burris was restricted by his physician to administrative duties only. Burris began using leave accruals through June 6, 2018.

On May 29, 2018 Human Resource Director Julie Christine met with Sergeant Burris and hand delivered Family Medical Leave Act paperwork to him, at which time she discussed light/modified duty options that were potential options. Burris expressed interest in any potential option to avoid using leave.

On May 30, 2018, Burris' physician temporarily restricted him from performing regular duties because he was unable to make critical decisions.

On June 5, 2018, the Human Resources Director met with Burris and offered him a modified duty position in code enforcement. Burris accepted the position and began work on June 6, 2018.

On June 7, 2018, Burris completed 16.8 hours of work and advised he could not continue. Burris returned to his physician who restricted him from work at that time.

From June 7, 2018 to October 2, 2018, Burris failed to provide the required weekly work status reports to Human Resources, while he continued to utilize his accrued leave.

According to Burris, he continued to work for Right to Bear Arms, LLC while on disability leave without compensation.

On June 8, 2018, Police Pension Board Administrator sent Burris an Application of Permanent Disability.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 02/08/19 Time: \_\_\_\_\_ Report Number: 24

Page 1 of 6

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

On July, 18, 2018, Police Pension Board Administrator received the paperwork from Tony Oliver, Burris's attorney.

On August 1, 2018, Human Resource Director mailed Burris the Long Term Disability Claim Employee's Statement, Authorization to Disclose Personal Information, along with the Long Term Disability Physician's Statement.

On August 7, 2018, Human Resource Director completed the Long Term Disability Employer's Statement and submitted to the City's Long Term Disability Carrier, Mutual of Omaha.

On August 23, 2018, Burris met with Brooke Appy at the Human Resource Department with questions pertaining to Long Term Disability, at which time he expressed a desire to separate from his employment. According to Burris, around the end of August he obtained temporary employment while on disability leave at Kohl's Department Store. However, he was only able to work for approximately 4 hours before having to quit due to his medical condition.

On September 5, 2018, The Police Pension Board attorney, Ken Harrison, received the medical records and the Independent Medical Evaluation was scheduled.

On October 2, 2018, Human Resource Director mailed a certified letter to Burris indicating his FMLA and 900 hours of accrued leave afforded to him would be exhausted on October 9, 2018. Additionally, his physician reported he was unable to perform any duties related to law enforcement and/or work for the city of Edgewater, therefore, he would be terminated from employment effective October 10, 2018.

According to Burris, he continued to work for Right to Bear Arms, LLC while on disability leave. However, once he began disability leave he stopped receiving compensation from Right to Bear Arms, LLC. His disability leave ended around October 2018, when he resumed receiving compensation from Right to Bear Arms, LLC.

On October 4, 2018, Burris received a letter from the city of Edgewater terminating his employment.

On October 4, 2018, Reserve Detective Chris Balmer texted (former) city manager Tracey Barlow "So today the city sends Burris a certified letter (no call no meeting no plan) to terminate his employment effective October 7th. A guy who saved the life of one of our citizens."

Following a lengthy communication of how Burris failed to comply with city requirements regarding his continued disability leave, Balmer texted, "All's I am hearing today is, do u believe they fired Burris today, he saved a citizens life and this is how they treat him."

Barlow responded, "Did you tell them it wasn't his bullet?"

Balmer responded, "Lmfao I just pissed my pants"

On October 11, 2018, a Long Term Disability check was mailed to Burris in the amount of \$2,855.83. Additional monthly Long Term Disability checks would be expected at \$2,554.33 per month based on Burris's federal withholding selection.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 02/08/19 Time: \_\_\_\_\_ Report Number: 24

Page 2 of 6



**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

On October 16, 2018, Burris sent an email to the city of Edgewater City Council members regarding his termination. Burris acknowledged the city was within their legal right to terminate him, but felt morally the city could have handled it differently.

On October 16, 2018, Balmer texted (former) city manager Tracey Barlow, "I know he has two votes, not sure about the third, he thinks he has 3 and after election possible 4. This is a tricky one because while you may be technically correct, it's 'not the right thing' according to popular opinion."

Balmer texted a snapshot of a message posted by Adam Burris to Tracey Barlow, "I am asking if anyone is able to be at the City of Edgewater council chambers on Friday October 26 at 10 AM to support me in to make sure that nobody else is blindsided in this matter again. Than you. Adam"

On October 16, 2018, Balmer texted Barlow "Nevermind Burris just called me lol"

On October 16, 2018, Balmer texted Barlow "Ya they have 3 votes I was told. Archeri (sp) gone too

On October 16, 2018, Barlow texted Balmer "the funny part I am the only one that can fire him and they have to give me a 30 day notice...Do you know who they're appointing as active if they relieve me of my responsibilities?"

On October 16, 2018, Balmer texted Barlow "No clue – heard all of this throughout today. I assume Brenda?"

On October 16, 2018, Balmer texted Barlow "Amy Meagan Conroy are the 3"

On October 16, 2018, Balmer texted Barlow "Why isn't Archeri or Julie taking this heat? Why all u?" "You should meet with the three council members individually and offer hr and PD s heads not yours lol"

On October 16, 2018, Barlow texted Balmer supporting his staff decisions, explaining details of Burris's failure to comply with the requirements to provide work status reports from his physician and failure to request an extension of benefits, even though Burris signed an acknowledgment when these requirements were provided to him in writing.

On October 16, 2018, Balmer texted Barlow "All the comments I hear this week have been directed at Archeri and Julie. I actually heard that if you have to go to get them out then so be it. I haven't talked to any council member myself it would be interested to know their feelings."

On October 16, 2018, after further discussion of city personnel issues, Balmer texted Barlow "I just heard Megan and Amy might not be ready to back Conroy □ better decide if u wanta stay or not lol" "Burris talked to Conroy".

On October 16, 2018, Barlow texted Balmer "Burris has also talked with Power and I have been told Megan".

On October 16, 2018, Balmer texted Barlow "He only told me Conroy".

On October 16, 2018, after significant discussion regarding personnel issues and Burris's failure to comply with personnel requirements, Balmer texted Barlow "Just spoke to someone close to Megan ;) I don't want to give you false hope, but I definitely didn't get a vibe like she was on the Conroy bandwagon."

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 02/08/19 Time: \_\_\_\_\_ Report Number: 24

Page 3 of 6

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

On October 20, 2018, Tracey Barlow's son and daughter-in-law were married. Samantha Bergeron, the city of Edgewater Director of Parks and Recreation attended the wedding. While at the wedding, Balmer approached Bergeron and asked if she was interested in becoming the new city manager. According to Bergeron, she told Balmer she was not interested. Balmer told her she may not have a choice.

On October 20, 2018, following the wedding several of the guests attended an after wedding party at Merk's Sports Bar. According to Bergeron, city of Edgewater Police Officers, including but not necessarily limited to Balmer, Geiger, Burris and Epitropoulos joked with her each time she walked past their table with comments "there goes the next city manager," a conversation Bergeron said she was not interested in participating and reported the incident the next day to City Manager Tracey Barlow who was her boss.

On October 26, 2018, the city of Edgewater town council held a special council meeting. During the meeting Officer Burris was reinstated with back pay until his disability benefits begin. City councilman Gary Conroy made a motion to terminate city manager Tracey Barlow. The motion was immediately seconded by City councilwoman Megan O'Keefe. There was no council discussion on the matter. City Manager Tracey Barlow was terminated by a majority vote; Gary Conroy, Megan O'Keefe and Amy Vogt.

Sometime following the city council meeting Balmer (identifying himself as a citizen, voter and reserve detective) texted Megan O'Keefe "Where was HR in this meeting? Julie and Dave need to go! It's the right thing to do!"

On October 25, 2018, Burris's remaining accruals of 355 hours would be paid out at \$8,108.20.

On October 31, 2018, Burris's city paid healthcare insurance would terminate.

On November 8, 2018, Edgewater Police Chief Arcieri spoke with Sergeant Geiger about rumors of a secret meeting by Edgewater police officers, including Geiger, meeting with city council members in Oak Hill prior to special council meeting to discuss the termination of the city manager. Chief Arcieri also asked Geiger he thought of Balmer's recently discovered text messages to city council members. Chief Arcieri told Geiger he felt Balmer was trying to get him fired and have him replaced by Lieutenant Webb.

Geiger told Chief Arcieri that he was loyal to the Chief. According to statements provided by both Geiger and Arcieri, Geiger also told the Chief that he loved him (like a nephew / uncle relationship). However, once the Chief departed Geiger disclosed the content of their private discussion to Lieutenant Webb.

On November 9, 2018, Geiger filed a complaint against Chief Arcieri via Lieutenant Webb and Captain Mahoney to the city Human Resources Department and acting city manager effectively accusing Chief Arcieri of creating a "hostile work environment", although those words are not found in the complaint. According to Geiger, in his complaint against Chief Arcieri he wrote regarding his disclosure to Lieutenant Webb, "I felt as if the conversation put me in a predicament."

On November 9, 2018, Chief Arcieri responded in writing to Geiger's complaint. With the exception of Geiger's use of the word "insinuating" (See reference) their versions of the discussion are very consistent.

Geiger: "Chief Arcieri stated he heard a rumor about me. Chief Arcieri explained he was told there was a meeting in the city of Oak Hill, which consisted of myself, councilman Conroy, Councilwoman O'Keefe, Officer Andrew Spurlock and councilwoman O'Keefe's father (unknown name) insinuating that I conspired with the previously mentioned people which was a direct result of the "fiasco" that transpired at a council meeting where city manager Tracey Barlow was terminated."

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 02/08/19 Time: \_\_\_\_\_ Report Number: 24

Page 4 of 6

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-19000403

Narrative:

Chief Arcieri: "I told him I want to make him aware a rumor I heard. I prefaced it with I do not believe it; I only want you to be aware. I told him people are saying he ws involved in a secret meeting that took place in Oak hill with councilman Conroy and councilwoman O'Keefe, when it was decided they would call for CM Barlow's termination.....Geiger turned to me and said, Sir, I love you. I told him it was reciprocated."

Later in a sworn statement Geiger confirmed he did tell Chief Arcieri that he loved him at the conclusion of their meeting.

On November 9, 2018, Chief Arcieri submitted his letter of resignation effective December 16, 2018.

On November 10, 2018, city councilwoman Megan O'Keefe, who is separated from her husband and dating Edgewater Police Officer Andrew Spurlock, emailed the acting city manager requesting the status of and to obtain a copy of the complaint against Chief Arcieri.

On November 12, 2018, acting city manager Brenda Dewees notified councilwoman O'Keefe the Chief slipped and fell, was is in hospital.

On November 12, 2018, councilwoman O'Keefe emailed again with a request on the status of investigation and questioned if the Chief is on admin leave?

On November 12, 2018, acting city manager Dewees replied the Chief was on worker's comp.

On November 12, 2018, councilwoman O'Keefe emailed acting city manager Dewees asking if city is moving forward with an investigation and if Chief is on admin leave.

On November 12, 2018, councilwoman O'Keefe emailed acting city manager Dewees questioning if investigation is on hold because Chief was injured.

On November 12, 2018, acting city manager emailed councilwoman O'Keefe the city attorney advised the Chief can be placed on admin leave and the city can conduct an investigation.

On November 12, 2018, councilwoman O'Keefe emailed acting city manager Dewees questioning if the chief will relinquish his city vehicle, keys, badge and gun?

On November 12, 2018, acting city manager Dewees emailed councilwoman O'Keefe that the chief will surrender his equipment once he is released from the hospital.

On December 17, 2018, Sergeant Charles Geiger provided a sworn statement during which he stated he had not ever attended a secret meeting with any police officers or city council members to discuss the termination of the city manager prior to the special meeting. He reported the incident with Chief Arcieri without anyone else's input. He contacted council members Conroy, O'Keefe and Vogt the day after he filed his complaint. He spoke with Chris Balmer about which council members he should call and spoke with Balmer following his calls. He never asked Andrew Spurlock if Spurlock attended the alleged secret meeting.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 02/08/19 Time: \_\_\_\_\_ Report Number: 24

Page 5 of 6

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

On December 17, 2018, Officer Andrew Spurlock provided a sworn statement during which he stated he is dating councilwoman Megan O'Keefe, who was separated from her husband. Councilwoman O'Keefe's father, Mr. Bracy, is a councilman in the city of Oakhill. He and councilwoman O'Keefe regularly go to her father's home on Sunday afternoon to eat. He had not ever attended any secret meeting with police officers or council members to discuss the termination of the city manager prior to the special meeting.

On January 9, 2019, reserve police detective Chris Balmer provided a sworn statement during which he stated he had not met with any police officers or city council members to discuss the termination of the city manager prior to the special meeting. Balmer stated he did not recall speaking with Geiger about calling city council members pertaining to his complaint. If Geiger said Balmer told him to contact any specific council members, Geiger would have misunderstood. He wanted to honestly say Geiger did call him after speaking with council members, but could not provide any instance or details of any conversations. Within an hour after the city manager was terminated, he contacted former officer Burris to get the council members telephone numbers. After Tracey Barlow was terminated, he sent a text message to city council members that "if you fire Tracey Barlow, then Dave Arcieri and Julie Christine should go too."

On January 10, 2019, city of Edgewater Director of Parks and Recreation provided a sworn statement during which she stated she attended the wedding of city manager Tracey Barlow's son on October 20, 2018. At the wedding, she was approached by reserve detective Chris Balmer who asked if she was interested in becoming the next city manager. She was not interested and terminated the conversation. Following the wedding she attended the wedding after party at Merk's Sports Bar at which time she was addressed by reserve Detective Chris Balmer. Balmer told her in the presence of Sergeant Charles Geiger, Officer Sammy Epitropoulos and Adam Burris that he had personally spoken with councilman Gary Conroy, councilwoman Megan O'Keefe and councilwoman Amy Vogt, who were going to terminate city manager at the upcoming special council meeting. Geiger, Epitropoulos and Burris confirmed Balmer's statement and referred to her as the new city manager each time she passed their table. She reported the incident to her boss, city manager Tracey Barlow the next day.

On January 23, 2019 former Officer Adam Burris provided a sworn statement during which he stated he had not met with any police officers or city council members to discuss the termination of the city manager prior to the special meeting.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 02/08/19 Time: \_\_\_\_\_ Report Number: 24

Page 6 of 6

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

---

Complainant Name: Frederick, Henry

Case Number: CP-190000403

---

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a telephone call with Elizabeth Lavette.

On January 30, 2019, I was notified that Ms. Elizabeth Lavette was trying to make contact with the Office of the State Attorney regarding information she had in her possession she felt was pertinent to an ongoing investigation.

On January 30, 2019 at approximately 2:04pm, I telephoned Ms. Lavette; (386) 402-4601 home and (386) 631-8389 cell. Ms. Lavette told me that she had photographs of text messages from a cellular telephone she believed was in the possession of the State Attorney's Office. She also reported she had a video from a "Ring" doorbell she believed was from the residence of Jason and Megan O'Keefe. She believed the video captured a conversation between Jason and Megan O'Keefe discussing the previously mentioned cellular telephone. Ms. Lavette told me that she believed the text messages and video show evidence Jason O'Keefe committed violated the law. She obtained copies of the texts and videos pursuant to a public records request she made to the city of Edgewater.

The following items have been attached to this investigative report as Related Items:

1. Email from Elizabeth Lavette.
2. CD-ROM containing images and video.

---

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/30/19 Time: \_\_\_\_\_ Report Number: 23

Page 1 of 21

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a sworn statement provided by former Edgewater Police Officer Adam Burris.

On January 15, 2019, I obtained a witness subpoena for former Edgewater Police Officer Adam Burris to appear at the Office of the State Attorney and provide sworn testimony pertaining to this investigation. On January 16, 2019, State Attorney Investigator John Peper served the subpoena upon Adam Burris.

On January 23, 2019 at approximately 1:360m, I met with former Officer Adam Burris at the Office of the State Attorney located at 251 N. Ridgewood Avenue, Daytona Beach, FL 32114, at which time he provided a sworn statement.

Burris substantively stated that:

- He started working for the Edgewater Police Department in June 2012.
- His official retirement date was December 15, 2018.
- The special city council meeting on October 26, 2018 was for him.
- The meeting was called because the city of Edgewater terminated him effective October 9, 2018.
- After he requested to speak with HR (Human Resources) he was told he was terminated because his worker's compensation hours and FMLA were exhausted and he did not personally request and extension of his FMLA.
- He notified his supervisor of his injury (signaled air quotes) on April 13, 2018, at which time he was immediately put on leave under FMLA and worker's compensation.
- He gave "air quotes" because PTSD was not a physical injury.
- The city gave him requirements for progress reports from his doctors regarding his condition and improvement, which his doctors provided.
- He sought other employment while he was on leave from the city.
- At the end of August, he worked at Kohls Department Store for 4 hours.
- He was unable to continue working because of his medical condition.
- From April through August, he did not work any where.
- He did not work for free.
- He did not give any volunteer hours.
- He did not work anywhere else from August through December.
- He is currently working here and there with a buddy of his who has an online business selling gun parts.

[After being asked about a rumor he was working at a gun store while he was on leave from the city]

- He was working here and there at the gun store while he was out on leave, but he was not getting paid.
- He was basically hanging out with a friend of his.
- He was getting things here and there for the business.
- There is no stocking shelves.
- He has worked with the same guy for about 2 years.
- He got his son a job there too.
- The business is strictly internet.
- While on leave, he had nothing else to do so he went to the business to hang out.
- While there, he shot the shit with them.
- He did not handle any orders.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/23/19 Time: \_\_\_\_\_ Report Number: 22

Page 1 of 12

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Burris continued:

- He did not ship orders.
- He did not do anything.
- Now he pulls parts so they can be shipped.
- Parts are located in the warehouse.
- Prior to being retired and going out on medical leave, he worked with owner of the gun parts business.
- It was a second income.
- At times he worked for free for gun parts in 2017.
- He wanted to know what the investigation is about with him as a witness.
- The name of the business is Right to Bear.
- The owner's name is Sohrab (310) 913-7024.
- He does not know Sohrab's last name.
- The business is located at 511 Pullman, Edgewater, FL.
- He has been with Sohrab while he was a cop.
- He met Sohrab in 2016 when he became a sergeant.
- While working for Sohrab, he pulled parts.
- He did not box parts for shipping.
- He put parts in a bin next to a guy who would box everything for shipment.
- This is the type of work he performed before he went out on leave and this is the work he is currently doing now.
- While he was on leave, he hung out at the business.
- If he had to put a...probably, he can't honestly because he was not getting paid.
- More than likely, because he was sitting there bullshitting.
- He would probably have to say yes he worked for Sohrab while he was out on disability leave to answer the question with some type of certainty.
- But he did not get paid.
- He started getting paid again in October 2018.
- There is a guy who is leaving, so Sohrab wanted him to come on board.
- When he was terminated in October 2018 by the city he had contact with police officers; he still speaks with them.
- He spoke with them about the termination.
- He spoke with his supervisors about the termination.
- He did not speak with the Chief because he was pretty hurt the Chief did not give him a heads up and for not communicating with him for almost 5 months.
- He has no idea whether there are any rules that prevent the Chief from speaking with him while he is on medical disability leave.
- He communicated with the city council after he was terminated.
- He had no communications, no emails, no calls with city council members until he was terminated.
- No police officers gave him advice following his termination.
- The special council meeting came about because he contacted council members after his termination.
- He wrote an email to all council members.
- He first approached Conroy.
- Gary Conroy called him.
- He told Gary Conroy that he had an email he wanted to send to the entire council.
- Conroy told him absolutely.
- He then sent the email to all council members.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/23/19 Time: \_\_\_\_\_ Report Number: 22

Page 2 of 10

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Burris continued:

- Four of the five council members called him back.
- Conroy, Amy, Christine and Megan called him back.
- Gary Conroy, Amy Vogt, Christine Power, Megan O'Keefe.
- The mayor is the only one who did not call him back.
- He wanted to voice his concern on how the city handled the FMLA process for first responders.
- His goal was to get the policy changed.
- For devoting his life to the city, he felt like once he went on leave, he was thrown to the curb.
- He was hurt that the city manger and Chief hid behind a certified letter.
- They have a policy about what can be in first aid kits.
- But, they do not have a policy on how to handle FMLA.
- They have 900 workers comp hours.
- Going out on April 13th, his 900 hours would be up on October 9th.
- His 12 weeks of FMLA would be up August 28th or something like that.
- None of that was communicated to him.
- The day he went home, he was an emotional wreck.
- HR told him they would take care of him and they wanted him to get better.
- HR told him that he needed to sign various documents that he took for granted.
- The paper he signed stated he would check in with the city or HR weekly.
- He was complying by submitting his paperwork while he was on leave.
- He provided a letter from his doctor stating he could no longer perform law enforcement duties and continued employment with the city of Edgewater was detrimental to his health.
- He knows the city was getting every piece of paper that his doctor gave him and that his doctor sent to worker's comp.
- It was duplicate and after one or two visits it was redundant work status update; nothing changed.
- HR has an issue that he was not communicating with them weekly.
- However he was in constant communication with Captain Mahoney, weekly or every other week or so.
- He did not think it was ever more than 2 weeks without communicating with Captain Mahoney.
- The city said because he did not request an extension of his FMLA...he thought how was he supposed to memorize all of that.
- yes, it is his fault he should have read the rules.
- But, they told me they were going to take care of me.
- No one told him all he needed to do was make a phone call.
- His whole goal was to get some of that changed for the next person that had to deal with this.
- So he contacted council.
- As soon as he got the termination he contacted two lawyers who told him there was nothing he could do.
- He was fine with the termination.
- He just wanted something changed in policy so the next person is not blindsided with a certified letter.
- The Edgewater Police Department is represented by the PBA.
- He was a member of the PBA, but is not anymore.
- He contacted his PBA representative probably when he received the termination letter.
- He never met personally with any council member.
- None of the council members ever said they had concerns with the city manager or police chief.
- None of the city council members expressed they wanted to terminate the city manager.
- All he told his officer friends was that he contacted council and they requested a special meeting.

13

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/23/19 Time: \_\_\_\_\_ Report Number: 22

Page 3 of 10



**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Burris continued:

- The city manger requested a meeting with him and the PBA rep prior to the city council meeting.
- He thinks they met with the city manager on October 18th.
- He laid out his concerns.
- The city manager told him it was a loop hole and HR should be taking better care of him.
- The city manager drafted up a detailed account of what needed to be done.
- The city manager asked if he still wanted a special meeting on October 26th.
- He said he still wanted the meeting to ensure they change the policy to take care of first responders.
- The city manager told him the city was probably going to fire him.
- He told the city manger that was not his agenda.
- He never heard any movement about anyone trying to fire the city manager until then.
- He personally thinks the department directors dropped the ball.
- He told Tracey he had no problem with him.
- He told the city manager Julie and Arcieri dropped the ball and should be reprimanded for the way this was handled.
- The city manager told him when he initially went out that they were going to take care of him.
- The city manager told him that the city manager believes he is suffering from PTSD.
- He told the city manager that he was on the up and up of his career.
- He wasn't getting written up; He wasn't getting disciplined.
- He made Sergeant in 4 years.
- He made Detective in 1 1/2 years.
- Volusia County Officer of the year.
- So why would he make this up?
- This is legit for him.
- He was hoping the city would take care of him.
- The city manager said they dropped the ball; it fell through the cracks.
- To him, that was a piss pour excuse.
- The department directors need to be reprimanded.
- He did not have any conversations and was not present when anyone else had conversations about the city manager being terminated prior to the special city council meeting.
- No other police officers told him there was a move by the city to terminate the city manger because of what happened to him or any other reason.
- The face to face meeting with the city manager was the only time he had heard any conversation about the city manager being terminated.
- He was not at a wedding on October 20th.
- He was probably at Merk's bar, it is a popular hang out.
- He did not attend the Barlow wedding.
- He was at the bar that night.
- He remembers Robert and his wife coming into the bar.
- Robert's wife was pretty inebriated.
- He thinks the Director of Parks and Recreation, Samantha Bergeron was there.
- He does not remember anyone joking with her about being the new city manger.
- He does not remember anyone saying they were going to get the city manager fired in the upcoming meeting.
- If other persons provided sworn statements indicating he was participating in that type of discussion, he does not know if they would be lying.

+

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/23/19 Time: \_\_\_\_\_ Report Number: 22

Page 4 of 10

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Burris continued:

- If someone said under oath that he was at the bar and participated in the discussion about Tracey Barlow being terminated and Samantha Bergeron being appointed the new city manager, if someone said he said that, they would be lying.
- The only conversation they could have had was about the meeting he had with Tracey.
- He was present with other officers.
- No conversation about council members removing Tracey Barlow and appointing Samantha Bergeron ever occurred with him.
- He never said "X" amount of council members was going to vote him out.
- Once he heard Tracey said they were probably going to vote him out.
- He told whoever he spoke to that Tracey told him the council was probably going to vote him out from the 18th to the 26th.
- Basically, there is nothing for him to hide.
- This conversation is the same conversation he has had with everyone; Tracey Barlow is making everything right, but the city council is probably going to fire him.
- Barlow may have said that because he knows Conroy does not like Barlow.
- He does not know the entire history between Conroy and Barlow, but he knows from rumors Conroy does not like Barlow.
- He has heard the rumor about police officers from the city of Edgewater meeting with members of the city council in a private meeting.
- He first heard the rumor on facebook.
- He was going to council meetings after that, because he felt bad that in the city council meeting that he wanted on behalf of the first responders, the city manager got fired.
- He made a comment Tracey after the vote that his intention was to get a policy change.
- At Merk's he did not say and did not hear anyone ask Samantha Bergeron if she wanted to be the next city manager.
- At Merk's he did not joke and did not hear anyone else joke by saying there goes the next city manager when Samantha Bergeron walk by their table.
- He thinks Detective Balmer was at the wedding.
- They all sat in the back near the restroom.
- If Balmer was there, they probably spoke.
- Balmer had to be there, they went to the wedding.
- He does not recall Sergeant Geiger being present.
- Ever since Geiger got a girlfriend, he has not been going out.
- There were approximately 25-30 people present.
- He does not recall if his wife was with him.
- He has not had any communication with any police officer, city council member or city employee since his termination and/or reinstatement about allegations of city council members discussing the termination of the city manager prior to the special meeting.

The following items have been attached to this investigative report as Related Items:

1. Witness Subpoena.
2. CD-ROM sworn statement by Adam Burris.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/23/19 Time: \_\_\_\_\_ Report Number: 22

Page 5 of 10

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a sworn statement provided by Edgewater Police Officer Sammie Epitropoulos.

On January 15, 2019, I obtained a witness subpoena for Edgewater Police Officer Sammie Epitropoulos to appear at the Office of the State Attorney and provide sworn testimony pertaining to this investigation. On January 16, 2019, State Attorney Investigator John Peper served the subpoena upon Kelly at the receptionist desk at the Edgewater Police Department.

On January 23, 2019, Officer Epitropoulos did not appear for his interview. I sent an contacted interim Police Chief Joe Mahoney and requested his assistance in locating Officer Epitropoulos. I received a telephone call from Officer Epitropoulos at which time he explained he forgot about the subpoena. I agreed to reschedule his interview for the next day.

On January 24, 2019 at approximately 9:54am, I met with Officer Epitropoulos at the Office of the State Attorney located at 251 N. Ridgewood Avenue, Daytona Beach, FL 32114, at which time he provided a sworn statement.

Officer Epitropoulos substantively stated that:

- He has been with the Edgewater Police Department for about 4 1/2 years.
- He graduated from the Daytona State Police Academy in 2013.
- His immediate supervisor is Sergeant Steven Binz.
- Lieutenant Webb and Chief Mahoney know he is at the State Attorney's Office.
- He is familiar with former Sergeant Adam Burris.
- He is aware sometime prior to April 2018, Sergeant Burris was involved in an incident that resulted in Sergeant Burris' being placed on disability leave.
- He is aware of a special emergency city council meeting requested by Sergeant Burris.
- He is aware of a rumor regarding a secret council meeting involving city council members meeting with police officers from the News-Journal reporting on Sergeant Geiger's complaint.
- Prior to the News-Journal article, he had not heard any discussion of city council members or city police officers meeting with city council members pertaining to the Chief's employment, Sergeant Burris' employment or the city manager's employment.
- He knows the former city manager's son, Robert Barlow.
- He attended the wedding of Robert and Haley Barlow in New Smyrna Beach.
- Following the wedding, he, Chas Geiger, Kevin Nugent and Dillon Semstrott went to Merk's.
- He did not believe Robert went.
- He believes Chris Balmer was also at Merks.
- He does not recall whether or not Adam Burris was at Merks.
- He does not recall whether there was any discussion of the upcoming city council meeting.
- He did not remember the date of the wedding, but thought it was after the special city council meeting.
- It would not surprise him to learn the wedding was before the meeting.
- He does not know the Director of Parks and Recreation.
- He knows the name Samantha Bergeron, but does not know what she looks like.
- He did not recall whether or not she was at the bar.
- He did not recall hearing conversation by police officers at the bar asking Samantha Bergeron if she was interested in

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/25/19 Time: \_\_\_\_\_ Report Number: 21

Page 1 of 7

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Sammie Epitropoulos continued:

- He did not recall hearing conversation by police officers at the bar asking Samantha Bergeron if she was interested in becoming the new city manager.
- He did not recall anyone making reference to a woman walking by police officers seated stating "there goes the new city manager".
- He does not remember any discussion regarding the city manager's employment, the town council, the upcoming meeting, the replacement of the city manager, the replacement of the police chief or anything similar.
- He was standing around the people whose names he mentioned.
- At no time did he hear any conversation, nor did he participate in any conversation similar.
- He only knows Sergeant Geiger and Officer Spurlock were alleged to have participated in the meeting with council members due to what was published in the News Journal.
- He never asked either one of the officers if they did it because it was a cockamamie rumor and he did want to be involved.
- He attended the special council meeting.
- He saw the motion and an immediate second, and a vote with no discussion.
- He absolutely 100% can see where some people may believe the secret meeting did take place.
- He could also see where some would believe the secret meeting took place if some witnesses said they were at a bar prior to the special council meeting where they heard other people say they had the votes to terminate the city manager.
- He never participated with any secret meetings with council members.
- He never met with any police officers and discussed their participation in any secret meeting.
- No police officer has ever told him about their participation in any secret meeting.
- No one ever discussed with him who they thought would make a good city manger.
- He never asked Charles Geiger if he attended a secret meeting.
- He never asked Chris Balmer if he was involved.
- He never asked Andrew Spurlock if he attended a secret meeting.

The following items have been attached to this investigative report as Related Items:

1. Witness Supboena.
2. CD-ROM statement by Officer Sammie Epitropoulos.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/25/19 Time: \_\_\_\_\_ Report Number: 21

Page 2 of 7

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a Public Records request for the City of Edgewater to produce certain records pertaining to any city policies that address the public's "opportunity to be heard" in matters to be voted upon by the council.

On December 13, 2018, I delivered a public records request to the city of Edgewater to produce certain records pertaining to the public's "opportunity to be heard" in matters to be voted upon by the council.

On January 4, 2019, I received an email from the city of Edgewater with their response.

The following item(s) have been attached to this investigative report as Related Items:

1. Public Records Request PRR3.
2. Response from the City of Edgewater.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/04/19 Time: \_\_\_\_\_ Report Number: 18

Page 1 of 10

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT RELATED ITEMS FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Related Item #: 1 Item Type: Document Date: 12/13/18 Time: \_\_\_\_\_ From: Other

Description: Public Records Request PRR3

Related Item #: 2 Item Type: Document Date: 01/04/19 Time: \_\_\_\_\_ From: Other Agency

Description: Response from city of Edgewater

Related Item #: \_\_\_\_\_ Item Type: Select Date: \_\_\_\_\_ Time: \_\_\_\_\_ From: Select

Description: \_\_\_\_\_

Related Item #: \_\_\_\_\_ Item Type: Select Date: \_\_\_\_\_ Time: \_\_\_\_\_ From: Select

Description: \_\_\_\_\_

Related Item #: \_\_\_\_\_ Item Type: Select Date: \_\_\_\_\_ Time: \_\_\_\_\_ From: Select

Description: \_\_\_\_\_

Related Item #: \_\_\_\_\_ Item Type: Select Date: \_\_\_\_\_ Time: \_\_\_\_\_ From: Select

Description: \_\_\_\_\_

Related Item #: \_\_\_\_\_ Item Type: Select Date: \_\_\_\_\_ Time: \_\_\_\_\_ From: Select

Description: \_\_\_\_\_

Related Item #: \_\_\_\_\_ Item Type: Select Date: \_\_\_\_\_ Time: \_\_\_\_\_ From: Select

Description: \_\_\_\_\_

Related Item #: \_\_\_\_\_ Item Type: Select Date: \_\_\_\_\_ Time: \_\_\_\_\_ From: Select

Description: \_\_\_\_\_

Related Item #: \_\_\_\_\_ Item Type: Select Date: \_\_\_\_\_ Time: \_\_\_\_\_ From: Select

Description: \_\_\_\_\_

Related Item #: \_\_\_\_\_ Item Type: Select Date: \_\_\_\_\_ Time: \_\_\_\_\_ From: Select

Description: \_\_\_\_\_

Related Item #: \_\_\_\_\_ Item Type: Select Date: \_\_\_\_\_ Time: \_\_\_\_\_ From: Select

Description: \_\_\_\_\_

Report Number: 19

Page 2 of 10

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

---

Complainant Name: Frederick, Henry

Case Number: CP-190000403

---

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a Public Records request for the City of Edgewater to produce certain records pertaining to the dismissal/resignation of Police Chief Dave Arcieri.

On December 12, 2018, I delivered a public records request to the city of Edgewater to produce certain records pertaining to any investigation of former city of Edgewater Police Chief Dave Arcieri leading up to him being placed on Administrative leave, including any records pertaining to his resignation/dismissal.

On January 4, 2019, I received an email from the city of Edgewater with their response.

The following item(s) have been attached to this investigative report as Related Items:

1. Public Records Request PRR2.
2. Response from the City of Edgewater.

---

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/04/19 Time: \_\_\_\_\_ Report Number: 18

Page 1 of 24



# EDGEWATER POLICE DEPARTMENT

## COMPLAINT INVESTIGATION

COMPLAINT NUMBER: \_\_\_\_\_

PAGE 1 OF 3

INTERNAL COMPLAINT

EXTERNAL COMPLAINT

DATE REPORTED: 11/09/2018

DATE OCCURRED: 11/08/2018

TIME: APPX. 11:45AM

LOCATION OCCURRED: WEST INDIAN RIVER BLVD

EMPLOYEE NAME: CHIEF ARCIERI

ID #: \_\_\_\_\_

EMPLOYEE NAME: \_\_\_\_\_

ID #: \_\_\_\_\_

### COMPLAINANT INFORMATION

LAST NAME: OF L. GELGER

FIRST NAME: \_\_\_\_\_

DOB: \_\_\_\_\_ SEX: \_\_\_\_\_

RACE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

### SUPERVISOR NARRATIVE

STATEMENT: On Wednesday, November 08, 2018, I was assisting with a crash investigation on West Indian River Boulevard. Lieutenant Webb and I had been following a recently released career criminal who was acting suspiciously at 807 West Indian River Boulevard.

I was leaning into Lieutenant Webb's passenger side window. Lieutenant Webb and I were speaking when we observed Chief Arcieri pull up to the crash scene. Chief Arcieri parked behind the patrol vehicle and walked east on the sidewalk. Chief Arcieri asked, "How's the McKinney kid?" I informed Chief Arcieri I was not sure of his status as I had not walked to actual crash yet.

After a few minutes, I was still speaking to Lieutenant Webb when Chief Arcieri began walking back in the direction of his vehicle. As Chief Arcieri passed, he pointed at me and asked, "Can I talk to you for a minute." I left Lieutenant Webb's patrol vehicle and walked with Chief Arcieri.

Chief Arcieri asked me, "Is your camera on?" I told him it was not and showed him it was not activated.

Chief Arcieri proceeded to ask me what I thought of recent discovered text messages of Chris Balmer contacting City Council. I informed Chief Arcieri the whole incident was a mess and asked Chief Arcieri what he thought Chris Balmer's intentions were. Chief Arcieri responded by stating to get Lieutenant Webb into the Chief's position in the event he is terminated.

I informed Chief I was loyal to him and there had been several rumors surfacing lately. S 6 28

\_\_\_\_\_  
Signature of Law Enforcement/Notary Public

645

ID#:





# EDGEWATER POLICE DEPARTMENT

## COMPLAINT INVESTIGATION

COMPLAINT NUMBER: \_\_\_\_\_

PAGE 2 OF 3

INTERNAL COMPLAINT

EXTERNAL COMPLAINT

DATE REPORTED: 11/09/2018

DATE OCCURRED: 11/08/2018

TIME: APPX. 11:45AM

LOCATION OCCURRED: WEST INDIAN RIVER BLVD

EMPLOYEE NAME: CHIEF ARCIERI

ID #: \_\_\_\_\_

EMPLOYEE NAME: \_\_\_\_\_

ID #: \_\_\_\_\_

### COMPLAINANT INFORMATION

LAST NAME: \_\_\_\_\_

FIRST NAME: \_\_\_\_\_

DOB: \_\_\_\_\_

SEX: \_\_\_\_\_

RACE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_

ZIP: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

### SUPERVISOR NARRATIVE

STATEMENT: Chief Arcieri stated he heard a rumor about me. Chief Arcieri explained he was told there was a meeting in the City of Oak Hill, which consisted of myself, Councilmen Conroy, Councilwoman O'Keefe, Officer Andrew Spurlock and Councilwomen O'Keefe's father (unknown name) insinuating that I conspired with the previously mentioned people which was a direct result of the "fiasco" that transpired at a council meeting where City Manager Tracey Barlow was terminated.

I ensured Chief Arcieri this was not the case and again informed him I was loyal to him and would not meet in private.

The conversation with Chief Arcieri was concluded; he returned to his vehicle and I returned to Lieutenant Webb's patrol vehicle.

When I returned to Lieutenant Webb's patrol vehicle, Lieutenant Webb asked me, "What was that about?"

Being Lieutenant Webb is the patrol commander and my direct supervisor I felt compelled to tell him the truth reference the conversation I had with Chief Arcieri.

I felt as if the conversation put me in a predicament. Lieutenant Webb is my patrol commander and my immediate boss. When asked by Lieutenant Webb about the conversation, I could not lie. The conversation with Chief Arcieri made me uncomfortable and I felt as if he believed I was conspiring against the city and violating Sunshine law.

SGTB

\_\_\_\_\_  
Signature of Law Enforcement/Notary Public 645  
ID#: \_\_\_\_\_



# EDGEWATER POLICE DEPARTMENT

## COMPLAINT INVESTIGATION

COMPLAINT NUMBER: \_\_\_\_\_

PAGE 3 OF 3

NATURE OF COMPLAINT

*[The area for the nature of the complaint is crossed out with a large handwritten 'X'. The number '678' is written in the center of the 'X'.]*

Whoever knowingly makes a false statement in writing with the intent to, mislead a public servant in the performance of their official duty, shall be guilty of a misdemeanor of the second degree as provided in Florida State Statute 837.06, 775.082-083-084.

I SWEAR/AFFIRM THE ABOVE STATEMENTS ARE TRUE AND CORRECT.

[Signature] 11-9-2018  
SIGNATURE OF AFFIANT

The foregoing instrument was acknowledged before me on this  
The affiant who is personally known to me or has produced  
identification and who did take an oath.

9th day of November, 20 18 as

[Signature] 640  
Signature of Law Enforcement/Notary Public ID#:

10 of 24

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon the receipt of a cellular telephone delivered to the Office of the State Attorney by Meghan O'Keefe.

On January 7, 2019 at 3:53 pm, Meghan O'Keefe met with Assistant Chief Investigator Debbie Reith at the Office of the State Attorney located at 251 N. Ridgewood Avenue, Daytona Beach, FL 32114, at which time Ms. O'Keefe delivered a cellular telephone. AC Reith prepared the attached property receipt, which was signed by both parties.

The cellular telephone will be maintained in the Office of the State Attorney Daytona Office temporary evidence.

The following item(s) have been attached to this investigative report as Related Items:

1. Property Receipt for 1 (one) Alcatel cellular telephone, black in color.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/07/19 Time: \_\_\_\_\_ Report Number: 17

Page 1 of 4

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon text messages and telephone call with councilwoman Meghan O'Keefe.

On January 7, 2019 at 12:42pm, I received a text message from Meghan O'Keefe. The text message stated "Good afternoon Mike, I have tried reaching you a few times, I am sure you are busy since the holidays...Please give me a call when you get a free moment thanks!"

On January 7, 2019, I returned Ms. O'Keefe's telephone call at which time she informed me that her daughter had mistakenly removed a cellular telephone from her estranged husband's residence. Ms. O'Keefe went on to say that that her daughter believed the cell phone she removed belonged to Ms. O'Keefe and was the phone Ms. O'Keefe's husband had previously delivered to the State Attorney. Upon inspection of the cell phone, Ms. O'Keefe discovered it was not her phone. However, she discovered the phone belonged to an alias she believed her husband had created to publish information on Facebook pertaining to the city of Edgewater as well as the details of their divorce.

I provided Ms. O'Keefe the address to the Office of the State Attorney, located at 251 N. Ridgewood Avenue, Daytona Beach, FL 32114 and told her that she could deliver the cell phone to Assistant Chief Investigator Debbie Reith. She told me that she was going to text the address to herself by sending it to me via text message so that she would not forget.

On January 7, 2019 at approximately 1:43pm, I received a text message from Meghan O'Keefe, "251 n Ridgewood Daytona Debbie Reith until 4:30pm."

The following item(s) have been attached to this investigative report as Related Items:

1. Printout of text messages from Meghan O'Keefe (386) 307-2907.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/07/19 Time: \_\_\_\_\_ Report Number: 16

Page 1 of 4

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a telephone interview with former city Councilwoman Amy Vogt.

On January 3, 2019, the Daytona Beach News-Journal reported city councilwoman Amy Vogt resigned from her elected position as the city of Edgewater District 2 representative.

On January 8, 2019, I made contact with former councilwoman Amy Vogt via telephone and conducted a telephone interview, which I recorded.

Ms. Vogt stated that:

- She would like to be taken off speaker phone.
  - When they [the council members] were supposed to have had a meeting, she was not even in the state.
  - The Sunshine Law violation doe not pertain to her no more because she is no longer on the council.
  - She would love to have the person's name who made the false allegations because she is going to have a slander suit and defamation of character suit against them.
  - She knows it's Jason O'Keefe because he is the same one who started the fake identification and the fake phone because he lost.
  - Once what Jason O'Keefe has said and done, because it is all written down, there will be a lot of upset people in that town.
  - Because Jason O'Keefe wants to win a divorce, the taxpayers are spending a bagillion dollars they don't need to be [spending].
  - Because Jason O'Keefe wants to win his kids over a custody suit and is pissed off.
  - She has never met in the city of Oak Hill with any other city council members.
  - She and Gary, the one who was supposed to make it happen, do not get along.
  - The only time she and Gary talk to each other is in council.
  - They don't get along; they don't talk to each other; actually Gary fought with her on the council.
  - There has never been a time when she and any other city council member spoke privately about the firing of the city manager, the firing of the police chief or any other city council business.
  - She fired the city manager because he was not transparent.
  - The city manager hid a hike in the water and trash bill into a 65 page document that wasn't supposed to change those charges.
  - The document was supposed to address changes in the permitting system due to the economic downturn.
  - The city manager also fired two police officers and a firefighter and swept it under the rug; no one knew about it.
  - They [city manger] didn't like the people so they [city manager] were getting rid of people and she did not like that.
  - She did not want someone in there who was not transparent to their superiors.
- [In response to being asked about the lack of dicussion among council members prior to the vote]
- The city manager was the one who already had his keys removed from the chain.
  - The city manage was already gone.
  - The city manager was already out of state within an hour after the meeting.
  - The city manager returned all of his property, cleaned out his office and had his vehicle changed over to the city and within an hour he was in Georgia.
  - The city manager was the one who was already out the door.
  - The city manager was the one sending the emails; getting everyone upset.



Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/08/19 Time: \_\_\_\_\_ Report Number: 15

Page 1 of \_\_\_\_\_

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Ms. Vogt continued:

- It is of no benefit to her.
- She knew she was going to get into trouble.
- She knew the city would be mad if she fired the city manager.
- She knew it would come down on her shoulders.
- But, it had to happen because these people were paying all this extra tax for no reason.
- She had not gain for it.
- So if there was a secret meeting and there was all this stuff, there would be a hidden agenda or a hidden benefit for the people who did it.
- There was no benefit for me.
- She didn't have no benefit for anything.
- She didn't get no money.
- All she got was a headache.
- And the taxpayers don't have to pay the city manager's huge salary and the taxpayers don't have to pay all of this hidden stuff that not being shown to the public.
- She did it for the people of the city of Edgewater so they wouldn't have to keep paying all of these extra fees.
- She was going to bring it up and the next council meeting but they were so busy trying to cuss her out that they weren't going to listen to a damn thing she had to say.
- So what's the point.
- She and Ms. O'Keefe and their children have been friends for 10 years.
- The allegation that she, Ms. O'Keefe and their children took a trip to SeaWorld and that during the trip she and Ms. O'Keefe were overheard by some of the children discussing the termination of the city manager prior to the meeting was hilarious.
- They don't talk about city stuff.
- They don't have no reason to.
- They have kids and her kids are adults.
- If any of the children said that is what happened, she did not even believe they were in the same vehicle because she drives her own vehicle.
- If the kids heard something, it wasn't anything she said.
- They very rarely ever ride together because she [Meghan O'Keefe] has too many kids.

[When asked if She and Meghan O'Keefe and their children rode together in an Expedition to SeaWorld, if the children said they overheard Vogt and O'Keefe discussing the termination of the city manger, would they be lying or misunderstanding?]

- She wouldn't call a child a liar.
- But the probably...
- There's no way.
- She didn't say anything about...
- They don't talk about that.
- So, she is not going to say the kids are lying or they misunderstood because it didn't happen.
- She does not know what I am trying to get to because the kids are 3 and 7.
- They are little kids and were sleeping most of the way over there.
- She only drove [Meghan O'Keefe's] vehicle one time because O'Keefe did not like to drive in downtown Orlando.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/08/19 Time: \_\_\_\_\_ Report Number: 15

Page 2 of \_\_\_\_\_

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Ms. Vogt continued:

- She does not think they went to Seaworld that day.
- She thinks they went to somewhere else.
- The kids were sleeping.
- She has a picture of the kids sleeping in the vehicle because Meghan had to had to run in the store to go to the bathroom.
- This is ridiculous.
- This situation is very aggravating because her daughter was almost ran off the road, which is one of the reasons she left.
- She cannot handle her children or herself being hurt over false allegations.
- They do not discuss stuff about the city.
- They know they are not allowed to.
- They didn't want to.
- That stuff is stressful enough.
- The last thing they want to do is talk about it in private.
- She talks about it on the council, which is why when she speaks her mind, she gets heated because it has been in her and she wants to get it out.
- So, when it comes out, it's usually heated.
- Especially when it comes to people that she does not think should be terminated for an unjustified reason or firefighters or police officers that have families.
- She actually talked with Barlow after the fact.
- She went up to him and shook his hand after the meeting and said "you were ready to go, weren't you?"
- Barlow told her he was ready to go, he had too many years of being harassed by Gary.
- She knows for a fact that he and Gary did not like each other because years ago Gary was a police officer and something happened.
- She doesn't know what happened.
- She was friends with Barlow.
- She told him she knew he was ready to go, she could tell by his body language.
- Before she even made the decision to terminate him, he had already brought it up twice.
- He wanted to go; He was done.
- He was tired of dealing with harassment.
- He now gets his pension; he gets all his money.

The following item(s) have been attached to this investigative report as Related Items:

1. Daytona News-Journal Article pertaining to the Resignation of Councilwoman Amy Vogt.
2. CD-ROM digital recording of telephone interview with Amy Vogt.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/08/19 Time: \_\_\_\_\_ Report Number: 15

Page 3 of \_\_\_\_\_

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

---

Complainant Name: Frederick, Henry

Case Number: CP-190000403

---

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a telephone call I received from the city of Edgewater city attorney Aron Wolf.

On January 3, 2019, I received a telephone call from Aron Wolf, city attorney for the city of Edgewater. Mr. Wolf inquired as to the status of my investigation and asked if I could estimate when the investigation may conclude. I advised Mr. Wolf that I anticipated the completion of the investigation sometime near the end of January.

Mr. Wolf also inquired as to the status of a certain cellular telephone and iPad that may belong to councilwoman Meghan O'Keefe that were delivered to the Office of the State Attorney by her estranged husband Jason O'Keefe. I advised as soon as the investigation is completed and the items are no longer needed, we would make arrangements for their release.

---

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/03/19 Time: 2:11 pm Report Number: 14

Page 1 of 1



**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a sworn recorded statement provided by Reserve Police Detective Chris Balmer.

On January 9, 2019 at approximately 11:37am 10:15am, I met with witness Reserve Police Detective Chris Balmer at the Edgewater Police Department, located at 135 E. Park Avenue, Edgewater, FL 32132, at which time he provided a recorded sworn statement.

Reserve Detective Balmer substantively stated that:

- He believed he read a complaint from one of their officers that had the flavor of a rumor involving allegations Edgewater Police Officers and certain city council members may have had a secret meeting to discuss city council business.
- At one point he read an article in the news paper, he was not sure if it was before or after he had heard the rumors, regarding the same type of rumors.
- He has never heard of these type of rumors other than what he read in the complaint and what he read in the newspaper.
- He has no personal knowledge of town council members communicating with one another outside of an official council meeting.
- He does not have a personal relationship with any town council members.
- He believes the officer complaint he read was from Chas Geiger.
- He only knows what he read in the public records request; what is floating around out there; he read the entire complaint.
- He is sure he spoke with Geiger about the complaint.
- Geiger told him that Geiger had filed a complaint and no one was acting on the complaint.
- The Chief subsequently resigned and there was no investigation conducted.
- His conversations with Geiger were mainly after [the complaint had been filed].
- He did not have a role in the department to review the complaint.
- Geiger is a sergeant with the department.
- He does not think Geiger came to him specifically for help; it was maybe a group of people at lunch one day.
- Geiger had an excellent relationship with the Chief.
- Geiger's complaint was that at a call [for service] the Chief pulled him aside to ask if Geiger had a role in some type of Sunshine Law violation.
- Geiger told the Chief no.
- He guessed the conversation made Geiger feel uncomfortable being accused by the Chief so he filed the complaint.
- Geiger has been a police officer maybe 8 years.
- He is a reserve detective, having sold his business in 2017.
- He is kind of a stay at home dad.
- He has been a Reserve Detective since completing Field Training.
- He graduated from the police academy 2013.
- He started in law enforcement with the city of Edgewater.
- He has been with the Fire Department as a volunteer since 1998.
- He thinks there is a "time and a place" but other than that, he does not see any problem with the Chief of Police confronting one of his officers about a rumor.
- He thinks a rumor like this, if it were not true, would have the potential to disrupt the operation of the police department.



Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/09/19 Time: 10:15 am Report Number: 12

Page 1 of 7

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Balmer cont'd:

- A rumor like this, if it were true, would absolutely be a problem.
- He honestly does not know anything above what is written in the complaint to determine where Geiger was offended.
- To the best of his recollection he does not recall Geiger speaking with him about the complaint prior to writing the complaint.
- If Geiger did speak with him, it was in a group type setting.
- To his knowledge, Geiger did not receive any advice from anyone prior to writing the complaint.
- To his knowledge, Geiger did not receive any encouragement from anyone to write the complaint.
- He probably could not answer specifics pertaining to Geiger's dissatisfaction with the way his complaint was handled by the city.
- However, the gist of Geiger's dissatisfaction was that in the Chief's settlement agreement with the city, it was noted the Chief could not be investigated.
- So he thought Geiger felt slighted that the matter never came to a resolution, to which he agrees.
- He personally does not think this investigation [the present interview] would be occurring if that [matter] had been investigated because it would have answered "Did a secret meeting occur?", "Did something bad happen?".
- He thinks if that investigation had occurred, the Chief would have been able to say, "This is why he asked Geiger A, B, C".
- He thinks we would have learned the rumors were not valid, it was just all a bunch of rumors.
- He wishes the matter would have been fully investigated as well.
- But, because the Chief chose to resign, there was never an investigation.
- He does not recall ever having a private conversation with Geiger about this complaint.
- To his knowledge, Geiger did not have any conversations with the Mayor or any council members regarding his complaint.
- He had never even spoken with or had the phone numbers to any council members until after the city manager had resigned or was fired.
- He thinks that while talking with Geiger about his not having communicated directly with any council members prior to the city manager's removal, Geiger indicated he had not communicated with any council members either.
- Geiger did not have any personal relationships [with city council members] to his knowledge.
- They all knew Gary Conroy from being a police officer.
- But, he did not think there were any personal connections.
- He did not have any idea whether Geiger called or texted any council members regarding his complaint against the Chief.
- He would find that highly odd [if Geiger were to call or text council members].
- He did not tell Geiger to call or text any council member prior to the Chief's resignation.
- After the Chief's resignation, he encouraged all of the police officers to contact their city council because there was a lot going on with one of their officers, Burris, they need to protect their own.
- He did not tell Geiger to call any council member specific to Geiger's complaint against the Chief.
- He honestly could not answer whether or not he told Geiger to call or text any council member specific to Geiger's complaint against the Chief.
- When Geiger complained about the matter not being investigated, he certainly may have said, call your council member.
- That's something he would say.
- He does not recall saying that.
- But, he agrees with that and has no issue with that.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/09/19 Time: 10:15 am Report Number: 12

Page 2 of 7

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Balmer cont'd:

- He knows he told Geiger to call his union representative.
- He also told Geiger to call his captain, captain Mahoney.
- If we have a member who files a complaint that is not being investigated as it should, that member needs to reach out to their union representative, their captain, and if they feel like they need to reach out to their council members, absolutely.
- He does not recall telling Geiger to call council members.
- It would not be a normal thing for him to say "call your council member" about something like that.
- But, certainly he is all for contacting council members.
- The police department has an organizational structure, a chain of command.
- There are 28 sworn officers, beginning with officer who reports to a sergeant, who reports to a lieutenant, who reports to a captain who reports to the chief, who reports to the city manager, who reports to the town council.
- An officer should not go directly to their lieutenant, they should follow chain of command.
- An officer should not go directly to their lieutenant, they should initially follow chain of command.
- He thinks initially an officer is duty-bound to follow chain of command.
- He believes that whole heartedly; since volunteering with the fire department in 1992.
- He thinks when one is confronted with a situation where the boss does not do what needs to happen, one has an obligation to "one up it".
- An example of a safety concern might be if a sergeant and observed a bare wire he reported to his lieutenant with concern someone could get electrocuted, and after an appropriate amount of time passing, the sergeant does nothing to resolve the matter, he would hope the sergeant would "one up that" and report directly to the captain.
- He believes there are situations when one should go around their immediate supervisor.
- He does not remember telling Sergeant Geiger to contact the city council regarding Geiger's complaint with the Chief, he would say about the lack of response from the city about the complaint against the Chief.
- If he were not to use semantics, he guesses he would say absolutely.
- He would have encouraged Geiger to go to all council members.
- If one was going to go to that level.
- If Geiger said he was told by him to go to only 1 or 2 or 3 council members, or to avoid contacting 1 or 2 council members, that would absolutely be a misunderstanding on Geiger's part.
- He does not recall instructing Geiger to contact a specific council member.
- At the time they had a retired police chief, a former police officer, and another police officer who may have resigned by then; he was not sure.
- They are more sympathetic to the police department's plight.
- The former police chief being the Mayor Ignasiak.
- If Geiger said he instructed Geiger not to contact the Mayor because the Mayor would not be sympathetic, it would not be true.
- If a private meeting between members of the department and council members did not occur, but rumors were circulating in the community that it did, it would be detrimental to the operation of the department.
- If the rumors were true, it would be equally disruptive to the operation of the department.
- Whether the rumors were true or not, it would be the Chief's role to address them within the department.
- He thinks there is a time and place.
- If he had a complaint [about the Chief's actions], it should not have been done on a call at a scene.
- Other than that, he would want the Chief to come to him.
- He would not have filed a complaint [if it were him].

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/09/19 Time: 10:15 am Report Number: 12

Page 3 of 7

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Balmer cont'd:

- If he were a sergeant and called out one of his officers, who later filed a complaint against him [as what happened to the Chief] he would understand that it should not have taken place there [on the side of the road at a scene].
- It has been month's since he read Geiger's complaint.
- Geiger's lieutenant was on the scene.
- He does not believe Geiger jumped chain of command.
- He has had communcation via text and a couple of telephone calls with Megan O'Keefe.
- He thinks he texted post the city manager leaving.
- His communications with all of the individuals were about Officer Burris.
- Post Tracey Barlow getting fired, his first text was if you fire Tracey Barlow, then Dave Arcieri and Julie Christine should go too.
- He felt all three were equally responsible for the way Officer Burris' case was handled.
- He loves Dave Arcieri; never done one bad thing to him; a good leader in lots of respects.
- In his opinion as it relates to HR, Julie Christine, Dave Arcieri, and Tracey Barlow, who is one of his closest friends, horrible; really not the best manager's of people.
- The Adam Burris issue brought this to a head.
- His opinion as a taxpayer and citizen.
- The issue with Adam Burris is that Burris performed a duty he was asked to do.
- Burris killed a man who was going to kill his wife.
- Burris saved a life.
- Burris went out on disability because of some mental issues he was having with it.
- Through that process, the city said he used up his FMLA; his pension has not kicked it.
- The leadership of the city chose to fire him via a certified letter.
- The actions of the city were and were not in compliance with the rules.
- The contract says Burris could have requested an extension and the city manager had the authority to extend it.
- Burris did not request the extension.
- Arcieri, Christine and Barlow knew it as well and did not tell Buris to ask for the extension.
- He was not sure if they were covered by the Police Benevolent Association union, he just joined.
- He thinks from a policy perspective, they [Arcieri, Christine, Barlow] probably followed the policy.
- But the numerous exceptions they have made...one example the Fire Chief left 6 months prior to his retirement but was permitted to burn his accrued hours.
- Burris left with over 600 hours of accrued leave and only needed 45 more days.
- The city could have allowed him to do what they have allowed everyone else to do.
- His text messages with Ms. O'Keefe and all council members was that Arcieri,Christine, Barlow should all be fired.
- Within an hour after the council meeting where Barlow was fired, he contacted Adam Burris and got all council members phone numbers and sent them a text message, which is out there on the internet in some posting.
- Any phone calls with Ms. O'Keefe were also about the Adam Burris situation.
- He did not have any phone calls with Ms. O'Keefe or other council members about Geiger's complaint; not to his knowledge.
- He wants to answer honestly and say, yes, Geiger called him to report back to him about Geiger's conversations with council members; but, he could not give one instance.
- To be clear, he and Geiger talked several times regarding the fact his complaint was not being investigated.
- He does not recall if Geiger spoke to a council member or if he was going to speak with one.
- He honestly does not know what type of investigation Geiger was seeking.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/09/19 Time: 10:15 am Report Number: 12

Page 4 of 7

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Balmer cont'd:

- He was looking for this type of investigation.
- There was never a secret meeting.
- He thinks Geiger felt maybe people thought he was involved in a secret meeting and that Geiger wanted it cleared up. [After reminding him the essence of Geiger's complaint was that the Chief confronted Geiger about the rumor]
- He [now] recalls Geiger's complaint that way.
- To him it was not that big of a deal.
- To him it would be time and place.
- To Geiger he would think it would be about the rumor.
- He does not think he and Geiger ever talked about the content of his complaint or what he wanted.
- He was focused more on the result.
- He does not ever recall talking to Geiger about what Geiger wanted.
- He wanted an investigation.
- The conversations he had with Geiger were about the inaction of the city.
- At one point Geiger told him, "it's [the complaint] not even being investigated".
- He is 99% sure that is what he and Geiger discussed.
- He has not clue what type of complaint would rise to the level of the city council investigating a complaint rather than the police department.
- To his knowledge he and Geiger did not talk about the substance of his complaint.
- If the issue was "time and place" it would not be a complaint that should go to the city council.
- As an example, if employee A complains against employee B and it goes no where; he has nothing to do with teh complaint, but the fact that it is being swept under the rug or not being investigated, that is what rises up.
- Geiger would have to say what result he wanted.
- He did not focus on the complaint at all.
- He focused on the fact it's not being investigated and Geiger needed to get with his union rep because it needs a conclusion.
- He thinks as an employee one has a right to be heard and have one's complaint investigated.
- The town council could have reviewed the complaint and/or the city manager or HR director reviewing the complaint and say "He's the Chief and he spoke with you".
- That is exactly what they could have done; the council could direct the city manager to investigate employee complaints.
- This complaint would go to the city council only because it wasn't being investigated.
- He has not personally participated in any meeting with town council members outside of a town council meeting.
- He has not had any other communications with town council members other than texts and phone calls, to his knowledge; no facebook, no facebook messenger, no emails.

The following item(s) have been attached to this investigative report as Related Item(s):

1. CD-ROM digital sworn statement from Reserve Detective Chris Balmer.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/09/19 Time: 10:15 am Report Number: 12

Page 5 of 7

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a sworn recorded statement provided by Samantha Bergeron.

On January 10, 2019 at approximately 10:55am, I met with witness Samantha Bergeron at 1008 S. Ridgewood Avenue, Edgewater, FL 32132, at which time she provided a recorded sworn statement.

Samantha Bergeron substantively stated that:

- On 10/20/19 she attended Robert and Haley Barlow's wedding.
- After the wedding she was approached by Chris Balmer and Officer Chas [Charles] Geiger were also at the wedding.
- She was approached to see if she was willing to be named interim city manager because the council was going to get rid of the current city manager the following week.
- After they left the wedding, they met a bunch of people [including] the bride and groom at Merk's Bar on the north causeway in New Smyrna Beach.
- Officer Burris and Sammie LNU were all sitting in the back room.
- She was not sitting with them.
- She was sitting in the main seating area with the bride and groom.
- Anytime she walked by their [the officer's] table to use the restroom, they [the officers] said hey there goes the city manager.
- She assured them she was not interested in being the city manager and she left abruptly.
- The following day, she reported the incident to her boss, the city manager.
- She called her boss, then went to his house and told him what had occurred.
- Officer Balmer, Geiger, Sammie LNU, and Officer Burris were present.
- They said the city council was going to get rid of the city manager.
- Chris Balmer said he had personally talked with Gary Conroy and Meghan O'Keefe and at the special meeting coming up the following week, the city council members were going to get rid of the city manager.
- Officer Geiger, Sammie and Officer Burris all affirmed the same comments.
- Balmer's statement was made in a full room with other friends or "significant others" of the officers.
- They were all partaking adult beverages.
- Merk's is a sports bar.
- There are 6 or 8 high top tables near the rest room.
- This happened on October 20, 2018 and she is sure because it was the date of the wedding.
- No one else has ever said anything to her about terminating the city manager.
- In previous meetings the previous District 3 city council member Dan Blasey and Mr. Conroy brought up the matter in city council meetings, but it never passed.
- Balmer told her that Balmer either met with Conroy and O'Keefe or spoke with them over the phone, she could not remember.
- Balmer did not say anything about any other council members and their potential vote.
- The officer's response to her saying she was not interested was to laugh and say she may not have a choice, she may just be appointed.
- She did not feel they were joking.
- She thought the officers thought it was funny that they were going to oust the city manager.
- She heard rumors of a "secret meeting" between city council members and police officers meeting after the council meeting where the city manager was terminated.
- She felt it made sense and seemed plausible that a "secret meeting" could have occurred.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/10/19 Time: 10:55 am Report Number: 13

Page 1 of 4

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

Samantha Bergeron continued:

- Prior to this, she had never heard allegations of city council members meeting privately to discuss council business outside of an official meeting.
- She has no direct knowledge of anyone who may have sent text messages or emails to council members to act as a conduit to share information.
- She has no direct knowledge of anyone who may have had phone calls with council members to act as a conduit to share information.
- She did not look at any of the public records request [pertaining to that].
- She just wanted to keep her nose out of it and keep her job.
- The only communications she has ever had with city council members outside of a meeting was with Meghan O'Keefe around the beginning of August when O'Keefe and her husband were having marital problems.
- O'Keefe wanted her to know O'Keefe's husband, who worked as her assistant director, was a good guy.
- She wished the O'Keefes well, but wanted to stay out of [their problems].
- She has no knowledge of council members having communications outside of council meetings.
- Mr O'Keefe told her he has video or information about his ex-wife Megan O'Keefe and Amy Vogt having communications about firing the city manager.

The following item(s) have been attached to this investigative report as Related Item(s):

1. CD-ROM digital sworn statement by Samantha Bergeron.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/10/19 Time: 10:55 am Report Number: 13

Page 2 of 4

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

- It wasn't demeaning or intimidating.
- He did not ask Geiger to do anything for him.
- At the time, Geiger denied the rumors "whole heartedly".
- Geiger's complaint went straight to Captain Mahoney, who took it to the city manager or HR.
- He felt it was technically appropriate for a subordinate officer to file a complaint against the Chief of Police if he if someone truly feels they were intimidated or harassed.
- The city of Edgewater has a policy to address that.
- Where the failure was is that Geiger had a bogus complaint.
- The city overreacted to it; it was a joke.
- He was contacted by the city manager.
- He had not spoken to any of the city council members.
- He was notified that he was under investigation only after he read about it in the newspaper.
- There was never any investigation.
- Until this interview, he had not been interviewed or asked about the allegations by anyone.
- He tendered his letter of resignation because he felt if the people you entrusted the most around you are turning on you and betraying you, then you have lost control of the organization.
- There was no reason for him to stick around and fight for that.
- He was ready to go.
- He anticipated leaving.
- When city manager Barlow was terminated, he knew his days were numbered.
- He wasn't going to play those games and hoop jumping contests.
- He received a 2 hour phone call from Megan O'Keefe.
- He wasn't going to do that anymore.
- He decided he was walking away.
- He was walking away regardless of their threat of an investigation.
- He didn't care about any investigation.
- He knew he did not do anything wrong.
- He didn't care, he just wanted out of there.
- Megan O'Keefe called him a day or two before the allegations made against him.
- During the call, O'Keefe wanted to talk to him about her marriage, her relationship with one of his officers, Officer Spurlock, about the inner-workings of the police department and the fire department.
- O'Keefe told him about how good a guy Spurlock was and how good he was to her children.
- In his mind, he did nothing wrong by approaching his officer about the allegations.
- He had the authority to approach his officer about the allegations and did not believe them to be true.

[Regarding the rumors concerning the termination of Tracey Barlow]

- He had a pretty good feeling it was going to happen.
- He felt there was blood in the water.
- He thought [Officer] Burris was just a springboard for Gary Conroy to launch his vengence attack on Tracey Barlow and he got the other two council people to buy into it at some point; whether in violation of the Sunshine Law or on the dias before the public eyes as they claim it did.
- He has no first hand knowledge of any specific Sunshine violations.
- He did have an opportunity to review a packet of text messages between council members Vogt, O'Keefe and Balmer that could be a violation.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/09/19 Time: 10:15 am Report Number: 11

Page 2 of 5



**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a sworn recorded statement provided by former Edgewater Police Chief Dave Arcieri.

On January 9, 2019 at approximately 10:15am, I met with witness former Police Chief David Arcieri at his residence located in Port Orange, FL, at which time he provided a recorded sworn statement.

Former Police Chief Arcieri substantively stated that:

- He was employed as the city of Edgewater Police Chief for approximately 6 months.
- He was employed as the interim Police Chief for approximately 6 months prior to becoming the chief.
- Prior to his resignation, he heard rumors there was a meeting between Edgewater Council members, a couple of police officers and an Oak Hill Council member to discuss how to get the votes to terminate city manager Tracey Barlow.
- According to the rumor, Councilman Conroy, Councilwoman Megan O'Keefe, her father Jeff Breezy (sic), Edgewater Officer Geiger and Edgewater Officer Spurlock were the subjects of the rumor.
- The rumor was rampant among the community.
- He did not recall the name of any specific person who told him the rumor; he heard it from so many.
- If the rumor was not true, it had the potential to impact the organizational flow and operation of the police department.
- If the rumor was true, it had the potential to impact the organizational flow and operation of the police department.
- He did not believe it was true, he was just telling Officer Geiger that Geiger was now part of the rumor and people are involving him in the rumor.
- He told Geiger specifically that he did not believe the rumor was true.
- He met with Geiger on the scene a traffic crash in a chance meeting.
- While on the scene he told Geiger about the rumor.
- He never told Geiger to do anything so he did not understand where Geiger thought he was hostile.
- Geiger denied having anything to do with the rumor.
- Geiger said he cannot stand Gary Conroy and Gary Conroy cannot stand Geiger.
- Geiger said he loved him.
- This was not the first time Geiger said he loved him.
- A couple days after Tracey Barlow's termination, Geiger told him that Geiger loved him.
- He thought it was bazaar.
- He did not think of it in a sexual way, but maybe in an uncle-nephew way.
- The reason he approached Geiger was to let Geiger know because he did not think it was true.
- Geiger never appeared offended in the conversation.
- He has known Geiger for a long time; he hired Geiger.
- When Geiger told him that Geiger loved him, it was after their conversation.
- He responded to Geiger with "It's reciprocated".
- During the previous occasion when Geiger told him that Geiger loved him, he responded "I love you too brother".
- He believes as the Police Chief it was his duty to address rumors of this magnitude with his subordinates.
- He knew a complaint had been filed.
- Acting City Manager Brenda Deweese provided him a copy of the complaint.
- When he read the complaint he thought "why, what is this guy doing?"
- He felt shocked.
- He is the only one who knows Geiger is a lying terd.
- Nothing that Geiger said was said in that manner.



Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/09/19 Time: 10:15 am Report Number: 11

Page 1 of 5

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

---

Complainant Name: Frederick, Henry

Case Number: CP-190000403

---

Narrative:

The following item(s) have been attached to this investigative report as Related Items:

1. CD-ROM digital sworn statement from former Chief Dave Arcieri.

---

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 01/09/19 Time: 10:15 am Report Number: 11

Page 3 of 5

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a sworn recorded statement provided by Jason O'Keefe.

On December 17, 2018 at approximately 2:12pm, Assistant State Attorney Robin Hutcheson and I met with witness Jason O'Keefe at the Office of the State Attorney located at 251 N. Ridgewood Avenue, Daytona Beach, FL 32114, at which time he provided a recorded sworn statement.

Mr. O'Keefe substantively stated that:

- He previously provided a sworn statement regarding concerns he had with the city of Edgewater.
- In his statement he expressed concerns his wife Megan O'Keefe, who is a city councilwoman, may have met with Amy Vogt, who is also a city councilwoman, where they discussed city of Edgewater business in private.
- There was at least one occasion where M. O'Keefe and A. Vogt met in private, outside of a public meeting, and discussed city business.
- There have been several occasions where M. O'Keefe and A. Vogt spoke on the telephone in private, outside of a public meeting, and discussed city business.
- Around August to September of 2018, M. O'Keefe traveled to Seaword with their 4 children; 3 year old son, 7 year old daughter, 8 year old daughter and 11 year old daughter in M. O'Keefe's vehicle.
- A. Vogt's son Mathew was also present in the vehicle.
- His 11 year old daughter told him M. O'Keefe and A. Vogt discussed how to terminate his employment with the city and the termination of the city manager, which made her feel uncomfortable.
- He is unaware of any other persons in the vehicle besides his wife, their children, Ms. Vogt and her son.
- They drove M. O'Keefe's Ford Excursion.
- M. O'Keefe applied for a job with the city on two occasions and was not hired.
- M. O'Keefe's reason for running for the town council was to fire Tracey Barlow.
- There was a telephone call he overheard when M. O'Keefe was speaking with A. Vogt regarding Tracey Barlow being intoxicated while driving home from a party and that he should be fired.
- He and M. O'Keefe are currently separated, going through a divorce.
- His wife is having an affair with a city of Edgewater Police Officer Andrew Spurlock.
- He is aware of a meeting she had with some police officers at a local bar.
- Mr. Barlow was aware he was going to be fired at the town council meeting.
- There were multiple police officers at Merk's in New Smyrna Beach who said "they" were set to terminate the city manager.
- Andrew Spurlock was one of the officers who said Barlow would be terminated.
- His supervisor Samantha Bergeron told him about the meeting.
- Ms. Bergeron is the director of the Parks and Recreation Department.
- She was at the bar on the same night and heard from one of the officers who was present about the plan to terminate the city manager.
- He was aware Officer Spurlock and Chris Balmer were present.
- He was not sure who else may have been present.

The following item(s) have been attached to this investigative report as Related Item(s):

1. CD-ROM digital sworn statement of Jason O'Keefe.

Investigator: Taylor, Michael

ID: 711

Office: St Augustine

Assignment: St Augustine

Date: 12/17/18

Time: 2:12 pm

Report Number: 10

Page 1 of 3

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a sworn recorded statement provided by Officer Andrew Spurlock.

On December 13, 2018, I obtained a witness subpoena for Edgewater Police Officer Andrew Spurlock to appear at the Office of the State Attorney and provide sworn testimony pertaining to this investigation. On December 13, 2018, I served the subpoena upon Kelly at the receptionist desk at the Edgewater Police Department.

On December 17, 2018 at approximately 11:32am, Assistant State Attorney Robin Hutcheson and I met with Officer Spurlock at the Office of the State Attorney located at 251 N. Ridgewood Avenue, Daytona Beach, FL 32114, at which time he provided a recorded sworn statement.

Officer Spurlock substantively stated that:

- He has only discussed his appearance at the State Attorney's Office under subpoena with his girlfriend, Megan O'Keefe.
- His chain of command also knows he is at the State Attorney's Office; Sergeant Waller, Lieutenant Webb, Captain / Chief Mahoney and Sergeant Geiger.
- He had not spoken with any of his chain of command that morning.
- He was aware of the incident that generated the complaint against the Chief.
- Apparently, Sergeant Geiger was on a traffic crash when Chief Arcieri showed up and started telling Sergeant Geiger there was a rumor that Officer Geiger and he had escorted Spurlock's girlfriend and two other council members to Oak Hill where Megan's dad, Jeff Bracy, let us into his house or some other nonsense where we had some secret squirrel meeting about the Edgewater city manager, Tracey Barlow.
- That's all "BS" nonsense, social media crap from the person who complained to you and all their nonsense.
- It's so frustrating with daily nonsense with all this crap going on.
- Sergeant Geiger was upset because the Chief told him the Chief "knew it to be true", this [the meeting] really happened.
- Sergeant Geiger responded [to the Chief] "no, you're not going to do this" to him while he was at work on an investigation or whatever he was doing.
- Geiger filed a complaint.
- Geiger told him about the complaint and Megan told him about it.
- Megan is a councilwoman and learned of the complaint through either Chief Mahoney or gossip in the city.
- He does not have any recollection of the specifics Officer Geiger told him.
- It was not like Geiger ran to him to tell him.
- Geiger is on day shift.
- When he comes in at night they see each other and "BS" about all this nonsense.
- A news reporter put online about he and Megan or the city of Edgewater "BS".
- He asked Geiger about one thing, Geiger thought he was referring to this thing and Geiger told him they would talk about it later.
- After it all happened, Geiger told him what happened.
- He and Megan are together all the time when he is off.
- When Megan gets calls from citizens about drainage or their water bill or problems in Edgewater, he is sitting right next to her.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 12/17/18 Time: \_\_\_\_\_ Report Number: 9

Page 1 of 9

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

- When police officers reached out to her about different things, especially with all of the public records requests flying left and right about everyone's text messages and emails.
- One of the Detective's voiced his concerns about Chief Arcieri.
- He did not have any idea about what types of concerns.
- He tries to....unless someone comes to him and tells him "this is what's going on".
- He was in the army for 8 years, in the infantry in Iraq, Afghanistan, dealt with all kinds of stuff.
- He is not a not a politics type person.
- When all of this happened, Megan [O'Keefe] had to explain to him what the Sunshine Law was because he did not know what she was talking about.
- The Detective that made some statements about the Chief that the Chief did not like was out to dinner dinner with a couple of other people and the Chief confronted him about the statements he made in a public records request when he reached out to Megan [O'Keefe] regarding his concerns.
- He guessed the Detective filed a complaint as well, along with Officer Geiger.
- The Detective who made the comments was Detective Chris Balmer; he's a reserve Detective.
- They filed the their complaints against the Chief on a Friday and on Saturday they spoke to the interim-city manager.
- He thought on the following Monday they were going to put the Chief on Administrative Leave.
- They were not going to [put the Chief on Administrative Leave] at first;
- How does someone work who's being investigated for creating a "hostile work environment", especially the Chief?
- On that Monday they were going to place him on Administrative Leave, but when he came to work he fell in his secret hiding spot and he was on workman's comp at the hospital.
- When they told the Chief he was being placed on Administrative Leave, he resigned.
- Sergeant Geiger told him the Chief pulled up and asked if Geiger's camera was on, then they spoke through the car window.
- Then Geiger immediately went and spoke to Lieutenant Webb about the allegations made by the Chief.
- He did not know whether Lieutenant Webb asked Geiger what happened with the Chief or whether Geiger initiated the conversation.
- Geiger told him about the incident the next day.
- Geiger did not tell him if anyone encouraged him to write the complaint.
- Geiger did not tell him if anyone helped him write the complaint.
- Last year at the Department awards banquet he was present with police officers and members of the city council.
- He has never been at a social gathering with Ms O'Keefe and any other city council members were present other than a League of Cities dinner in Deland with other politicians.
- Hanging out at a bar "BS'ing" has never happened.
- I guess Megan and Amy Vogt hang out together.
- They went to Sea World together.
- He took his kids to Amy's house night and they went swimming, but they don't talk about work stuff.
- He does not tell her [Megan] about work and she [Megan] does not tell him about work; They try to leave all of that at home, until they read the nonsense on social media about how the two of them are undermining the city of Edgewater.
- He has been to Jeff Bracy's home.
- He and Megan have been dating since the middle of September and they go every other Sunday for dinner; and here and there in between.
- Jeff Bracy is the vice-Mayor and he is pretty sure Bracy lives in the city of Oak Hill.
- He has never been to Bracy's house when any other members from the city of Edgewater town council were present.
- To his knowledge, Ms. O'Keefe has never been to Bracy's house with any members from the Edgewater city council.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 12/17/18 Time: \_\_\_\_\_ Report Number: 9

Page 2 of 9

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

- He never attended and did not have any knowledge of any meeting involving himself, Sergeant Geiger, Megan O'Keefe, Amy Vogt at Bracy's house or any other location.
- He could not honestly answer whether Ms. O'Keefe and Ms. Vogt had discussed any council business, past, present or future, during any of their social gatherings.
- To his knowledge, in his presence, they had spoken about how people reacted.
- During the special meeting on October 26th, Ms. Vogt cussed.
- There is all kinds of nonsense about how she cussed.
- They have not been hanging out with Amy as much.
- Ms. O'Keefe and Ms. Vogt did not discuss the termination of the city manager, Mr. Barlow, in his presence.
- Ms. O'Keefe never told him that she discussed the termination of the city manager with any council members.
- Ms. O'Keefe has never asked him to contact any council members on her behalf and share information.
- Mr. Bracy has an opinion, "Why would the police Chief act on rumors?"
- Mr. Bracy likes the new Mayor.
- The way the old Mayor acted on his way out was disrespectful.
- Mr. Bracy can go on for days without politics.
- Besides his sarcastic humor with Mr. Bracy about politics, he kind of gets Mr. Bracy to "pull back" on the reigns a little bit because it is not his forte.
- He understands politics and took a government class in college, but when he is bored or lonely I don't think "hey, let's talk about politics" or turn on CNN or Fox News.
- Councilman Conroy hasn't liked Mr. Barlow from numerous other things from however many years ago.
- During the meeting, when Councilman Conroy brought it up to terminate the city manager in the meeting, everyone was like..."oh crap".
- Everyone was shocked.
- The city council said they want change, but that was not the kind of change they wanted, so they made up rumors.
- They got a mess or rumors and lies and BS.
- The story he was told from Megan or Sergeant Geiger or people from the town was that he and Sergeant Geiger escorted the three council people; Councilman Conroy, Megan, and Councilwoman Vogt who all voted to terminate so they're the three stooges of Edgewater; He and Geiger escorted them to Oak Hill, where Megan's dad Jeff Bracy lives, to City Hall where they discussed how to terminate Tracey Barlow. .
- What he did not understand is that he has only lived there for almost 3 years, so "why does what he has to say matter in regards to the city manager," he hardly knows who the city manager is.
- He is still trying to learn his job and does not care about the city manager.
- None of that ever happened [referring to the alleged meeting].
- He thinks his name was brought up because he is dating Megan O'Keefe.
- He has no idea why Sergeant Geiger's name was brought up.
- He and Megan have discussed that numerous times.
- Citizens regularly get the two of them mixed up.
- People walk up behind him and say "what's up Chas?"
- He is way better looking than Geiger.
- Geiger is shorter, Geiger is 6'4", he is 6'8".
- He towers over Geiger.
- He is broader than Geiger.
- Geiger has a full beard.
- He dumbfounded as to why Geiger got brought up.
- With him, he is guilty by association because Megan [O'Keefe] is his girlfriend.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 12/17/18 Time: \_\_\_\_\_ Report Number: 9

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

- Sergeant Geiger had a respectable and professional relationship with Chief Arcieri.
- Chief Arcieri helped Geiger out when Geiger was a young officer.
- They had a good working relationship.
- Geiger never had anything bad to say about the Chief.
- Geiger always talked about how good the Chief was or how the Chief was always looking out for his department and his officers.
- He did not think it was just him, but a lot of people were shocked when this happened because of Geiger and the Chief's relationship.
- He thought if someone approached him about a rumor they heard, "cool, let's talk about it".
- But, from what he understood, the Chief said heard it was true not a rumor, that it actually happened.
- So, the Chief basically accused Geiger, and he guesses himself as well, of a secret squirrel meeting that happened down in Oak Hill.
- This is the way the accusation was presented to him by everyone, being Geiger, Megan, City of Edgewater citizens.
- There's a lot of people hiding, people making up fake Facebook pages saying this stuff and hide behind it.
- Then someone sees him at a gas station and tells him that they read about it on Facebook, but it's been taken down.

[Upon reviewing Sergeant Geiger's complaint]

- He has been a police officer for about five years and eight years military before that.
- He believed in the first paragraph of Sergeant Geiger's complaint, Sergeant Geiger expressed a feeling the Chief was insinuating the meeting happened.
- If he was loyal and respected his Chief and his Chief
- He advanced a half dozen ranks in the military to the rank of Staff Sergeant before ending his career in the military.
- He cannot say he was never falsely accused by a supervisor in the military but it cannot be compared to law enforcement.
- He thought why would Geiger complain because everyone knows Geiger "respects the crap out of the Chief".
- So, what happened in their meeting that Geiger felt so uneasy or unsecure about?
- He agreed what ever happened he did not read it in Geiger's complaint.
- He does not know whether anyone helped Geiger with his complaint.
- He believes Geiger spoke with Councilwoman Megan O'Keefe regarding his complaint.
- Geiger called Megan over the phone because of all of the "nonsense of Edgewater".
- He wondered why Geiger called O'Keefe.
- O'Keefe never asked him why Geiger called her.
- O'Keefe is very pro-law enforcement.
- O'Keefe encourages him to encourage every one else to call her with their issues and problems.
- Whenever they have an issue, he tells them to call Megan and talk with her about it.
- It makes sense the predicament Geiger may have been in was a result of volunteering the private conversation with the Chief to the Lieutenant who was a part of some of the rumors.
- Chris Balmer is a sworn Detective with the Department.
- Balmer and O'Keefe had communications between each other about the Chief.
- He knows Chris Balmer sent text messages to Councilwoman O'Keefe about the Chief.
- He does not think Balmer had communication with other council members.
- Councilwoman O'Keefe has not had communications with other council members outside of a public meeting about Balmer's text messages in his presence.

Investigator: Taylor, Michael

ID: 711

Office: St Augustine

Assignment: St Augustine

Date: 12/17/18

Time: \_\_\_\_\_

Report Number: 9

Page 4 of 9

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

---

Complainant Name: Frederick, Henry

Case Number: CP-190000403

---

Narrative:

- Balmer's text messages [to Councilwoman O'Keefe] happened months ago, before the city manager was fired.

The following item(s) have been attached to this investigative report as Related Items:

1. Witness Subpoena
2. CD-ROM containing the digital sworn statement of Officer Spurlock.

---

Investigator: Taylor, Michael

ID: 711

Office: St Augustine

Assignment: St Augustine

Date: 12/17/18

Time: \_\_\_\_\_

Report Number: 9

Page 5 of 9



**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a sworn recorded statement provided by Sergeant Charles Geiger.

On December 13, 2018, I obtained a witness subpoena for Edgewater Police Sergeant Charles Geiger to appear at the Office of the State Attorney and provide sworn testimony pertaining to this investigation. On December 13, 2018, I served the subpoena upon Kelly at the receptionist desk at the Edgewater Police Department.

On December 17, 2018 at approximately 9:59am, Assistant State Attorney Robin Hutcheson and I met with Sergeant Geiger at the Office of the State Attorney located at 251 N. Ridgewood Avenue, Daytona Beach, FL 32114, at which time he provided a recorded sworn statement. (During the recorded statement, the digital recording device malfunctioned and stopped recording after approximately 25:20 minutes.)

Sergeant Geiger substantively stated that:

- He is currently employed by the city of Edgewater for approximately 8 years; almost 9.
- He started employment as a police officer at the beginning of 2011.
- He was promoted to Sergeant June 2018.
- His immediate supervisor is Tim Webb.
- The city of Edgewater Police Department has 28 officers.
- The interim Chief of Police is Joe Mahoney.
- There was a minor crash on 442 at Orange Tree to which he responded as a back up officer.
- His Lieutenant Tim Webb also responded.
- While he and Lieutenant Webb were talking, (former) Chief Arcieri arrived on scene.
- Chief Arcieri had previously met with Lieutenant Webb during the day at which time the Chief confronted Lieutenant Webb about some allegations.
- Chief Arcieri can be a very abrasive person.
- Chief Arcieri asked if the Chief could speak with him.
- The Chief asked if his BWC (Body Worn Camera) was on and he confirmed it was not.
- The Chief then asked if he knew what was going on at the Police Department because there was "a lot going on"; the month before the city manager was unexpectedly fired.
- In the Chief's eyes there were a lot of alliances at the police station so the Chief asked whose side of the game he was on and what he thought of the "Balmer situation".
- Balmer was someone who texted a city council person expressing his beliefs about the police department and about Chief Arcieri no longer being the Chief.
- Balmer is a long-term friend of his, he knew Balmer before he was at the police department.
- He told the Chief he was not picking sides with anyone.
- The Chief asked what he thought Balmer's motive would have been.
- The Chief said he thought Balmer's motive was to have the Chief removed and for Lieutenant Webb replace him.
- He told the Chief he had heard the rumor as well.
- The Chief then told him the Chief heard a rumor about him, also involving [Officer] Andrew Spurlock, Councilwoman O'Keefe, Councilwoman Vogt, Jeff [Bracey] Councilwoman O'Keefe's father, who had a secret meeting in the city of Oak Hill to get the [Edgewater] city manager Tracey Barlow fired.
- If that meeting occurred, he was not present.
- He has no idea whether or not the meeting occurred, but he was not a part of the meeting.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 12/17/18 Time: \_\_\_\_\_ Report Number: 8

Page 1 of 8

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT CONTINUATION FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

- He has not ever asked anyone about the alleged meeting, he laughed it off.
- His response to the Chief was absolutely not, that never happened; there was a lot going on at the police department at that time, he didn't have anything against the Chief and they went about their ways.
- He then returned to Lieutenant Webb's window, not knowing what happened earlier in the day [regarding the conversation between the Chief and Lieutenant], and the Lieutenant asked what his meeting with the Chief was all about.
- Since he is not a liar and did not want to be put in a position between the Chief and the Lieutenant are having secret conversations, so he disclosed the the content of the conversation he had with the Chief.
- Lieutenant Webb and he then realized he was in a bad spot and felt the Chief was trying to alienate some people in the police department because he is a very conspiracy theory type of person.
- The Chief has always been abrasive with different people and he felt the Chief was trying to separate him from his supervisor, which made him feel uncomfortable in the situation.
- He went through Lieutenant Webb and filed a complaint that went to the City Manager regarding the conversation he had with the Chief.
- He felt the Chief created a hostile work environment by asking him what side he was on.
- Several times during his career people have alleged he sold drugs, had sex with drug dealers and different things.
- There were investigations that cleared him.
- He has never had a Police Chief accuse him of going against the city and laughing about it at the end "hoping it was not true".
- He does not think it is appropriate for a Police Chief to ask one of his officers if the rumor was true.
- During the internal investigations conducted against him, he was never confronted until the investigation was completed.
- [Clarifying] He was never notified he was under investigation in criminal investigations conducted against him, but he was notified when internal investigations were conducted against him.
- The rumors about him did not rise to the level of an internal investigation against him to his knowledge.
- He decided on his own to file the complaint against the Chief without anyone else's input.
- No one helped him prepare the complaint against the Chief.
- He did not tell anyone about the complaint until it was published in the newspaper.
- He thought there would be a quiet [investigation].
- The complaint was published in the newspaper within a couple days after it was written.
- He could not tell how many people he has discussed the complaint with once it was made public.  
[He was evasive about whether or not he discussed the complaint with anyone in the police department.]
- He has not talked with any civilian support staff about his complaint.
- He has probably talked to the majority of the sworn members of the police department about his complaint, but nothing in-depth.
- His girlfriend is a police sergeant with whom he has had more in-depth discussions because they felt their department had been "ripped apart" because it came from the leadership.
- He is a patrol supervisor so he also spoke with the guys on his shift to make sure they were okay and discuss any rumors they may have heard and to make sure it was only rumors.
- He believes when a rumor is published in the newspaper it is more substantial than a rumor.
- He believes if someone has been rumored to have committed a crime or "going against the city" that should be investigated as opposed to being asked by someone else.
- He believes if one of his officers was involved in a conspiracy to overthrow the Chief, it would be something above the sergeant's level [of authority].
- He believes the Chief of Police should handle that one [rumor] and he would decide where it should go.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 12/17/18 Time: \_\_\_\_\_ Report Number: 8

Page 2 of 8

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT CONTINUATION FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

- In their police department through professional standards everything is investigated to verify one hundred percent something happened or it never happened.
  - When it never happened, it protects that person and the sanctity of the police department.
  - He has been involved in a lot of things with the Police Chief in the past and in his opinion if the Chief gets a personal vendetta against someone it makes it a little more difficult to be at work.
  - The more he thought about the conversation with the Chief, especially when the Chief told him not to tell anyone that the conversation would stay between the two of them...
  - He ensured (sp) the Chief that he never had that conversation in Oak Hill.
  - He told the Chief "he loved him" to which the Chief said he reciprocated and hoped the [rumor] was not true and left.
  - When he went to his patrol Lieutenant who asked about the conversation, he was not going to lie about it.
  - He was not going to get caught up in a lie talking to [Lieutenant] Webb about something the Police Chief did not want to hear and thought it should all be transparent.
  - Once he realized the conversation with the Chief was accusing him of something to overthrow his city manager, who is his boss, it's just a web of lies, and he thought it would be safest for him to report the conversation to save him in the long run in case any of "this" happened.
  - He filed the complaint with Lieutenant Webb.
  - He assumed the complaint went through their chain of command to Captain Mahoney who reported it to city hall.
  - The same day, he was called into city hall to speak with the acting city manager Julie Christine.
  - He did not know the outcome of any investigation.
  - From what he understood there was never any investigation.
  - No one has followed up with him as to whether the Chief's actions constituted a hostile work environment or not.
  - He has not heard any rumors about City Council members meeting with police officers meeting privately to discuss Mr. Barlow being fired.
  - A Mr. Henry Frederick is a reporter with the Headline Surfer who has posted several articles about the alleged meeting which never took place.
  - He has never met with any City Council member in person privately.
  - He is friends with Megan O'Keefe on Facebook.
  - He does not socialize with city council members.
  - He is aware Officer Andrew Spurlock has a personal relationship with Megan O'Keefe dating as boyfriend and girlfriend.
  - He has know Officer Spurlock for about 2 1/2 years.
  - Officer Spurlock was rumored to have been at the alleged private meeting.
  - He assumes Officer Spurlock was made aware of the allegations regarding the meeting through Megan [O'Keefe].
  - Officer Spurlock has gone through a lot, their relationship has been made very public like they are celebrities.
  - Megan O'Keefe's current husband works for the city.
  - He has spoken with Officer Spurlock about the allegations, but he couldn't say what the specifics were.
  - He could not say who first brought up the discussion between them.
- [The digital recording device malfunctioned at 25:20 minutes and stopped recording from this point to the end of the interview.]
- Officer Spurlock did not say whether he had or had not ever attended any secret meeting with city council members.
  - He did not ask if Officer Spurlock, although he was a Sergeant and a supervisor with the police department, if Officer Spurlock felt the same way he that he said he felt by the Police Chief confronting him about a rumor he may have attended an alleged secret meeting to have the city manager fired.
  - He was not aware of any efforts by city council members to obtain copies of his complaint.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 12/17/18 Time: \_\_\_\_\_ Report Number: 8

Page 3 of 8

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT CONTINUATION FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

- He was not aware of any efforts by city council members to influence the acting city manager to take any action against the Police Chief.
- On the 10th or 11th of the month [one or two days following his complaint], he called Councilwoman Vogt, Councilwoman O'Keefe and Councilman Conroy about his concerns that his complaint against the Police Chief was not being investigated.
- He called the council members because he wanted to know exactly what was going on with his complaint and what was going to happen to the Police Chief.
- He explained to the council members he felt the Police Chief created a hostile work environment and the city did not have any answers.
- He did not call councilwoman Power because he did not feel it was necessary.
- He did not think it would be beneficial to explain his concerns to councilwoman Power after seeing the way she acted at council meetings.
- Chris Balmer was the person who told him to contact Councilwoman Vogt, Councilwoman O'Keefe and Councilman Conroy.
- He reported to Chris Balmer about his conversations with all three council members.
- He called Chris Balmer for help because they have been friends for a long time and Chris Balmer has a good understanding of how city government works.
- The council members individually told him that they would follow up on his complaint with the acting city manager.
- He did not contact the Mayor because he felt the Mayor was already actively pursuing Volusia County Sheriff's Office taking over the Edgewater Police Department.
- His girlfriend and Lieutenant Webb know that he contacted the city council members.
- Lieutenant Webb is his direct supervisor so he felt he should report his actions to Lieutenant Webb.
- Lieutenant Webb never asked him to report back to him about anything he discussed with the council members.
- Lieutenant Webb told him [former] Chief Arcieri confronted him about the rumor Chris Balmer sent messages to some city council members trying to have the Chief removed and Lieutenant Webb appointed the new Police Chief.
- He felt the Chief confronted Lieutenant Webb because Webb and Balmer are close friends.
- He does not know if Lieutenant Webb filed any complaints against the Chief.
- He does not feel like anyone directed him to call any members of the city council, however he does not recall either way.

The following items have been attached to this investigative report as Related Items:

1. SAI Witness Subpoena.
2. Digital recording of the sworn statement by Sergeant Charles Geiger.

Investigator: Taylor, Michael

ID: 711 Office: St Augustine

Assignment: St Augustine

Date: 12/17/18

Time: \_\_\_\_\_

Report Number: 8

Page 4 of 6

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon telephone calls I received from Jason O'Keefe and Town Councilwoman Megan O'Keefe.

On December 18, 2018, I received a voicemail message from Jason O'Keefe at (386) 307-2908 requesting that I return his call.

On December 18, 2018, I received a voicemail message from a woman who identified herself as Megan at (386) 307-2907 requesting that I return her call.

On December 19, 2018, at approximately 11:58am, I returned Mr. O'Keefe's call at which time he stated his estranged wife, Town Council Woman Megan O'Keefe had been pressuring him for the return of a cellular telephone and iPad that he delivered to Assistant Chief Investigator Debbie Reith. I told Mr. O'Keefe that I would ensure the items were released as quickly as possible and he could refer Ms. O'Keefe to me if necessary. The call lasted approximately 1 minute.

On December 19, 2018, at approximately 12:00pm, I returned Ms. O'Keefe's call at which time she stated she understood the Office of the State Attorney was in possession of her cellular telephone and iPad that was delivered by her estranged husband Jason O'Keefe. Ms. O'Keefe further stated there was no incriminating evidence on either device, however she was not going to provide her permission for the State Attorney's Office to inspect the devices and that her attorney told her that the State Attorney's Office could not legally inspect them. I confirmed the State Attorney's Office had received the cellular telephone and iPad her estranged husband delivered to AC Reith and that we would return them as soon as our investigation was concluded. The telephone call lasted approximately 16 minutes.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 12/19/18 Time: \_\_\_\_\_ Report Number: 7

Page 1 of 1

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

The Office of the State Attorney received a citizen complaint pertaining to an alleged violation of the Florida Sunshine Law by members of the city of Edgewater Town Council. This report is predicated upon a Public Records request for the City of Edgewater to produce certain records pertaining to a town council meeting held October 26, 2018.

On December 10, 2018 at approximately 10:00am, I delivered a Public Records Request to the city of Edgewater to produce certain emails, the Agenda for the town council meeting held October 26, 2018 and minutes from the meeting.

On Thursday, December 13, 2018, received an email from Kelsey Arcieri, Assistant to the City Clerk of Edgewater pertaining to my request (a copy of the email has been attached to this report as a Related Item). The email contained a link to the video recorded town council meeting held on October 26, 2018, along with a copy of the meeting agenda and a link to a download of the requested emails.

I downloaded and reviewed the video of the recorded town council meeting held on October 26, 2018 and determined it appeared to be the exact same video I had previously viewed on the city of Edgewater public website.

I reviewed the published Town Council meeting agenda for October 26, 2018 and discovered the only business item on the agenda was the "Special Council Meeting to discuss Sgt Adam Burris Family Medical Leave Act (FMLA) Separation Procedure".

I downloaded and reviewed the requested emails for Council Members Christine Power, Amy Vogt, Megan O'Keefe and Gary Conroy. I did not discover any emails between town council members that appeared to inappropriately address town council business.

The following items have been attached to this Investigative Report as a Related Items:

1. Public Records Request.
2. Email response from Kelsey Arcieri.
3. Digital recording to Town Council meeting from October 26, 2018.
4. Emails from Councilwoman Christine Power.
5. Emails from Councilwoman Amy Vogt.
6. Emails from Councilwoman Megan O'Keefe.
7. Emails from Councilman Gary Conroy.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 12/13/18 Time: \_\_\_\_\_ Report Number: 6

Page 1 of 14

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP 190000403

Narrative:

On December 5, 2018, I obtained a copy of the Edgewater Police Department "Complaint Investigation" report form that was filed by Police Sergeant Charles Geiger from State Attorney Assistant Chief Debbie Reith, which I reviewed, a copy of which has been attached to this Investigative Report.

According to the internal complaint filed by Sergeant Geiger, on November 8, 2018 (former) Police Chief Dave Arcieri confronted him on the scene of a traffic crash during which Chief Arcieri stated he heard a rumor that Sergeant Geiger was present at a meeting held within the city of Oak Hill involving city of Edgewater Councilman Conroy, Councilwoman O'Keefe, Councilwoman O'Keefe's father (name unknown) and Police Officer Andrew Spurlock pertaining to the termination of City Manager Tracey Barlow (prior to Barlow's termination by the town council).

During the conversation between former Chief Arcieri and Sergeant Geiger, there was also mention of Chris Balmer contacting the city council in an attempt to have Chief Arcieri replaced by Lt. Webb.

According to Sergeant Geiger, he told Chief Arcieri he was loyal to the Chief and "he would not meet in private".

Following the conversation with former Chief Arcieri, Sergeant Geiger informed Lt. Webb of the details of his conversation with Chief Arcieri.

On December 5, 2018, I also obtained a copy of a City of Edgewater Public Safety Interoffice Memorandum that was published by the Daytona News-Journal written to Brenda Deweese from former Police Chief Dave Arcieri regarding the complaint, which I reviewed, a copy of which has been attached to this Investigative Report.

According to the memorandum, former Chief Arcieri confirmed he did meet with Sergeant Geiger and they did discuss the rumor of the alleged private meeting and Balmer's attempt to have Lt. Webb replace him as Chief of Police.

The following items have been attached to this Investigative Report as a Related Items:

1. City of Edgewater Complaint filed by Sergeant Geiger.
2. City of Edgewater Internal Memorandum by former Chief Dave Arcieri.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 12/05/18 Time: \_\_\_\_\_ Report Number: 5

Page 1 of 5



# EDGEWATER POLICE DEPARTMENT

## COMPLAINT INVESTIGATION

COMPLAINT NUMBER: \_\_\_\_\_

PAGE 1 OF 3

INTERNAL COMPLAINT

EXTERNAL COMPLAINT

DATE REPORTED: 11/09/2018

DATE OCCURRED: 11/08/2018

TIME: APPX. 11:45AM

LOCATION OCCURRED: WEST INDIAN RIVER BLVD

EMPLOYEE NAME: CHIEF ARCIERI

ID #: \_\_\_\_\_

EMPLOYEE NAME: \_\_\_\_\_

ID #: \_\_\_\_\_

### COMPLAINANT INFORMATION

LAST NAME: OF C. GEIGER

FIRST NAME: \_\_\_\_\_

DOB: \_\_\_\_\_ SEX: \_\_\_\_\_

RACE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

### SUPERVISOR NARRATIVE

STATEMENT: On Wednesday, November 08, 2018, I was assisting with a crash investigation on West Indian River Boulevard. Lieutenant Webb and I had been following a recently released career criminal who was acting suspiciously at 807 West Indian River Boulevard.

I was leaning into Lieutenant Webb's passenger side window. Lieutenant Webb and I were speaking when we observed Chief Arcieri pull up to the crash scene. Chief Arcieri parked behind the patrol vehicle and walked east on the sidewalk. Chief Arcieri asked, "How's the McKinney kid?" I informed Chief Arcieri I was not sure of his status as I had not walked to actual crash yet.

After a few minutes, I was still speaking to Lieutenant Webb when Chief Arcieri began walking back in the direction of his vehicle. As Chief Arcieri passed, he pointed at me and asked, "Can I talk to you for a minute." I left Lieutenant Webb's patrol vehicle and walked with Chief Arcieri.

Chief Arcieri asked me, "Is your camera on?" I told him it was not and showed him it was not activated.

Chief Arcieri proceeded to ask me what I thought of recent discovered text messages of Chris Balmer contacting City Council. I informed Chief Arcieri the whole incident was a mess and asked Chief Arcieri what he thought Chris Balmer's intentions were. Chief Arcieri responded by stating to get Lieutenant Webb into the Chief's position in the event he is terminated.

I informed Chief I was loyal to him and there had been several rumors surfacing lately. 5678

\_\_\_\_\_  
Signature of Law Enforcement/Notary Public

645  
ID#:





# EDGEWATER POLICE DEPARTMENT

## COMPLAINT INVESTIGATION

COMPLAINT NUMBER: \_\_\_\_\_

PAGE 2 OF 3

INTERNAL COMPLAINT

EXTERNAL COMPLAINT

DATE REPORTED: 11/09/2018

DATE OCCURRED: 11/08/2018

TIME: APPX. 11:45AM

LOCATION OCCURRED: WEST INDIAN RIVER BLVD

EMPLOYEE NAME: CHIEF ARCIERI

ID #: \_\_\_\_\_

EMPLOYEE NAME: \_\_\_\_\_

ID #: \_\_\_\_\_

### COMPLAINANT INFORMATION

LAST NAME: \_\_\_\_\_

FIRST NAME: \_\_\_\_\_

DOB: \_\_\_\_\_

SEX: \_\_\_\_\_

RACE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_

ZIP: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

### SUPERVISOR NARRATIVE

STATEMENT: Chief Arcieri stated he heard a rumor about me. Chief Arcieri explained he was told there was a meeting in the City of Oak Hill, which consisted of myself, Councilmen Conroy, Councilwoman O'Keefe, Officer Andrew Spurlock and Councilwomen O'Keefe's father (unknown name) insinuating that I conspired with the previously mentioned people which was a direct result of the "fiasco" that transpired at a council meeting where City Manager Tracey Barlow was terminated.

I ensured Chief Arcieri this was not the case and again informed him I was loyal to him and would not meet in private.


The conversation with Chief Arcieri was concluded; he returned to his vehicle and I returned to Lieutenant Webb's patrol vehicle.

When I returned to Lieutenant Webb's patrol vehicle, Lieutenant Webb asked me, "What was that about?"

Being Lieutenant Webb is the patrol commander and my direct supervisor I felt compelled to tell him the truth reference the conversation I had with Chief Arcieri.

I felt as if the conversation put me in a predicament. Lieutenant Webb is my patrol commander and my immediate boss. When asked by Lieutenant Webb about the conversation, I could not lie. The conversation with Chief Arcieri made me uncomfortable and I felt as if he believed I was conspiring against the city and violating Sunshine law.

*S 678*

  
Signature of Law Enforcement/Notary Public

645  
ID#:



# EDGEWATER POLICE DEPARTMENT

## COMPLAINT INVESTIGATION

COMPLAINT NUMBER: \_\_\_\_\_

PAGE 3 OF 3

NATURE OF COMPLAINT

*[Large handwritten 'X' across the page with '678' written in the center]*

Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of their official duty, shall be guilty of a misdemeanor of the second degree as provided in Florida State Statute 837.06, 775.082-083-084.

I SWEAR/AFFIRM THE ABOVE STATEMENTS ARE TRUE AND CORRECT.

SGT. J. J. [Signature] 11.9.2018

SIGNATURE OF AFFIANT

The foregoing instrument was acknowledged before me on this  
The affiant who is personally known to me or has produced  
identification and who did take an oath.

9th day of November, 20 18 as

[Signature] Signature of Law Enforcement/Notary Public ID#: 645

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

On November 6, 2018, Assistant Chief Investigator Debbie Reith and Assistant State Attorney Robin Hutcheson met with Jason O'Keefe at the Office of the State Attorney, located in Daytona Beach, FL, at which time O'Keefe provided a recorded sworn statement. I reviewed the report written by AC Reith, which I have attached to this report as a Related Item.

On November 15, 2018, Assistant Chief Investigator Debbie Reith and Investigator John Peper met with Kelsey Arcieri, at the Office of the State Attorney, located in Daytona Beach, FL, at which time Arcieri provided a recorded sworn statement. I reviewed the report written by AC Reith, which I have attached to this report as a Related Item.

On November 16, 2018, Assistant Chief Investigator Debbie Reith and Assistant State Attorney Robin Hutcheson met with former City Manager Tracey Barlow at the Office of the State Attorney, located in Daytona Beach, FL, at which time Barlow provided a recorded sworn statement. I reviewed the report written by AC Reith, which I have attached to this report as a Related Item.

The following items have been attached to this Investigative Report as a Related Items:

1. Summary Report written by AC Debbie Reith pertaining to the interviews she conducted.
2. Investigative Report written by AC Debbie Reith pertaining to Jason O'Keefe.
3. Investigative Report written by AC Debbie Reith pertaining to Kelsey Arcieri.
4. Investigative Report written by AC Debbie Reith pertaining to Tracey Barlow.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 12/05/18 Time: \_\_\_\_\_ Report Number: 4

Page 1 of 16

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT SUPPLEMENTAL REPORT FORM

Complainant Name: Frederick, Henry

Case Number: CP-190000403

Narrative:

On December 5, 2018, I reviewed the articles previously documented in Investigative Report #2, items 1, 2, 3, and 4, published by the Daytona News-Journal pertaining to the city Council's vote to dismiss the City Manager Tracey Barlow.

According to the information published, the City of Edgewater Council convened on October 26, 2018 to discuss the continued medical benefits of Edgewater Police Sergeant Adam Burris. Sergeant Burris was previously involved in a "line of duty" shooting incident, which resulted in his inability to return to work for a non-physical injury.

Immediately following the council's resolution of the matter pertaining to Sergeant Burris, Councilman Gary Conroy made a motion and initiated a surprise vote by the council to terminate the contract of City Manager Tracey Barlow.

I obtained a copy of the City of Edgewater Town Council meeting held on October 26, 2018 from their public website located at [www.cityofedgewater.org](http://www.cityofedgewater.org), which I reviewed and attached to this Investigative Report as a Related Item.

During my review of the video, I observed:

- At approximately 11:12:25 Councilman Gary Conroy made a motion to terminate the City Manager. Councilwoman Megan O'Keefe seconded the motion.
- There were no public comments allowed.
- At approximately 11:29:00 Mayor Mike Ignasiak called for the vote; Councilwoman O'Keefe, Councilman Conroy and Councilwoman Vogt all voted in favor of Councilman Conroy's the motion, while Mayor Ignasiak and Councilwoman Power voted against the motion to terminate the City Manager.
- At approximately 11:29:17 the City Manager Tracey Barlow was terminated.
- At approximately 11:29:29 Councilman Gary Conroy appears to pat the Town Clerk on the hand.
- At approximately 11:29:31 Councilman Gary Conroy and Councilwoman Megan O'Keefe appear to exchange a "fist bump".

The following item has been attached to this Investigative Report as a Related Item:

1. CD-ROM, which contains the video of the City of Edgewater Town Council meeting held October 26, 2018.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 12/05/18 Time: \_\_\_\_\_ Report Number: 3

Page 1 of 3

**OFFICE OF THE STATE ATTORNEY**  
**R.J. LARIZZA**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INTAKE COMPLAINT FORM

Complainant Name: Frederick, Henry Case Number: CP-19000403

Report Date: 11/29/18 Report Time: \_\_\_\_\_  
Offense Date: \_\_\_\_\_ Offense Time: \_\_\_\_\_ Contact Type:  Walk-In  Phone  Letter  Email  
Offense Location: City of Edgewater City: Edgewater State: FL ZIP: \_\_\_\_\_

Complainant Name: Frederick, Henry Race: N/A Sex: N/A  
DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_ Email Address: henryfrederickonline@gmail.com

Subject/Suspect Name: Megan O'Keefe Race: N/A Sex: N/A  
DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: 104 North Riverside Drive City: Edgewater State: FL ZIP: 32132  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Complaint:**

On November 29, 2018, I received an email forwarded to me by State Attorney RJ Larizza that was originally sent by a person identified as Henry Frederick. The email described what appear to be alleged violations of the Florida Sunshine Law and political discord among various members of the City of Edgewater city government.

On 12/5/18, I received Investigative Reports written by Assistant Chief Investigator Debbie Reith pertaining to interviews she conducted with Jason O'Keefe, Tracey Barlow and Kelsey Archieri.

**Action Taken:**

Upon review of the allegations contained in the email, I opened an investigation to determine if there had been a violation of the Florida Sunshine Law.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Complaint Type: Criminal Status: Open Date: 12/05/18 Time: \_\_\_\_\_  
ASA Contacted: \_\_\_\_\_ Referred to: \_\_\_\_\_

OFFICE OF THE STATE ATTORNEY

R.J. LARIZZA

SEVENTH JUDICIAL CIRCUIT OF FLORIDA

INTAKE COMPLAINT FORM

Complainant Name: Frederick, Henry Case Number: CP190000403

Report Date: 11/29/18 Report Time:
Offense Date: Offense Time: Contact Type: [ ] Walk-In [ ] Phone [ ] Letter [ ] Email
Offense Location: City of Edgewater City: Edgewater State: FL ZIP:

Complainant Name: Frederick, Henry Race: N/A Sex: N/A
DOB: SSN: DL: State:
Address: City: State: ZIP:
Home/Work Phone: Mobile Phone: Email Address: henryfrederickonline@gmail.com

Subject/Suspect Name: Megan O'Keefe Race: N/A Sex: N/A
DOB: SSN: DL: State:
Address: 104 North Riverside Drive City: Edgewater State: FL ZIP: 32132
Home/Work Phone: Mobile Phone: Email Address:

Complaint:

On November 29, 2018, I received an email forwarded to me by State Attorney RJ Larizza that was originally sent by a person identified as Henry Frederick. The email described what appear to be alleged violations of the Florida Sunshine Law and political discord among various members of the City of Edgewater city government.

On 12/5/18, I received Investigative Reports written by Assistant Chief Investigator Debbie Reith pertaining to interviews she conducted with Jason O'Keefe, Tracey Barlow and Kelsey Archieri.

Action Taken:

Upon review of the allegations contained in the email, I opened an investigation to determine if there had been a violation of the Florida Sunshine Law.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine
Complaint Type: Criminal Status: Open Date: 12/05/18 Time:
ASA Contacted: Robin Hutcheson Referred to:

OFFICE OF THE STATE ATTORNEY

R.J. LARIZZA

SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INVESTIGATIVE CASE OPENING

Complainant Name: McDonald, Janet Case Number: CP200033103

Report Date: 04/01/20 Report Time: 7:26 am  Intake Complaint  State Attorney Investigation  
Offense Date: 03/10/20 Offense Time: 6:27 am Contact Type:  Walk-In  Phone  Letter  Email  
Offense Location: Flagler County City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Complainant Name: McDonald, Janet Race: N/A Sex: N/A  
DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: (386) 852-9014 Email Address: mcdonaldj@flaglerschools.com

Subject/Suspect Name: Conklin, Colleen Race: N/A Sex: N/A  
DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Complaint:

On 4/1/20, Ms. McDonald submitted an email to the Office of the State Attorney expressing her concerns Flagler County School Board member Colleen Conklin (who temporarily stepped down from her position to run for another public office) may have violated the Sunshine Law by sending a text message to other School Board members with her thoughts regarding the upcoming Superintendent selection to be made by the other School Board members.

Action Taken:

I reviewed the complaint and made contact with Ms. McDonald to determine whether she had any additional information she wished to provide that was not already included in the email she sent to our office, which she did not. Ms. McDonald confirmed she still had a copy of the text message sent by Ms. Conklin, which she forwarded to me. I advised Ms. McDonald that the matter would be reviewed by the appropriate Assistant State Attorney.

I have attached the email from Ms. McDonald, the text message and page 40 from the 2018 Florida Sunshine Law Manual to this report.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Complaint Type: Criminal Status: Pending Date: 04/15/20 Time: 12:15 pm  
ASA Contacted: Melissa Clark Referred to: ASA Clark to review

OFFICE OF THE STATE ATTORNEY

R.J. LARIZZA

SEVENTH JUDICIAL CIRCUIT OF FLORIDA

INVESTIGATIVE CASE OPENING

Complainant Name: McDonald, Janet Case Number: CP200033103

Report Date: 04/01/20 Report Time: 7:26 am  Intake Complaint  State Attorney Investigation  
Offense Date: 03/10/20 Offense Time: 6:27 am Contact Type:  Walk-In  Phone  Letter  Email  
Offense Location: Flagler County City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Complainant Name: McDonald, Janet Race: N/A Sex: N/A  
DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: (386) 852-9014 Email Address: mcdonaldj@flaglerschools.com

Subject/Suspect Name: Conklin, Colleen Race: N/A Sex: N/A  
DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Complaint:

On 4/1/20, Ms. McDonald submitted an email to the Office of the State Attorney expressing her concerns Flagler County School Board member Colleen Conklin (who temporarily stepped down from her position to run for another public office) may have violated the Sunshine Law by sending a text message to other School Board members with her thoughts regarding the upcoming Superintendent selection to be made by the other School Board members.

Action Taken:

I reviewed the complaint and made contact with Ms. McDonald to determine whether she had any additional information she wished to provide that was not already included in the email she sent to our office, which she did not. Ms. McDonald confirmed she still had a copy of the text message sent by Ms. Conlkin, which she forwarded to me. I advised Ms. McDonald that the matter would be reviewed by the appropriate Assistant State Attorney.

I have attached the email from Ms. McDonald, the text message and page 40 from the 2018 Florida Sunshine Law Manual to this report.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Complaint Type: Criminal Status: Pending Date: 04/15/20 Time: 12:15 pm  
ASA Contacted: Melissa Clark Referred to: ASA Clark to review



OFFICE OF THE STATE ATTORNEY R.J. LARIZZA  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INVESTIGATIVE REPORT

---

Complainant Name: Streichsbier, Deborah

Case Number: CP200033803

STAC Number: \_\_\_\_\_

---

Narrative (continued):

On June 4, 2020, I was notified by Chief Investigator Noel Griffin that the Florida Department of Law Enforcement had been notified regarding this investigation. Further, FDLE was not inclined to open a criminal investigation until the Florida Commission on Ethics had completed their review of the facts and circumstances pertaining to the allegations.

No further action.

---

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Date: 06/04/20 Time: 12:43 pm Report Number: 3

OFFICE OF THE STATE ATTORNEY

R.J. LARIZZA

SEVENTH JUDICIAL CIRCUIT OF FLORIDA

INVESTIGATIVE CASE OPENING

Complainant Name: Streichsbier, Deborah Case Number: CP200033803

Report Date: 04/20/20 Report Time: 1:24 pm  Intake Complaint  State Attorney Investigation  
Offense Date: \_\_\_\_\_ Offense Time: \_\_\_\_\_ Contact Type:  Walk-In  Phone  Letter  Email  
Offense Location: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Complainant Name: Streichsbier, Deborah Race: White Sex: Female  
DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: (386) 315-1516 Email Address: debstre@yahoo.com

Subject/Suspect Name: Holland, Melissa Race: N/A Sex: Female  
DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Complaint:

Ms Streichsbier reported in a sworn recorded statement her concerns that sometime around January of February of 2020, Brian McMillian, a local news reporter, submitted a Public Records Request for certain emails between Palm Coast Mayor Melissa Holland and other unnamed individuals pertaining to Coastal Cloud and/or Sales Force. According to Streichsbier, she believes four or five emails were withheld from the Public Records Request in violation of the Florida Sunshine Law. She was also told that according to a former co-worker, Don Kewley, Mayor Holland and City Manager Mathew Morton are using burner phones to conduct business related to Coastal Cloud and/or Sales Force, which she believes is a violation of the Florida Sunshine Law.

Action Taken:

On April 20, 2020, I conducted a video recorded interview with Ms. Streichsbier via ZOOM at which time she provided a sworn statement. The interview will be submitted to the assigned Assistant State Attorney for review.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Complaint Type: Criminal Status: Open Date: 04/20/20 Time: 2:00 pm  
ASA Contacted: TBD Referred to: Review

OFFICE OF THE STATE ATTORNEY

R.J. LARIZZA

SEVENTH JUDICIAL CIRCUIT OF FLORIDA

INVESTIGATIVE CASE OPENING

Complainant Name: Streichsbier, Deborah Case Number: CP200033803

Report Date: 04/20/20 Report Time: 1:24 pm  Intake Complaint  State Attorney Investigation  
Offense Date: \_\_\_\_\_ Offense Time: \_\_\_\_\_ Contact Type:  Walk-In  Phone  Letter  Email  
Offense Location: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Complainant Name: Streichsbier, Deborah Race: White Sex: Female  
DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: (386) 315-1516 Email Address: debstrei@yahoo.com

Subject/Suspect Name: Holland, Melissa Race: N/A Sex: Female  
DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Complaint:

Ms Streichsbier reported in a sworn recorded statement her concerns that sometime around January of February of 2020, Brian McMillian, a local news reporter, submitted a Public Records Request for certain emails between Palm Coast Mayor Melissa Holland and other unnamed individuals pertaining to Coastal Cloud and/or Sales Force. According to Streichsbier, she believes four or five emails were withheld from the Public Records Request in violation of the Florida Sunshine Law. She was also told that according to a former co-worker, Don Kewley, Mayor Holland and City Manager Mathew Morton are using burner phones to conduct business related to Coastal Cloud and/or Sales Force, which she believes is a violation of the Florida Sunshine Law.

Action Taken:

On April 20, 2020, I conducted a video recorded interview with Ms. Streichsbier via ZOOM at which time she provided a sworn statement. The interview will be submitted to the assigned Assistant State Attorney for review.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Complaint Type: Criminal Status: Open Date: 04/20/20 Time: 2:00 pm  
ASA Contacted: TBD Referred to: Review

CP200034903

OFFICE OF THE STATE ATTORNEY

R.J. LARIZZA

SEVENTH JUDICIAL CIRCUIT OF FLORIDA

INVESTIGATIVE CASE OPENING

Complainant Name: Newsome, Larry Case Number: CP200034903

Report Date: 04/24/20 Report Time: 9:04 am  Intake Complaint  State Attorney Investigation

Offense Date: \_\_\_\_\_ Offense Time: \_\_\_\_\_ Contact Type:  Walk-In  Phone  Letter  Email

Offense Location: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Complainant Name: Newsome, Larry Race: White Sex: Male

DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: FL

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Home/Work Phone: \_\_\_\_\_ Mobile Phone: (386) 225-9000 Email Address: lnewsom@cityofflaglerbeach.com

Subject/Suspect Name: \_\_\_\_\_ Race: N/A Sex: N/A

DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Home/Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Complaint:

Mr. Newsome serves as the City Manager for the town of Flagler Beach. Mr. Newsome reported in a sworn recorded statement his concerns that at various times during the past year some of the town council members may have engaged in private discussions in violation of the Florida Sunshine Law. He did not have any specific details or witnesses to the exact date, time, locations or substance of the alleged conversations. However, he suspects based on the discussions of some council meetings that some council members may have already communicated with each other privately.

Action Taken:

On April 24, 2020, I conducted a video recorded interview with Mr. Newsome via ZOOM at which time he provided a sworn statement. The interview will be submitted to the appropriate Assistant State Attorney for review.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine

Complaint Type: Criminal Status: Open Date: 04/24/20 Time: 10:00 am

ASA Contacted: TBD Referred to: Review

CP21 0032103

OFFICE OF THE STATE ATTORNEY  
R.J. LARIZZA  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
INVESTIGATIVE CASE OPENING

Complainant Name: Owen, William Case Number: CP210032103

Report Date: 04/30/21 Report Time: 10:00 am  Intake Complaint  State Attorney Investigation  
Offense Date: \_\_\_\_\_ Offense Time: \_\_\_\_\_ Contact Type:  Walk-In  Phone  Letter  Email  
Offense Location: St Johns County City: St Augustine State: FL ZIP: \_\_\_\_\_

Complainant Name: Owen, William Race: White Sex: Male  
DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Subject/Suspect Name: Crosby, Nicole Race: White Sex: Female  
DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Complaint:

On 4/30/21 at around 10:00am, I spoke with William Owen who contacted the Office of the State Attorney on behalf of his father Charles Owen. Charles Owen serves on the St Johns County Soil and Water Conservation District. According to W. Owen, Charles Owen expressed concerns that another District Member named Nicole Crosby has been sending emails to District Members regarding District Business and Motions. W. Owen questioned whether the communications rose to the level of a Sunshine Law Violation.

Action Taken:

I advised Mr. W. Owen that if his father wanted to report an alleged Sunshine Law Violation to the Office of the State Attorney's Office, to please have him contact me for an appointment to come into the office and provide a sworn statement regarding the communications he has received. Additionally, I advised W. Owen that I would need copies of all of the emails and any attachments. Finally, I also advised W. Owen that it was up to his father to determine whether or not he wanted to refer the matter to the Florida Commission on Ethics. W. Owen said he would speak with his father and if his father believed the communications rose to the level of a Sunshine Law Violation, he would encourage his father to either contact the Office of the State Attorney or the Florida Commission on Ethics.

Investigator: Taylor, Michael ID: 711 Office: St Augustine Assignment: St Augustine  
Complaint Type: Administrative Status: Closed Date: 04/30/21 Time: 1:00 pm  
ASA Contacted: N/a Referred to: N/a

CP 21004 0201

PONCE INLET POLICE DEPARTMENT

INCIDENT REPORT

<input type="checkbox"/> Juvenile	<input type="checkbox"/> Hate Crime	Agency Report Number 210800029
<input type="checkbox"/> Gang	<input type="checkbox"/> Elderly Abuse / Exploitation	
<input type="checkbox"/> Domestic Violence	VOR _____	
<input type="checkbox"/> Endangered / Other		
Agency ORI Number FL0641400		Zone # P102
		Telephone Handled Call? (T.H.C.)
		1. Yes 2. No <b>2</b>

Reported: Day Thursday	Date 08-26-2021	Time (mil.) 0900	Time Dispatched (mil.) 0900	Time Arrived (mil.) 0900	Time Completed (mil.) 0950	Nature of Call (Report Type) INFO Information
---------------------------	--------------------	---------------------	--------------------------------	-----------------------------	-------------------------------	--

Incident Type: 1. Felony 2. Traffic Felony	3. Misdemeanor 4. Traffic Misdemeanor	5. Ordinance 9. Other	Incident: Day From Thursday	Date 08-26-2021	Time (mil.) 0900	TO	Day Thursday	Date 08-26-2021	Time (mil.) 0950	Occurred During: D - Day N - Night U - Unknown	<b>U</b>
--	--	--------------------------	--------------------------------	--------------------	---------------------	----	-----------------	--------------------	---------------------	---	----------

Offense #1	Type	Statute Violation Number	Description	A - Attempted C - Committed
#2				A - Attempted C - Committed

Incident Location (Street, Apt. Number) 4301 S Peninsula Dr		City PONCE INLET	Zip 32127
Business Name / Area Identifier Ponce Inlet PD	# Prem. Entered 0	Drug Related 0. N/A 1. Yes 2. No <b>2</b>	Alcohol Related 0. N/A 1. Yes 2. No <b>2</b>
Location Type	Location Type Codes	05. Convenience Store	09. Supermarket

V/W Code V-Victim W-Witness R-Reporting Person	N-Next of Kin O-Other	Victim/Subject Type 0. N/A 1. Juvenile 2. L.F. Officer 3. Adult	4. Business 5. Government 6. Church 9. Other	Address/Phone Type B. Business/Work C. Cell H. Home	M. Message N. Next of Kin O. Other	P. Pager S. School V. Vacation	Race W-White B-Black I-American Indian	O-Oriental/Asian U-Unknown	Sex M-Male F-Female U-Unknown	Residence Type 0. NA 1. City 2. County	Residence Status 0. N/A 1. Full Year 2. Par. Year 3. Non-Resident
---	--------------------------	---	---	--	--	--------------------------------------	---	-------------------------------	--	---	---

Means of Attack F-Firearm K-Knife/Cutting Inst.	O-Other Dangerous H-Hands, Fists, Feet, Etc.	Extent of Injury 00. N/A 01. Gunshot 02. Slashed	03. Laceration 04. Unconscious 05. Poss. Broken Bones	06. Poss. Internal Injury 07. Loss of Teeth	08. Burns	09. Abrasions/Bruises 10. No Visible Injury 99. Other Serious Injury	Domestic Violence 1. Yes 2. No	Victim Relationship In Offender S-Spouse P-Parent C-Child	B-Sibling O-Other Family H-Co-Habitant	Z-Other
---	---	---	---	--	-----------	--	--------------------------------------	--	--	---------

Offense Indicator 1. #1 2. #2	VW Code 1 R	# 1	V. Type 3	Nature of Call (for Victim, if different from Incident) INFO Information	Name (Last/Business) Loh	(First) David	(Middle) P
-------------------------------------	----------------	--------	--------------	---	-----------------------------	------------------	---------------

Address (Street, Apt. Number) 103 Ocean Way Dr		City PONCE INLET	State FL	Zip 32127	Residence Phone (356) 248-5791
---	--	---------------------	-------------	--------------	-----------------------------------

Business/School/Other Address (Street, Apt. Number)	City	State	Zip	Address Type	Business/School/Other Phone	Phone Type
---	------	-------	-----	--------------	-----------------------------	------------

Other Contact Info (Time Available, Interpreter, etc.)				Synopsis of Involvement Reportee			
--	--	--	--	-------------------------------------	--	--	--

If Victim Type 1, 2, or 3	Race W	Sex M	Date of Birth 01-18-1956	Age 65	Ethnicity N	Res. Type 1	Res. Status 1	Means of Attack	Extent of Injury	Domestic Violence	Relationship
------------------------------	-----------	----------	-----------------------------	-----------	----------------	----------------	------------------	-----------------	------------------	-------------------	--------------

Offense Indicator 1. #1 2. #2	VW Code	#	V. Type	Nature of Call (for Victim, if different from Incident)	Name (Last/Business)	(First)	(Middle)
-------------------------------------	---------	---	---------	---	----------------------	---------	----------

Address (Street, Apt. Number)		City	State	Zip	Residence Phone
-------------------------------	--	------	-------	-----	-----------------

Business/School/Other Address (Street, Apt. Number)	City	State	Zip	Address Type	Business/School/Other Phone	Phone Type
---	------	-------	-----	--------------	-----------------------------	------------

Other Contact Info (Time Available, Interpreter, etc.)				Synopsis of Involvement			
--	--	--	--	-------------------------	--	--	--

If Victim Type 1, 2, or 3	Race	Sex	Date of Birth	Age	Ethnicity	Res. Type	Res. Status	Means of Attack	Extent of Injury	Domestic Violence	Relationship
------------------------------	------	-----	---------------	-----	-----------	-----------	-------------	-----------------	------------------	-------------------	--------------

Offense Indicator 1. #1 2. #2	VW Code	#	V. Type	Nature of Call (for Victim, if different from Incident)	Name (Last/Business)	(First)	(Middle)
-------------------------------------	---------	---	---------	---	----------------------	---------	----------

Address (Street, Apt. Number)		City	State	Zip	Residence Phone
-------------------------------	--	------	-------	-----	-----------------

Business/School/Other Address (Street, Apt. Number)	City	State	Zip	Address Type	Business/School/Other Phone	Phone Type
---	------	-------	-----	--------------	-----------------------------	------------

Other Contact Info (Time Available, Interpreter, etc.)				Synopsis of Involvement			
--	--	--	--	-------------------------	--	--	--

If Victim Type 1, 2, or 3	Race	Sex	Date of Birth	Age	Ethnicity	Res. Type	Res. Status	Means of Attack	Extent of Injury	Domestic Violence	Relationship
------------------------------	------	-----	---------------	-----	-----------	-----------	-------------	-----------------	------------------	-------------------	--------------

Offense Indicator 1. #1 2. #2	VW Code	#	V. Type	Nature of Call (for Victim, if different from Incident)	Name (Last/Business)	(First)	(Middle)
-------------------------------------	---------	---	---------	---	----------------------	---------	----------

Address (Street, Apt. Number)		City	State	Zip	Residence Phone
-------------------------------	--	------	-------	-----	-----------------

# INCIDENT REPORT (CONT.)

SUBJECT / MISSING SECTION	Offense Indicator 1. #1 3. Both 2. #2		Subject Code S-Suspect V-Victim D-Defendant (Missing Person)		Code #	Subj. Type	Name (Last) (First)		(Middle)	Race	Sex	Ethnicity
	Date of Birth		Age	To Age	Height	To Height	Weight	To Weight	Eye Color	Hair Color	Maiden Name	
	Nickname / Street Name				Place of Birth - City		County	State	Employer/Other/School		Occupation	
	Last Known Address (Street, Apt. Number)						City	State	Zip	Address Type	Phone	Phone Type
	Other Address (Street, Apt. Number)						City	State	Zip	Address Type	Phone	Phone Type
	Driver's License State/Number				Social Security Number			Other ID Number		ID Type		
	Clothing (Describe)						Scars/Marks/Tattoos (Type/Describe)			Scars/Marks/Tattoos (Type/Describe)		
	Hair Length /Style		Skin	Build	Facial Features		Speech/Voice	Deformity	Glasses			
	If Subject:	Demeanor	Mask	Weapon Type		If Arrested:			Subject Was Already in Custody? 1. Yes 2. No		Warrant From: 1. This Agency 2. Other Agency	
	Date of Last Contact		Date of Emancipation		Caution	Caution Reason		Personal Habits (Drugs / Alcohol)				
May Be With:		Physical Condition:			Mental Condition:			Doctor Name:		Dentist Name:		
Incident Type 1. Runaway 2. Parents 3. Involuntary 4. Disabled 5. Endangered		6. Disaster Victim 7. Voluntary Adult 8. Unknown		Foul Play Suspected? 1. Yes 2. No 8. Unknown		Missing Before? 1. Yes 2. No 8. Unknown		Fingerprints Available? 1. Yes 2. No		Photo Available? 1. Yes 2. No		Dental Record Available? 1. Yes 2. No
I, _____ (Printed) _____ (Signature) certify that I have reported the above person as a missing person; and this agency has my permission to enter this person in a statewide alert.												

SUBJECT / MISSING SECTION	Offense Indicator 1. #1 3. Both 2. #2		Subject Code S-Suspect V-Victim D-Defendant (Missing Person)		Code #	Subj. Type	Name (Last) (First)		(Middle)	Race	Sex	Ethnicity
	Date of Birth		Age	To Age	Height	To Height	Weight	To Weight	Eye Color	Hair Color	Maiden Name	
	Nickname / Street Name				Place of Birth - City		County	State	Employer/Other/School		Occupation	
	Last Known Address (Street, Apt. Number)						City	State	Zip	Address Type	Phone	Phone Type
	Other Address (Street, Apt. Number)						City	State	Zip	Address Type	Phone	Phone Type
	Driver's License State/Number				Social Security Number			Other ID Number		ID Type		
	Clothing (Describe)						Scars/Marks/Tattoos (Type/Describe)			Scars/Marks/Tattoos (Type/Describe)		
	Hair Length /Style		Skin	Build	Facial Features		Speech/Voice	Deformity	Glasses			
	If Subject:	Demeanor	Mask	Weapon Type		If Arrested:			Subject Was Already in Custody? 1. Yes 2. No		Warrant From: 1. This Agency 2. Other Agency	
	Date of Last Contact		Date of Emancipation		Caution	Caution Reason		Personal Habits (Drugs / Alcohol)				
May Be With:		Physical Condition:			Mental Condition:			Doctor Name:		Dentist Name:		
Incident Type 1. Runaway 2. Parents 3. Involuntary 4. Disabled 5. Endangered		6. Disaster Victim 7. Voluntary Adult 8. Unknown		Foul Play Suspected? 1. Yes 2. No 8. Unknown		Missing Before? 1. Yes 2. No 8. Unknown		Fingerprints Available? 1. Yes 2. No		Photo Available? 1. Yes 2. No		Dental Record Available? 1. Yes 2. No
I, _____ (Printed) _____ (Signature) certify that I have reported the above person as a missing person; and this agency has my permission to enter this person in a statewide alert.												

NARRATIVE	1	BWC R-1 came in and filled out an affidavit and requested an informational report be completed so he could forward his complaint to the State Attorney's office for Investigation. Report completed with Affidavit attached.
	2	
	3	
	4	Case is closed as the complaint does not fall into the Investigative Jurisdiction of the Town of Ponce Inlet Police Department.

ADMINISTRATIVE	Final Case Status: <u>5</u>	Final Case Status Codes: 1.Arrest/Adult 2.Arrest/Juv. 3.Exceptional/Adult 4.Exceptional/Juv. 5.Closed 6.Unfounded	<input type="checkbox"/> Victim Advocate	<input type="checkbox"/> Triad	<input type="checkbox"/> SA Referral	
	<input type="checkbox"/> DCF Hotline	Date:	Time:	<input type="checkbox"/> FCIC / NCIC Entry	<input type="checkbox"/> T.T. BOLO	
	<input type="checkbox"/> CAC	Spoke With:	<input type="checkbox"/> FCIC / NCIC Cancel		Date:	By:
	Connecting Report Number	Agency	Additional Forms Attached: <input type="checkbox"/> Narrative <input type="checkbox"/> SA 707 <input type="checkbox"/> Persons <input type="checkbox"/> Property <input type="checkbox"/> Veh./Tow Sheet <input type="checkbox"/> Other Describe: _____			
	Officer Reporting - Printed Gaston, Scott	Officer Reporting - Signature 	ID Number P11334	Unit	Date 08-26-2021	
Officer Reviewing - Printed (If Applicable)	Officer Reviewing - Signature (If Applicable)	ID Number	Unit	Date		



Ponce Inlet Police Department

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA
TOWN OF PONCE INLET

DATE 8.26.2021
CASE NUMBER 210800029
PAGE NUMBER 1

Before me undersigned authority, personally appeared, DAVID P. LOH 01.18.56
Full Name and Date of Birth
103 OCEAN WAY DRIVE, PONCE INLET, FL 32127
Address and telephone number

Who being duly sworn, depose and says:

IT APPEARS TWO SITTING TOWN COUNCIL MEMBERS
MEMBERS MET AND DISCUSSED ELECTION AND TOWN BUSINESS
THAT MAY HAVE CROSSED THE LINE WITH THE SUNSHINE LAW.

IT WAS SUSPECTED THE COUNCIL MEMBERS DISCUSSED BENEFITS
OF CHANGING SEATS (MAYOR + VICE MAYOR) FOR THE
UPCOMING ELECTION (AUGUST 17) IN AN EFFORT TO MAINTAIN
CONTROL OF THE COUNCIL.

IT WAS MADE KNOWN BY MAYOR SMITH ON JULY 28th THAT
HE AND THE VICE MAYOR DISCUSSED THE ISSUE AS EVIDENCED
BY AN AUDIO TAPE RECORDED BY CAPI (CITIZENS FOR PONCE INLET)
THE MAYOR FURTHER STATED THE "WHY" (ALSO RECORDED)
"THE VICE MAYOR WOULD BECOME THE OUTSIDE MAYOR ATTENDING
LEAGUE OF CITIES, COUNTY, AND STATE MEETINGS, WHILE HE,
ASSUMING THE UPCOMING NEW TOWN COUNCIL WOULD NOMINATE
HIM AS VICE MAYOR, BECOMING THE INSIDE MAYOR."

PLEASE SEE THE ATTACHED FOR ADDITIONAL INFO
I AM REQUESTING AN INVESTIGATION FOR FACT GATHERING
AND IF A SUNSHINE VIOLATION OCCURRED

Sworn to and subscribed before me, the
undersigned authority, this 26 day
of August, 2021.

Notary Public: [Signature] 1334

I swear all information provided in the above
affidavit is true and correct to the best of my
knowledge and belief.

Affidavit's Signature: [Signature]

Name printed or typed:
DAVID P. LOH



OFFICE OF THE STATE ATTORNEY

R.J. LARIZZA

SEVENTH JUDICIAL CIRCUIT OF FLORIDA

INVESTIGATIVE CASE OPENING

Complainant Name: David Loh Case Number: CP210060201

Report Date: 08/18/21 Report Time: 11:57 am Intake Complaint State Attorney Investigation
Offense Date: Offense Time: Contact Type: Walk-In Phone Letter Email
Offense Location: 4300 S Atlantic Av City: Ponce Inlet State: FL ZIP: 32127

Complainant Name: David Loh Race: White Sex: Male
DOB: 01/18/1956 SSN: DL: State:
Address: 103 Ocean Way Dr City: Ponce Inlet State: FL ZIP: 32127
Home/Work Phone: Mobile Phone: (386)248-5191 Email Address:

Subject/Suspect Name: Race: N/A Sex: N/A
DOB: SSN: DL: State:
Address: City: State: ZIP:
Home/Work Phone: Mobile Phone: Email Address:

Complaint:

Loh called to find out how to file a complaint for a Sunshine Law violation. Loh advised that 2 council members met and agreed to change seats on the board. Loh stated he filed a complaint with the Florida Commission on Ethics but they sent him a letter back advising him to contact the Attorney General's Office. When Loh contacted the Attorney General's Office they told him to call the SAO.

Action Taken:

Upon checking FSS 286, the violation could be a misdemeanor violation. Since his complaint was against Ponce Inlet, it was suggested he contact the Volusia Sheriff's Office to lodge his complaint. I gave him the phone number to the Community Legal Services of Mid-Florida and advised him to contact the Seniors V Crime unit within the Attorney General's Office.

Nothing further.

Investigator: Efirid, Lily ID: 739 Office: Daytona Assignment: Daytona
Complaint Type: Criminal Status: Closed - Referred Date: 08/18/21 Time: 12:20 pm
ASA Contacted: N/A Referred to: VSO / Legal Services / AG

CP 20005401

OFFICE OF THE STATE ATTORNEY

R.J. LARIZZA

SEVENTH JUDICIAL CIRCUIT OF FLORIDA

INVESTIGATIVE CASE OPENING

Complainant Name: Seber Newsome III Case Number: CP200054001

Report Date: 08/21/20 Report Time: 8:26 am  Intake Complaint  State Attorney Investigation  
Offense Date: 06/23/20 Offense Time: \_\_\_\_\_ Contact Type:  Walk-In  Phone  Letter  Email  
Offense Location: Unknown City: St Augustine State: FL ZIP: 32084

Complainant Name: Seber Newsome III Race: White Sex: Male  
DOB: 12/27/1956 SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: 86110 Fieldstone Dr City: Yulee State: FL ZIP: 32097  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: (904)225-5591 Email Address: \_\_\_\_\_

Subject/Suspect Name: \_\_\_\_\_ Race: N/A Sex: N/A  
DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL: \_\_\_\_\_ State: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Home/Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Complaint:

8/21/20 @ 826am, Newsome left a voice message on my office phone. He stated there was a possible sunshine law violation by Mayor Upchurch in St. Augustine. He stated that there was a vote on 6/23/20 in regards to moving a confederate statute but the decision was really made in May. He questioned how they can move the statute before it was brought before the public or council for an actual vote.

Action Taken:

I called him back and left a voice message. I advised him to contact the St Johns SAO and I provided the office phone number.

Nothing further to report.

Investigator: Efird, Lily ID: 739 Office: Daytona Assignment: Daytona  
Complaint Type: Civil Status: Closed - Referred Date: 08/21/20 Time: 10:16 am  
ASA Contacted: N/A Referred to: SAO St Johns Office