



Department of Public Protection
Internal Affairs

TO: **Mike Coffin, Director** *MC*
Department of Public Protection

FROM: **Nikki Dofflemyer, Captain** *ND*
Department of Public Protection
Internal Affairs Unit

DATE: May 4, 2010

SUBJECT: **IA - 2010-03-280, Nowviskie, Chris D.**

Background:

On March 5, 2010, Chris Nowviskie, Beach Safety, Law Enforcement Officer was interviewed by the Office of the State Attorney, Investigator (SAO), Mike Taylor. Officer Nowviskie was interviewed by Investigator Taylor in association with an on-going criminal investigation against Robert Tameris and Jecoa Simmons, for Unlawful Sexual Act with Certain Minors.

The Volusia County Department of Public Protection, Internal Affairs Unit requested that the SAO provide copies of all interviews conducted with Volusia County personnel during the criminal investigation.

According to reports on March 8, 2010, Investigator Taylor made contact with Officer Nowviskie because he had concerns regarding the information he provided to Investigator Taylor during his interview on March 5, 2010. On March 9, 2010, a second digitally recorded sworn statement was taken.

On March 25, 2010, a copy of the two interviews conducted by Investigator Taylor with Officer Nowviskie was provided to the Internal Affairs Unit for review. After review of the reports provided by the SAO the sworn statement provided by Officer Nowviskie to Investigator Taylor has inconsistent testimony.

Based on this information, the Volusia County Public Protection Director, Mike Coffin, has directed the Internal Affairs Unit to initiate an internal affairs investigation into possible misconduct by Officer Nowviskie.

Findings:

Based on the documents provided by the Office of the State Attorney, and the Department of Public Protection, the findings are:

1. Unprofessional Conduct – SUSTAINED
2. False Statement – SUSTAINED

Volusia County Merit System, Section 86-45 Conduct of Employees

- a) *Code of Conduct. Employees of the county government are employed to provide service to the citizenry of the county and the public in general and are expected to conduct themselves in a manner that will reflect credit on the county government, public officials, fellow employees, and themselves; and;*

Florida Administrative Code, 11B-27.0011 4 (b): Moral Character. *For the purposes of the Criminal Justice Standards and Training Commission's implementation of any of the penalties specified in Section 943.1395(6) or (7), F.S., a certified officer's failure to maintain good moral character required by Section 943.13(7), F.S.*

Concluding Statement:

The Internal Affairs Unit initiated the investigation on April 6, 2010 with the intent to conduct a comprehensive review of all matters related to the allegations of professional misconduct associated with Officer Nowvskie. Officer Nowvskie was notified in writing a complaint had been filed against him, and an investigation would commence.

On April 29, 2010, Officer Nowvskie submitted his letter of resignation to the Volusia County Department of Public Protection Beach Safety Division Director.

Therefore, based on the information obtained during this investigation, supported by documents provided by the Office of the State Attorney, the allegations of misconduct as presented are **SUSTAINED**.

This investigative report is being submitted for your review and action as deemed appropriate. With your approval this case file will be closed without further action from this unit.

Interoffice Memorandum

May 4, 2010

IA 2010 03 280

Page 3 of 3

"I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss.112.532 and 112.533, Florida Statute."


Signature

Nikki Diffenyer
Name (printed)



Please type or print in black or blue and use capital and small letters for names, titles, and address

OFFICER

- 1. Social Security Number: [REDACTED]
- 2. Officer's Name: Nowwiskie Christopher Doyle
Last First MI
- 3. Officer's Last Known Address: [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Street City State Zip Code
- 4. Officer's Telephone Number: [REDACTED]

AGENCY

- 5. Agency ORI: FL 0641700
- 6. Agency Name: Volusia County Department of Public Protection Beach Safety
- 7. Agency Contact Person: Director Sweat or Captain Dofflemyer
- 8. Agency Contact Person's Telephone Number: 3862396414 or 254 1591
- 9. Agency Fax Number: 386 239 6420

VIOLATION - ALLEGATION

- 10. Nature of Allegation(s): Misconduct - 11B-27.0011 - False Statement

- 11. Agency Disposition: Sustained - (Violation of Section 943.13(4) or (7) or Rule 11B-27.0011, F.A.C.)
Sustained - (Violation of Agency Policy): Not Sustained: Unfounded: Exonerated:

- 12. Limitation Period for Disciplinary Action: Date Internal Investigation Initiated: 04/06/2010 Date Internal Investigation Completed: 05/04/2010

Exception to limitation period for disciplinary action: Place a check mark by the exceptions to limitations that apply	Days Tolled
<input type="checkbox"/> Written waiver of limitation by officer	N/A
<input type="checkbox"/> Ongoing criminal investigation or criminal prosecution	N/A
<input type="checkbox"/> Officer incapacitated or unavailable	N/A
<input type="checkbox"/> Multi-jurisdictional investigation	N/A
<input type="checkbox"/> Emergency or natural disaster as declared by the Governor	N/A

- 13. Criminal Charges Filed: No

- 14. Agency Disciplinary Action: Subject submitted resignation on April 29, 2010

- 15. If the allegation has been sustained and determined to be a violation of Section 943.13(4) or (7), F.S. or Rule 11B-27.0011, F.A.C., attach and forward the following documentation to the Florida Department of Law Enforcement.

- Summary of the Facts Internal Investigation Report Name and Address of Witness
- Witness Statement/Disposition Certified Court Documents Other Supportive Information

NOTICE: Pursuant to Section 943.1395(5), F.S., an employing agency must conduct an internal investigation when having cause to suspect that an officer it employs is not in compliance with Section 943.13(4) or (7), F.S. or Rule 11B-27.0011, F.A.C. If the investigation is sustained, the employing agency must forward a report to the Commission as specified by Rule 11B-27.003.

16. Agency administrator's signature
M. S. Coffin, Jr.
17. Date signed 05/04/2010
18. Agency administrator's name and title
MCKINLEY S. COFFIN JR., DIRECTOR