

**Office of the State Attorney 7<sup>th</sup> Judicial Circuit**  
**Flagler, Putnam, St. Johns and Volusia Counties**  
**Investigative Report**

**Date: 03/23/10**

**SAI-DB-090925183 Serial 123**

This report documents my interview with Volusia County Beach Patrol Officer Chris Nowviskie regarding allegations against some Beach Patrol members engaged in unlawful sexual activity with certain minors.

On February 24, 2010, I made contact via telephone with Volusia County Beach Patrol Officer Chris Nowviskie, w/m, 10/21/50, who resides at [REDACTED] at which time I asked him to meet with me at the Office of the State Attorney for a witness interview regarding the allegations made against some members of the Beach Patrol involving unlawful sexual activity with minors. C. Nowviskie declined to meet with me telling me that it was not a good time in his life right now and that he did not want to be a witness in the investigation.

On March 1, 2010, I obtained a Witness Subpoena, which I served upon C. Nowviskie at his residence.

On March 5, 2010, I made contact with Chris Nowviskie at the Office of the State Attorney located in Daytona Beach, Florida at which time I took a digitally recorded sworn statement.

C. Nowviskie substantively stated that:

- He started with the Volusia County Beach Patrol in 1984 as a lifeguard.
- He left in 1986 when he moved to California where he worked in the produce industry.
- He returned to work with the Volusia County Beach Patrol in 1998.
- He is currently a sworn law enforcement officer, lifeguard, and EMT.
- He has known Bobby Tameris since he started work in 1998.
- His relationship with Bobby Tameris was strictly work related.
- They never hung out together, but occasionally worked out together.
- They never went to each other's houses.
- Bobby Tameris was a "fixture" on the beach because he was one of the people that stood out.
- Bobby Tameris had Obsessive Compulsive Disorder.
- Members of the Beach Patrol referred to Bobby as "Beautiful Bobby".
- He thought Bobby thought a lot of himself.
- Bobby Tameris never spoke about his personal life.
- Bobby Tameris was a "poster child" for OCD.
- He never saw Bobby Tameris with any girls other than the mother of his two daughters.
- Bobby Tameris never spoke of his sex life.
- He knew Bobby Tameris was arrested.
- It was embarrassing to see Bobby Tameris arrested because it made all of the Beach Patrol members look guilty.

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- He never made any judgment regarding Bobby Tameris' guilt.
- He did not recall Bobby Tameris being interested in younger girls.
- He did not recall hearing any rumors on the beach of members being involved with under age girls until the story broke in the news paper.
- No one ever reported anything to him.
- After the story broke he heard rumors Jecoa Simmons and Chris Duarte had been involved.
- He heard a rumor that he had been involved in a relationship with [REDACTED]
- He never paid any attention to the rumors because they were not true.
- He was very removed from the day to day operations on the beach because of his assignments.
- He has known Jecoa Simmons since 1998
- He and Jecoa Simmons refer to each other as brothers resulting from a rescue they performed that almost killed both of them.
- They never hang out with each other.
- Jecoa Simmons came to his house to help bury his dog on Christmas Eve.
- He has been to Jecoa Simmons house maybe twice.
- They do not interact socially.
- Jecoa Simmons never spoke discussed his sex life.
- After the rumors broke, Jecoa Simmons told him the rumors were not true.
- Jecoa Simmons said he had been having troubles with his wife since the accident and since the IA (Internal Affairs Investigation) came out in the paper.
- He could not think of any specifics about their conversations.
- He had no knowledge of Jecoa Simmons having sex with [REDACTED]
- The rumor about he, Jecoa and [REDACTED] having a threesome was not true.
- He knew Jecoa Simmons wife had been experiencing back problems since the accident.
- He knew Jecoa Simmons wife had been "distant" since the allegations broke.
- He considers himself friends with Jecoa Simmons through the connection they have with each other.
- He called Jecoa Simmons during the past week to get help with things he is going through.
- He does not consider himself friends with Bobby Tameris, he was a co-worker.
- He knows Jody Stafford
- After the IA broke, Jody Stafford ran his mouth.
- He was sure Jody Stafford made comments, but he could not remember specifically what it may have been.
- He never had a conversation with Jody Stafford about keeping his mouth shut.
- He never told any of Jody Stafford's supervisors about Jody running his mouth.
- The workplace environment on a good day is great, but sometimes it seems like high school.

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- The Beach Patrol is an extremely professional organization, but it is bullshit and drama.
- Generally, the cause of the rumors is because of people not being able to work together.
- He never heard any rumors of sex allegations involving Bobby Tameris, Jecoa Simmons or Chris Duarte until after the IA broke, meaning when it was published in the news paper.
- The rumors where two officers and a lifeguard had sex with a girl.
- He thought the girl's name was [REDACTED]
- To the best of his memory, he could not identify her.
- He had general conversation with Bobby Tameris regarding the allegations.
- Bobby Tameris never told him anything specifically about the allegations.
- The last time he spoke with Bobby Tameris was a couple weeks before his arrest.
- He spoke to Jecoa Simmons about the allegations in general, after it was published in the news paper.
- Jecoa may have said the allegations were "bull shit" that they were not true.
- Chris Duarte is a neighbor.
- He has known Chris Duarte since the late 90's.
- Chris Duarte no longer lives on his street.
- Chris Duarte's wife moved up north and he moved.
- He did not recall any specific conversation with Chris Duarte about the allegations.
- He has no direct or indirect knowledge of any factual or rumored sexual activity by Beach Patrol members with minors.

On March 8, 2010, I made contact via telephone with Chris Nowiskie at which time I told him I had some concerns regarding the information he provided in his statement and asked him if he would like to meet with me to clarify some of his answers. C. Nowiskie said he would like to meet with me the following morning.

On March 9, 2010, I made contact with Chris Nowiskie at the Office of the State Attorney located in Daytona Beach, FL at which time I took a digitally recorded sworn statement.

C. Nowiskie substantively stated (Part 1):

- He recalled meeting at the Office of the State Attorney on March 5, 2010 and providing a sworn statement.
- He was present to clarify some of his answers.
- He acknowledged one of the questions he was asked was regarding his knowledge of any Beach Patrol members being involved in allegations of misconduct where he gave an incorrect response.

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- He was horribly nervous and not in the correct frame of mind to be giving testimony.
- He was not thinking of allegations made against him during an IA complaint when he provided his previous interview.
- ██████████ is a friend of his with whom he attended High School.
- He thought he had immunity when he previously came into the office under subpoena and thought his immunity did not exist when he returned.
- (I notified C. Nowviskie that he was still under subpoena and nothing he said under subpoena would be used against him criminally.)
- When he received the call from me the previous day, it hit him like a lightning bolt.
- He spoke with an attorney this morning who told him that he should not give any statement regarding his own actions.
- He has not slept and does not know what to do and what was in his best interest.
- (I offered to stop the recording and bring an Assistant State Attorney explain the legalities of the subpoena to him and to issue a new subpoena so that he could come back with his attorney.)
- His wife knew he was under subpoena but refused to discuss who else knew and requested an attorney.
- (I advised him I would prepare another subpoena to be signed by the prosecutor so he could return with his attorney and I concluded the statement.)

I prepared a subpoena for Chris Nowviskie, which was signed by Managing Assistant State Attorney Celeste Gagne. As I attempted to serve Chris Nowviskie, he rescinded his request to come back with an attorney and asked if we could proceed with the interview. Assistant Chief Investigator Debbie Reith witnessed part 2 of the interview.

C. Nowviskie substantively stated (Part 2):

- He asked that we continue with the interview and not serve the subpoena of his own free will.
- He recalled my asking him if he had any direct or indirect knowledge of any Beach Patrol member being involved in any sexual misconduct to which he answered incorrectly.
- He did not want to use the word lie, because he was not thinking about his own IA investigation.
- He knew it was a "crap defense" to his statement.
- He was present to clear up his statement.
- ██████████ is a friend with whom he attended High School.
- He met with ██████████ at the Ormond Beach Station around February 2009.
- He has done everything he can to put this incident out of his memory.

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- Without reading his IA file, he can only answer as best he can.
- He was on duty during night shift.
- [REDACTED] was not a Beach Patrol employee.
- No one else was at the Ormond Beach Station.
- Captain Cunningham returned to the station while she was still there.
- She was in the back of the station while he was in the office.
- The two of them were in the back of the station in the weight room, garage area.
- They were not engaged in sex.
- She needed gas money and he gave her money for gas.
- She called and asked him for money for gas.
- When Captain Cunningham came in, he freaked out because he was in the back office alone with her and he's married.
- She jumped in the closet.
- He told Captain Cunningham to hold on that he was getting dressed.
- He was not undressed; he used it as an excuse to stall Captain Cunningham so he would not see her because he was afraid he would be in trouble.
- He was tucking his shirt into his pants when he walked out.
- He has spent every moment over the past 9 months to erase the memories.
- The two of them did not kiss, there was probably a hug only, but he did not remember.
- There was no intimate touching.
- The allegation bothered him.
- He felt he was guilty until proven innocent.
- He arrived at the station in his vehicle.
- She arrived right at the same time.
- She drove her car.
- When you walk into the Ormond Station, there is a large common area that leads to an office a weight room and the showers.
- He did not remember where the office was where [REDACTED] hid.
- He would see [REDACTED] from time to time.
- He spoke to her earlier during the day but just had general conversation.
- It was a coincidence that she arrived at the same time he did.
- They entered into the station to see if he could find gas inside because he only had \$10 on him at the time.
- He knew what it sounded like and there was no way to defend it.
- This is why he wanted to bury his head in the sand.
- He did not have [REDACTED] phone number and did not know where she lived.
- It was a commitment he made to his wife that he would not have any further contact with [REDACTED] or a friendship out of marriage that was deemed inappropriate.
- He was never sexually active with [REDACTED].
- If [REDACTED] was subpoenaed she would say the same thing.

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- They are just friends.
- He did not believe [REDACTED] was interviewed during the IA; he never really looked into that.
- A lot of people, probably 30 people knew he was previously served the subpoena.
- His two captains, Deputy Chief Hensler, Captain Dowling, a couple attorneys, Alan Holt, Mr. Lambert.
- Alan Holt is a friend of his who is helping with a personal injury case for him.
- He thought Alan Holt referred him to Mr. Lambert, or maybe he thought of it on his own.
- It was his decision to call Mr. Lambert.
- He has a 3 phone conversation relationship with Mr. Lambert.
- He spoke with Mr. Lambert's office and they told him it was \$500 to come to the interview with him.
- He figured he does not have anything to hide and he does not have \$500.
- He called Mr. Politis who had not returned his phone calls.
- He has another close personal friend Paul Rice who is also an attorney with whom he spoke this morning.
- It was no secret he received the subpoena.
- He probably told 30 people, but he could not name them.
- He knew Jecoa Simmons knew about the subpoena but he did not know how he knew.
- He spoke with Jecoa but only about his wife.
- He did not recall the substance of their conversation.
- He spoke with Jecoa Simmons before and after his interview.
- He does not remember every conversation he has with Jecoa.
- He can go 6 months without speaking with Jecoa and go 6 days speaking with him 6 times a day.
- This is why he originally wanted an attorney because he has nothing to hide but he does not have the answers.
- After his interview, Jecoa Simmons called him to see how he was doing but he did not remember what else may have been said.
- He spoke with Jecoa on Friday and has not slept since then.
- It was a blur.
- He worked in Dunlawton Friday after his interview.
- He may have exchanged a text and phone call with Jecoa Simmons on Friday but could not remember.
- He worked late on Saturday and was teaching a class on Sunday.
- He spoke with his wife, ex-wife and Mr. Lambert last night.
- He spoke with Kevin Sweat yesterday and advised Sweat he was being called back in for an interview.

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- Mr. Lambert told him to not go in for the interview, but he thought Mr. Lambert was telling him he could not be compelled without a subpoena and he would not go in without an attorney.
- He called Mr. Lambert prior to the Friday interview.
- His wife, ex-wife, Kevin Sweat and the attorney he spoke with this morning were the only ones who knew he was at the interview.
- He and Jecoa Simmons are like brothers being fathers and resulting from a rescue where they almost died.
- He feels like he is in trouble because of his relationship with Jecoa.
- He does not recall Jecoa Simmons ever discussing his sex life.
- He never observed Jecoa Simmons showing interest in younger girls.
- Jecoa is a good looking guy.
- Someone referred to him once as a ladies man and Jecoa took offense to that because he is committed to his wife.
- Jecoa said that just because he is attractive he is not banging everyone that he sees.
- He did not recall any rumors around the beach about Beach Patrol members having sex with each other.
- The place is a rumor mill.
- There are so many rumors you just don't pay attention to them.
- He did not want to get jammed up because he was just trying to answer a question.
- He never heard any rumors of Bobby Tameris, Jecoa Simmons, Chris Duarte or any other Beach Patrol member having sex with under age minors.
- The Beach Patrol is a terrible rumor mill, but he could not provide any specifics of any rumors.
- He wears blue shorts, wears a gun belt, drives the same truck but he is so removed from what goes on at the beach on a daily basis.
- He runs junior lifeguard programs and several other large programs.
- He has 4 kids and a wife that consume his time.
- So much is said on a daily basis, but he doesn't pay attention.
- After the rumors broke in the news paper he had conversation with Jecoa Simmons, but only in a supportive role to see how he is doing.
- He never asked Jecoa Simmons if he did it.
- Jecoa Simmons told him it was "bull shit".
- He was trying to be a supportive friend.
- A lot of their conversations have been about Jecoa being assigned to dispatch.
- He has a significant business background and has had conversations with Jecoa who is involved with his grandfather's business.
- They don't want to discuss the other stuff.
- If he ever had conversation with Bobby Tameris, it was only casual "how are you doing?"
- Chris Duarte was a neighbor, going through a lot.

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- His wife left and he got wrapped up in all of this.
- Other than being neighbors and co-workers, they didn't associate.
- He is very removed from what goes on at the beach.
- He met Denise around 7:30pm at the Ormond Station and they were just visiting, he needed to check the station, and you know and all of the sudden it evolved into what it evolved into... Captain Cunningham showed up and there were allegations.
- He did not remember what the complaint was.
- He did not read the entire report.
- They were looking at whether or not he was having inappropriate whatever while on duty and he received a 5 day suspension for it.
- They sustained the complaint, but he did not remember exactly what the complaint was.
- It looked like he was having sex with a girl and he wasn't.
- There is no way to prove he was or was not having sex with her.
- He did not recall if there was any gas inside the station.
- He did not dump gas from a gas can in her car, he just gave her \$10.
- They were at the station 10 minutes or so.
- He apologized for not providing information in the previous statement as it related to him.

At the conclusion of part 2 of the interview, Chris Nowvickie stated there were details of his interview with which he did not feel comfortable and wanted to further discuss them with me. Assistant Chief Investigator Debbie Reith witnessed part 3 of the interview.

C. Nowvickie substantively stated (Part 3):

- He was asked the question if he had ever had sex with ██████████ and he answered "no" when actually he had.
- The two of them had spoken a few times during the day and she showed up at station.
- She told him she needed gas.
- He was going to take some gas from the station.
- She came into the station and after a few minutes Captain Cunningham came in, which made him nervous.
- They were not kissing.
- They may have given each other a hug, but he did not recall.
- He did not know if they intended to have sex with each other or not.
- He did not know where it would have gone.
- The two of them had been sexually active in the past over a period of 6 years.
- The opportunity (to have sex) could have presented itself.
- He is nervous around Captain Cunningham anyway.
- It did not look right.

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- He wished he had walked in and said "this is my friend [REDACTED]".
- She hid in the closet.
- He told Captain Cunningham, hold on, and he walked out tucking his shirt in.
- [REDACTED] is an adult.
- He is an adult.
- He understood his witness credibility was the purpose for questions regarding his involvement with [REDACTED].
- He has had no conversations with any targets of the investigation.
- Despite the friendship he has with Jecoa, they don't talk about that.
- His conversations with Jecoa were supportive only.
- They talked, but assumed the tower was bugged or who was wearing a wire.
- Jecoa never made any disclosures to him at any time.
- He only had general conversations with Jecoa about the interviews he had.
- He did not recall if Jecoa Simmons referred him to Mr. Lambert.
- He knew Jecoa Simmons was being represented by Mr. Lambert.
- He contacted Mr. Politis' office 3 times, but they never returned his call.

The following items have been attached to this investigative report:

- 1) Copy of the Witness Subpoena dated March 1, 2010 (served).
- 2) Copy of the Witness Subpoena dated March 9, 2010 (unserved).
- 3) CD-ROM, which contains the digital recording of my interview with Chris Nowvskie.

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