

March 21, 2001

To: Chief Kevin Sweat

From: Captain R. Wallace

Subject: Discrepancy Interview re: Daryl Shone

On 03-14-01, I received the personnel file of Daryl Shone and was asked to clarify two issues on the FDLE Employment Investigative Background Report (CJSTC 77).

Former Investigator Cunningham had submitted the above report on 03-09-01, and made conclusions regarding an unsatisfactory finding in the categories FCIC RECORD and LOCAL LAW ENFORCEMENT.

It was the intent of this Investigator to see if any pertinent information may have been overlooked or omitted so that the applicant was not unjustly rejected.

As a result of further investigation, the following information is submitted:

1. On 03-15-01, Inv. Wallace conducted an interview and obtained a written statement from Daryl Shone on the details of the Social Security Card issue. Shone stated that he was unaware of the laws regarding use of Social Security numbers since he was working on a VISITOR VISA. Shone knew he needed to produce a social security card to obtain employment and did so in order to survive.
2. Regarding the claim of perjury on CJSTC form 68 on 11-11-96, Shone did sign this form, which acknowledges that the applicant must be a U.S. Citizen to qualify for employment as a police officer. This form does not ask if the applicant is currently a U.S. Citizen, therefore, does not constitute a perjury. By signing this form, Shone has become aware of what is required to become a law enforcement officer in Florida.
3. Regarding Shones prior arrest record, his two misdemeanor arrests were nolle prossed according to the Volusia County Clerk of Court and were subsequently purged from the system in accordance with existing records laws, not purged at the request of the applicant as stated on CJSTC FORM 77 submitted by former Inv. Cunningham on 03-09-01.
4. On 03-19-01, Inv. Wallace contacted Toby Wall at V.C.S.O. Training Division. Mr. Wall was the Director of Law Enforcement Training at D.B.C.C. during the time that Shone was entering Basic Law Enforcement training. Mr. Wall stated that Shone came to him prior to the start of B.L.E. training for advice on his

ability to enter the school since his request for U.S. Citizenship was pending. Mr. Wall told Shone that his citizenship status had no bearing on his acceptance into the class. Mr. Wall further indicated that Shone appeared to be attempting to follow any requirements necessary for enrollment.

5. On 03-20-01, Inv. Wallace met with Robin Davis of FDLE to discuss the qualifications and discrepancies in Daryl Shones file. The above listed items were discussed with Ms. Davis was satisfied with the explanations provided for the above listed items. During this discussion, it was determined that Shone completed his BLE training in June 1996 and should have been hired as a police officer by June 2000 or his certification would expire.
6. Ms. Davis contacted the Law Enforcement Training office at DBCC and learned that it was standard procedure to withhold the certificate of completion from any student who was not a U.S. citizen, therefore, precluding the student from taking their state exam. According to FDLE policy, a non-citizen may complete the BLE training and participate in the state exam to receive certification. FDLE only requires that a person hold U.S. citizenship to be hired as a law enforcement officer. As a result of this action by Sheila Helmer of DBCC, Shone was forced to wait until his U.S. citizenship was granted in July 1998. This two year period delayed the ability for Shone to become a sworn officer within the four year guideline established by FDLE. A petition will be filed with FDLE Police Standards Commission to seek a waiver extending the four year window to July 2002.
7. After review of the personnel file of Daryl Shone, Inv. Wallace has determined that Daryl Shone has met the criteria set forth to be considered for full time employment as a sworn police officer with the Volusia County Beach Patrol.