



Brevard County Sheriff's Office

EMPLOYEE COUNSELING REPORT

Use this form to document counseling that relates to deficiencies - violations of rules, regulations, policies and procedures. All constructive criticisms and corrections are to be documented. This Employee Counseling Report will be retained in the employee's permanent personnel file.

Date: 12/12/18 Employee: Jason Roberts ID #: 0926

Position/Title: Deputy Precinct/Unit: Canaveral/ Charlie

Supervisor: Sergeant John Martinez Date of Incident: 11/29/18

Text boxes will expand automatically as needed

Reason for Counseling:

On Thursday, November 29th, 2018, Deputy Jason Roberts was not present for a traffic court hearing (case 05-2018-TR-025338). As a result of Deputy Roberts not being present, the case was dismissed due to lack of prosecution.

Supervisor's Remarks:

See Attached Memo.

Action Taken:

Deputy Roberts' actions were found to be in violation of BCSO Policy 400.04 - Substandard Performance, Section B., Carelessness. This written counseling was issued and suggestions were made to correct the action and prevent similar incidents from occurring in the future.

Employee Remarks:

RECEIVED
2019 JAN -4 PM 2:52
BCSO PERSONNEL

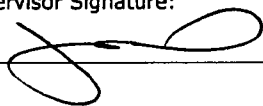
Signatures MUST be in order

****Notations may be made at any level and incorporated as an attachment to the form****

(1) Supervisor Signature:

Printed Name & ID#:

Date:



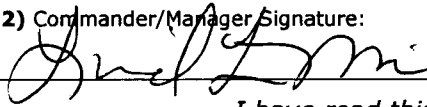
JOHN J. MARTINEZ 0685

12-18-18

(2) Commander/Manager Signature:

Printed Name & ID#:

Date:



Linda Moros 300


12-21-18

I have read this report and acknowledge the counseling took place.

(3) Employee Signature:

Printed Name & ID#:

Date:



JASON ROBERTS 926

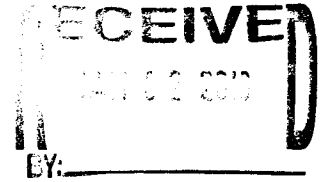
12-26-18



BREVARD COUNTY SHERIFF'S OFFICE

Titusville, Florida

Memorandum



Date: 12/18/18

To: Commander Linda Moros via Chain of Command

From: Sergeant John Martinez #0685 *JM*

Re: Written Counseling for Lack of Prosecution

On Thursday, November 29th, 2018, Deputy Jason Roberts was not present for a traffic court hearing (case 05-2018-TR-025338). As a result, the case was dismissed due to lack of prosecution.

Deputy Roberts received a subpoena for the traffic hearing and was able to provide me with a copy. He explained this hearing was re-scheduled from a previous date, however had no excuse for missing the court appearance. A check of his personnel file revealed no prior counseling for incidents of this type (traffic court), however he does have two prior counseling reports for missing court depositions. I suggested he set reminders for court dates on his phone to reduce the likely hood of missing another court date, and to store future subpoenas in the open to serve as a visual reminder of upcoming court dates.

Deputy Roberts' actions were found to be in violation of BCSO Policy 400.04 - Substandard Performance, Section B., Carelessness. This written counseling was issued and the above mentioned suggestion was made to correct the action and prevent similar incidents from occurring in the future. I advised Deputy Roberts that this area of performance must improve as subsequent missed court dates may result in progressive discipline.

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2019 JAN -4 PM 2:52
BCSO PERSONNEL

Wayne Ivey, Sheriff

*Sgt J. Hart
#955
1-3-19*

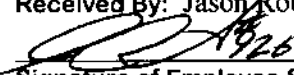

*I confer with
written coaching
ML 546*



Brevard County Sheriff's Office
Titusville, Florida


OCT 04 2018

RECEIVED MEMORANDUM

A TRUE COPY	
TIME	8:10 P.M.
DATE	10/3/2018
BREVARD COUNTY SHERIFF'S OFFICE	
Received By: Jason Roberts	
	
Signature of Employee Served	
Served by:	
	
Signature of Agent/Deputy	

DATE: October 02, 2018

TO: Deputy Jason Roberts

FROM: Chief Alan Moros 

RE: Final Action
Administrative Investigation 2018-CI-028

Administrative Investigation 2018-CI-028 is now closed. The final action regarding this matter is the determination of sustained charges and the application of appropriate corrective action. This investigation was initiated over concerns about your off-duty behavior towards first responders and medical staff who were attempting to assist you. The investigation determined that during this incident, you appeared to be intoxicated and engaged in a pattern of unprofessional behavior directed towards the first responders and hospital staff who were trying to assist you.

Based on a review of the facts of this matter, and in consideration of the hearing afforded to you on September 27, 2018, I am sustaining the following violations of Brevard County Sheriff's Office Policies and Procedure: **400.00 General Professional Responsibilities and 400.38 Intoxication On and Off-Duty.**

During the investigative process and disciplinary hearing you stated you had no specific recollection of your conduct other than what you had seen on the body camera footage. Although you denied specific recollection of your actions, you accepted responsibility, advising you were embarrassed, as the Agency was, by your behavior. You said your actions during this incident were uncharacteristic and do not accurately portray the type of employee and person you are. As we discussed, I personally think highly of you and find myself very disappointed in the way you have conducted yourself. I was pleased to hear you had apologized to some of the first responders for your conduct and suggest you seek out the remainder and do the same.

As was discussed during your hearing, and based upon your statements of the amount of alcohol consumed to include your actions, I believe there are personal issues (alcohol use) that are directly affecting your conduct. These are personal issues that require your immediate attention, as they are impacting you and your ability to perform as an effective member of the Agency. As you know, the nature of the law enforcement profession is stressful enough without the added weight of personal struggles. I would encourage you to take full advantage of the remedies that have been offered by our Agency, and direct

you to communicate directly with HR Manager Lisa Gillis to review all available employee assistance program opportunities.

Based on my review of this incident and the comments you made during your hearing, I find that your conduct was not acceptable for a Brevard County Sheriff's Deputy. Your actions reflect poorly on you personally and on the Brevard County Sheriff's Office as a whole. Taking into consideration your tenure with the agency, as well as my belief that you will correct your behavior, I have decided to mitigate your proposed discipline down to a **Letter of Reprimand**.

You are forewarned that any subsequent violations will lead to progressive discipline, up to, and including termination of your employment.

*This Final Action Letter will serve as your **Letter of Reprimand**.*

cc: Chief Deputy Doug Waller
Commander Linda Moros
Human Resource Manager Lisa Gillis



Brevard County Sheriff's Office

RECEIVED
OCT 04 2018
BY: _____

EMPLOYEE LETTER OF REPRIMAND 2018-A-159

This document shall serve as a "Letter of Reprimand" for a policy/procedure violation. You are cautioned that any further misconduct of this type may result in more severe disciplinary sanctions. It is your responsibility to initiate the necessary corrective action to ensure such violation never occurs.

Date: 09/20/18 Employee: Jason Roberts ID #: 433

Position/Title: Sergeant Deputy Precinct/Unit: Canaveral/Patrol

Supervisor: Alan Confreda Date of Incident: 09/02/18

Reason for Written Reprimand: (Text box will expand automatically if needed.)

Violation of BCSO G.O. 500.47 Vehicle Apprehension Pursuit - see attached memorandum.

RECEIVED
2018 OCT 04 11:04
BOSO PERSONNEL

Signatures MUST be in order

Notations may be made at any level and incorporated as an attachment to the form

(1) Commander/Manager Signature: [Signature] Printed Name & ID#: Linda L. Moros #300 Date: 10/3/18

(2) Chief Officer Signature: [Signature] Printed Name & ID#: [Signature] Date: 10/3/18

(3) Supervisor (Serving Reprimand) Signature: [Signature] Printed Name & ID#: Lt. Alan Confreda 546

DATE AND TIME OF SERVICE:
10-3-18 2006 Hrs

I have read this report and acknowledge the receipt of this Letter of Reprimand.

(4) Employee Signature: [Signature] Printed Name & ID#: Jason Roberts 926 Date: 10-3-18

Set just at #955
10/5/18

**BREVARD COUNTY SHERIFF'S OFFICE**

Titusville, Florida

Memorandum**Date: September 20, 2018****To: Commander Linda Moros****From: Lieutenant Alan Confreda****Re: Vehicle Apprehension (18-311187)**

On Sunday September 02, 2018, members of East Precinct Charlie Squad and Cape Canaveral Charlie Squad engaged in a vehicle apprehension. Lieutenant Brad Thomas conducted a supervisory overview of the incident and gathered the following facts. During the apprehension patrol units followed a reckless driver for approximately 25 miles. During this pursuit speeds of the suspect and deputies reached three times the posted speed limit. At no time did any patrol deputies activate their emergency lights or siren. For a majority of the apprehension, Deputy Jason Roberts was the lead patrol car. At no time did he attempt to self-terminate the apprehension. During this apprehension, there were two supervisors on the radio that should have terminated this pursuit and they failed to do so. Lieutenant Thomas completed his overview and determined the actions of all involved to be **not in compliance with BCSO G.O. 500.47 Vehicle Apprehension Pursuit.**

After reviewing Lieutenant Thomas' overview, it is clear that Deputy Roberts violated **BCSO G.O. 500.46 Vehicle Operations and G.O. 500.47 Vehicle Apprehension Pursuit.** For these violations Deputy Roberts will receive a Letter of Reprimand and loss of his take home vehicle privileges for 10 working days.

It is also evident that Sergeant Buggs violated **BCSO G.O. 500.46 Vehicle Operations and G.O. 500.47 Vehicle Apprehension Pursuit.** On August 18, 2018, Sergeant Buggs violated G.O. 500.47 and received a Written Counseling. For these violations Sergeant Buggs will receive a Letter of Reprimand and loss of his take home vehicle privileges for 10 working days.

Wayne Ivey, Sheriff

2018-A-159



BREVARD COUNTY SHERIFF'S OFFICE

Titusville, Florida

Memorandum

Date: September 18, 2018

To: Commander Dan Singleton

From: Lieutenant Brad Thomas

Re: Vehicle Apprehension Overview (CR #18-00311187)

Synopsis

On Sunday, September 2nd, 2018, at approximately 0334 hours, Deputy Heather Bivins was conducting traffic enforcement on State Road 528 in the area of the Indian River Bridge, Merritt Island, Brevard County, Florida. Deputy Bivins was running stationary radar when she observed a vehicle traveling one hundred and fifteen (115) mph in a fifty five (55) mph posted speed zone. Deputy Bivins notified the Communications Center and attempted to catch up to the vehicle which was traveling eastbound on State Road 528. Sheriff's Office units continued to follow the vehicle through the City of Cape Canaveral and areas of Port Canaveral until the vehicle began travelling west on State Road 528 where they lost sight of it in the area of the Brevard County and Orange County line. The distance of this apprehension covered approximately twenty five and one half (25.5) miles in approximately fifteen (15) minutes. During the apprehension, Sheriff's Office personnel reached driving speeds up to one hundred and twenty four (124) miles per hour and at times, in excess of twice the posted speed limits. A review of the circumstances surrounding the vehicle apprehension revealed the apprehension was not in compliance with BCSO Policy/Procedures 500.47, Vehicle Apprehension Pursuit.

Details of Investigation

On Sunday, September 2, 2018, at approximately 0334 hours, Deputy Heather Bivins was conducting traffic enforcement on State Road 528 in the area of the Indian River Bridge, Merritt Island, Brevard County, Florida. Deputy Bivins is a certified radar operator and has a department issued radar in her marked patrol vehicle, unit 2326. Deputy Bivins was conducting stationary radar enforcement when she observed a vehicle traveling one hundred and fifteen (115) mph in a fifty five (55) mph posted speed zone. Deputy Bivins notified the Communications Center and stated she was attempting to catch up with a reckless vehicle traveling eastbound on State Road 528. Approximately one minute later, Deputy Bivins stated the vehicle was passing over Banana River Boulevard and was continuing east on State Road 528. The Communications Center passed

Wayne Ivey, Sheriff

the information on to Canaveral Precinct, as the vehicle was heading in that direction. Deputy Jason Roberts responded to the area from Central Avenue and Astronaut Boulevard. At 0335 hours, Sergeant Marlon Buggs informed the Communications Center he would be responding to the area as well. Deputy Bivins alerted responding units the vehicle was approaching the first Port exit. At 0336 hours, Deputy Bivins immediate supervisor (Sergeant Nick Walker) requested to know if the vehicle was maintaining speeds or slowing down. Deputy Bivins then responded the vehicle had not slowed down and was maintaining its lane of travel. Prior to the vehicle entering the city of Canaveral, Sergeant Buggs asked Deputy Bivins if she had attempted to initiate a traffic stop to which she replied she was attempting to catch up to the vehicle and had not yet attempted to initiate a traffic stop.

As the suspect vehicle entered the city of Cape Canaveral, Deputy Roberts informed units the vehicle continued south on Astronaut and passed over George J. King Boulevard. Deputy Roberts said the vehicle was still traveling at a high rate of speed and was running red lights. Sergeant Buggs requested the Communications Center pass the information along to Cocoa Beach Police Department, as he had witnessed the vehicle run the red light at Central Boulevard and Astronaut. At approximately 0338 hours, Deputy Roberts advised the vehicle was now traveling northbound on North Atlantic in the area of Canaveral Boulevard. Deputy Roberts was able to follow and keep the vehicle in sight while providing updates as it continued at a high rate of speed to George J. King Boulevard. The vehicle continued driving recklessly on George J. King Boulevard and ultimately continued west on State Road 528. At approximately 0339 hours, Sergeant Walker asked the Communications Center if STAR was monitoring, at which time the Communications Center notified STAR of this incident. Deputy Roberts continued to provide updates as the vehicle traveled west on State Road 528.

Sergeant Walker later inquired if STAR was responding and they advised they were and requested to know why they were needed. The Communications Center advised STAR it was in reference to a vehicle fleeing at a high rate of speed. At approximately 0341 hours, Sergeant Walker informed units involved not to engage and continue in surveillance mode. A short time later, STAR informed Sergeant Walker they would have to return to the hanger due to incoming bad weather.

As the vehicle continued westbound on State Road 528, Deputy Roberts was able to get close enough to the vehicle and provided a possible license plate, which was later determined to be off by one digit. Deputy Roberts was also able to relay the make and color of the vehicle. At approximately 0344 hours, Deputy Roberts advised the vehicle had passed over Courtenay Parkway where Corporal Zack Brown acknowledged the vehicle as it passed his location. At approximately 0345 hours, Sergeant Walker questioned if there was any driving pattern and Deputy Roberts stated only speed.

At 0345 hours, Sergeant Buggs informed the Communications Center he was returning to the City while Deputy Roberts and Corporal Brown continued westbound after the suspect vehicle. The vehicle continued west on State Road 528 until they lost sight of the vehicle in the area of State Road 528 and State Road 407.

Wayne Ivey, Sheriff

Investigative Findings

2018-A-159

After reviewing this incident, it was determined there were four deputies actively involved in the apprehension. The four deputies were identified as Deputy Heather Bivins (East Precinct), Deputy Jason Roberts (Cape Canaveral/Port Canaveral Precinct), Corporal Zach Brown (East Precinct), and Sergeant Marlon Buggs (Cape Canaveral/Port Canaveral Precinct).

It should have been clear to all parties involved in this incident that the vehicle was aware of their presence and was being followed by law enforcement. All parties should have also realized that the driver had no intention of stopping as the vehicle continued to pass by several marked patrol vehicles, was driving at a high rate of speed, and was running multiple traffic signals. The deputies involved never initiated their emergency lights or sirens to attempt a traffic stop. Due to the fact no one involved initiated emergency lights or sirens, it was determined there was no in-car video of this incident.

This action should have been self-terminated at the point it was clear the vehicle was not going to stop. Deputies Bivins and Roberts were in the lead position at different times and had the ability to self-terminate. Both Sergeant Walker and Sergeant Buggs had the ability to terminate and should have been aware of the speeds during this apprehension.

Sergeant Walker was the supervisor in the precinct which this action originated and should have terminated the action at the point which it was apparent efforts to catch up to the vehicle had failed. Sergeant Walker failed to ask the appropriate questions necessary to gain control of the incident and give proper direction in regards to terminating the apprehension.

Sergeant Buggs was the supervisor of the Cape Canaveral/Port Canaveral Precinct at the time the apprehension entered and exited his area of responsibility. He had firsthand knowledge of the reckless driving patterns of the suspect vehicle and was aware Deputy Roberts was attempting to catch up to the fleeing vehicle. Sergeant Buggs' had the opportunity terminate this apprehension at the onset. His failure to give the order to terminate the apprehension based on the information he had resulted in it continuing for an additional 20 miles.

This apprehension went on for approximately fifteen (15) minutes and covered a distance of approximately twenty five and one half (25.5) miles. Throughout most of the apprehension, it was determined that speeds often reached double that of the posted speed limits and at some points were in excess of one hundred and twenty (120) mph.

In reviewing the vehicle operations of each of the deputies actively engaged in the vehicle apprehension, I was able to determine the following:

Deputy Bivins not only reached speeds in excess of 120 mph while traveling on State Road 528, but at times reached speeds in excess of 80 mph while traveling through the city of Cape Canaveral and Port Canaveral (at times almost three times the posted speed limit).

Wayne Ivey, Sheriff

Deputy Jason Roberts not only reached speeds in excess of 120 mph while traveling on State Road 528, but at times also reached speeds in excess of 80 mph while traveling through the city of Cape Canaveral and Port Canaveral (at times almost three times the posted speed limit).

Sergeant Marlon Buggs reached speeds in excess of 100 mph while traveling on State Road 528, but at times also reached speeds in excess of 80 mph while traveling through the city of Cape Canaveral and Port Canaveral (at times almost three times the posted speed limit).

Corporal Zach Brown reached a speed of approximately 90 mph while traveling on State Road 528 while attempting to keep the suspect vehicle in sight.

Risk Assessment

The risk assessment for this vehicle apprehension were achieved by looking at factors that were present at the time the apprehension was initiated. Due to the following factors, this apprehension was determined to be a "High Risk" apprehension.

1. Frequent intersecting streets
2. Blind curves, intersections, narrow roads
3. Speeds twice the posted limits or greater than 80 mph
4. Running red lights

Conclusion

On Sunday, September 2nd, 2018, deputies assigned to the East Precinct and the Cape Canaveral/Port Canaveral Precinct initiated and continued a vehicle apprehension on a suspect vehicle which was driving aggressively at a high rate of speed. At no time during the course of the apprehension did any of the deputies involved activate emergency lights or sirens in an attempt to conduct a traffic stop. The deputies' failure to utilize proper emergency equipment did not justify how they followed the suspect vehicle for over twenty five (25) at speeds often twice that of the posted speed limits.

Based on the above facts and circumstances, this vehicle apprehension is in **not in compliance** with Policy/Procedure 500.47 -Vehicle Apprehension Pursuit.

Enclosures

1. Copy of case report (Deputy Bivins)
2. Vehicle Apprehension Information Sheet (Deputy Bivins)
3. Copy of CAD comments
4. CD of radio communications

Wayne Ivey, Sheriff



Brevard County Sheriff's Office

EMPLOYEE COUNSELING REPORT

Use this form to document counseling that relates to deficiencies - violations of rules, regulations, procedures and policies. All constructive criticisms and corrections are to be documented. This Employee Counseling Report will be retained in the employee's permanent personnel file.

Employee Jason Roberts ID Number 0926 Date May 09, 2018

Precinct / Unit CIS/SIU Position / Title Agent

Supervisor Sergeant [REDACTED] Date of Incident May 05, 2018

Reason for Counseling

On May 05, 2018, at approximately 0754 hours, the Brevard County Sheriff's Office Communication Center texted Agent Jason Roberts so he could respond to a shooting scene at 3620 Canaveral Groves Boulevard (Case Number 2018-156805), where a trafficking amount of heroin and 5,969.00 dollars were located. Agent Roberts did not respond to the text and I was notified. I attempted to contact Agent Roberts several times, but was unable to get ahold of him until 1054 hours.

Supervisor's Remarks

After reviewing the incident, Agent Roberts' actions were in violation of the Brevard County Sheriff's Office Policy and Procedures 400.04 (B) Substandard Performance (carelessness). Agent Roberts as well as all members of the Special Investigaiton Unit are expected to return on call texts/calls in a timely manner.

Action Taken

Agent Roberts was counseled and made aware, that his actions were in violation of the Brevard County Sheriff's Office Polices and Procedures 400.04 (B) Substandard Performance (carelessness). Agent Roberts was mentored on the importance of responding to on-call texts/calls. Agent Roberts was advised that any further related incidents of this nature may result in progressive discipline.

Employee's Remarks

Signatures MUST be in order

Sgt. [REDACTED] 5/25/18
(1) SUPERVISOR SIGNATURE / ID NUMBER / DATE

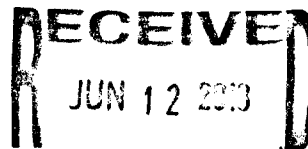
[Signature] 97 06/11/18
(2) COMMANDER / MANAGER / DIRECTOR SIGNATURE / ID # / DATE

DATE _____ Entered into PMP / Employee Evaluation
(For sworn employees only)

** Notations may be made at any level and made an attachment to the form **

I have read this report and acknowledge the counseling took place.

[Signature] 926 5-25-2018
(3) EMPLOYEE SIGNATURE / ID# / DATE



BY: [Signature] Page 1 of 1
COPY to Chief Officer [Signature] #955 6/12/18

RECEIVED
2018 JUN 3 PM 2:44
BREVARD COUNTY SHERIFF'S OFFICE PERSONNEL



Brevard County Sheriff's Office

2017-A-061
RECEIVED
Staff Services File Number
MAY 24 2017
BY: Clay 125

EMPLOYEE COUNSELING REPORT

Use this form to document counseling that relates to deficiencies - violations of rules, regulations, procedures and policies. All constructive criticisms and corrections are to be documented. This Employee Counseling Report will be retained in the employee's permanent personnel file.

Employee Jason Roberts ID Number 926 Date May 09, 2017

Precinct / Unit CIS/SIU Position / Title Deputy/Agent

Supervisor Lt. [REDACTED] Date of Incident May 03, 2017

Reason for Counseling

Violation of Policy 400.04 -Substandard Performance and 500.15 -Field Reporting Procedures

Agent Roberts failed to attend a deposition on January 01 and April 07, 2017 after receiving subpoenas from the defense regarding CR# 16-237205. Agent Roberts failed to notify either the issuing attorney or Assistant State Attorney Keis. As a result a Motion To Show Cause hearing was scheduled in front of Judge Lemonidis on May 03, 2017. The hearing resulted with the Judge confirming Agent Roberts attendance at a final deposition scheduled for June 05, 2017. ASA Keis brought this to my attention and also the fact that Agent Roberts' related report did not disclose important information known to him regarding the actions of an involved witness and detective. This lack of information prevented ASA Keis from properly preparing and ultimately lead to some charges being dropped.

Supervisor's Remarks

Agent Roberts and I discussed these areas of concern. Agent Roberts recognizes as either an assisting agent or the primary case agent, he is responsible for assuring he and all involved law enforcement officers complete a report detailing all facts known to them at that time. Agent Roberts also understands the importance of attending all mandatory hearings and the need to make proper notification to both the issuing office and the assigned State Attorney when there is a need to reschedule.

Action Taken

Agent Roberts accepted the counseling and understands that additional incidents of this nature may result in progressive discipline. I reviewed policy 400.04 -Substandard Performance and 500.15 -Field Reporting Procedures with Agent Roberts. This will serve as written counseling.

Employee's Remarks

Signatures MUST be in order

2017 MAY 25 PM 2:36
[Vertical stamp]



5/9/17

(1) SUPERVISOR SIGNATURE / ID NUMBER / DATE

2017-A-061

Staff Services File Number

(2) COMMANDER / MANAGER / DIRECTOR
SIGNATURE / ID # / DATE

DATE

Entered into PMP / Employee Evaluation
(For sworn employees only)

** Notations may be made at any level and made an attachment to
the form **

I have read this report and acknowledge the counseling took place.

RA 926 5-12-17

(3) EMPLOYEE SIGNATURE / ID# / DATE

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY,
FLORIDA.

STATE OF FLORIDA,

Plaintiff,

CASE NO.: 05-2016-CF-33627-AXXX-XX

vs.

JARVIS OMAR HOWELL,
Defendant.

_____ /

AMENDED NOTICE OF HEARING
(AS TO LOCATION ONLY)

PLEASE TAKE NOTICE that the following Motion has been scheduled for hearing
before the designated Judge of this Court at the time and place listed below:

MOTION: **MOTION TO SHOW CAUSE**
JUDGE: **HONORABLE ROBIN LEMONIDIS**
DATE: **Wednesday, May 3, 2017**
TIME: **1:30 pm**
PLACE: **506 S. Palm Ave. Titusville, FL 32796**

PLEASE GOVERN YOURSELF ACCORDINGLY.

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has
been furnished by e-service and email to the Office of the State Attorney, 2725 Judge Fran
Jamieson Way, Viera, Florida, 32940, and by e-mail to Mike Rettemnier, J.A. to the Honorable
Robin Lemonidis, on this 2nd day of MAY, 2017.

s//BRYAN D. SAVY, ESQ.//
BRYAN D. SAVY, ESQ.
MICHAEL BROSS & BRYAN SAVY, PLLC
Florida Bar No.: 0012442
Attorney for Defendant
997 S. Wickham Road
W. Melbourne, Florida 32904
(321) 728-4911
bsavy@brosslawoffice.com
jodi@brosslawoffice.com



Brevard County Sheriff's Office

EMPLOYEE COUNSELING REPORT

Use this form to document counseling that relates to deficiencies - violations of rules, regulations, procedures and policies. All constructive criticisms and corrections are to be documented. This Employee Counseling Report will be retained in the employee's permanent personnel file.

Employee Jason Roberts ID Number 926 Date 04/20/2015

Precinct / Unit Special Investigations Unit Position / Title Agent

Supervisor Sgt. Stephen Fernez Date of Incident 04/20/2015

Reason for Counseling

On 04/15/2015, Agent Roberts was instructed by Lt. Lanza to move a vehicle seized by Agent Roberts from our secured facility to the BCSO Fleet Maintenance's secured compound. Several days later it was discovered that Agent Roberts had not properly secured the vehicle in the compound and that he had left the vehicle outside of the Fleet Maintenance compound without telling anyone it was there. It took several days for Fleet Maintenance Manager Wimberly to ascertain where this vehicle had come from which impaired the proper and efficient operation of the Sheriff's Office.

BCSO Policy 400.04 Substandard Performance (B) Carelessness states:

An employee may be determined to have impaired or jeopardized the proper and efficient operation of the Office of the Sheriff due to his/her carelessness or neglect of their job performance under this provision where he/she acts or fails to act either in a deliberate or willful manner that reflects a reckless or wanton disregard for life, safety, or property; or in any manner contrary to acceptable standards of performance; or which results or could have resulted in injury, danger, or damage to others or to their property. Furthermore, repeated incidents of minor carelessness or a pattern of errors, neglect, and/or inattentiveness to job performance are of an equally serious nature and will not be tolerated. Each case of carelessness or neglect will be evaluated and considered on its merits and will result in appropriate administrative or disciplinary action up to and including discharge of the employee.

RECEIVED
2015 JUN 10 PM 2:53
BCSO PERSONNEL

RECEIVED
JUN 09 2015
BY: _____

Supervisor's Remarks

When this issue was addressed with Agent Roberts, he accepted responsibility for not properly securing and notifying Fleet Maintenance. Policy 500.72 Forfeiture was reviewed with him as well as policy 500.48 Towing and Impounding Vehicles.

Action Taken

Written Counseling

Employee's Remarks

Signatures MUST be in order

[Signature] 389 5/15/15
(1) SUPERVISOR SIGNATURE / ID NUMBER / DATE
U Blanza #07 5/15/15

[Signature] 1102 6/9/15
(2) COMMANDER / MANAGER / DIRECTOR
SIGNATURE / ID # / DATE

DATE Entered into PMP / Employee Evaluation
(For sworn employees only)

** Notations may be made at any level and made an attachment to the form **

I have read this report and acknowledge the counseling took place.

[Signature] 926 6/1/15
(3) EMPLOYEE SIGNATURE / ID# / DATE

6/9/15
All 125



Brevard County Sheriff's Office

EMPLOYEE COUNSELING REPORT

Use this form to document counseling that relates to deficiencies - violations of rules, regulations, procedures and policies. All constructive criticisms and corrections are to be documented. This Employee Counseling Report will be retained in the employee's permanent personnel file.

Employee Jason Roberts ID Number 926 Date 08/04/2014

Precinct / Unit Special Investigations Unit Position / Title Agent

Supervisor Sgt. Stephen Fernez Date of Incident 05/08/2014

Reason for Counseling

On 05/08/2014, Agent Roberts was conducting a pro-active prostitution detail in the Titusville area when he made an arrest on a female for solicitation of prostitution. While making the arrest the female attempted to flee on foot. Agent Robert's performed a takedown maneuver on the female which resulted in minor abrasions to her hands and knees.

BCSO Policy 500.76 Response to Resistance states:

A Response to Resistance Form and case report are to be completed for the following use of force incidents and forwarded through the chain of command to Staff Services when a deputy applies weaponless physical force that results in actual or claimed injury whether evident or non-evident; and

Unless supervisory approval is granted, the deputy completes and submits a Response to Resistance Form and case report to his/her immediate supervisor prior to the end of shift; and

Photographs will be taken of each suspect involved in the use of force, to include physical areas on the body, regardless of whether an injury is reported.

Agent Roberts did not complete this form and had to be instructed to complete the form 07/27/2014. At no time did Agent Roberts inform his supervisors that there was a use of force resulting from an enforcement action taken by him. It was also determined that Agent Roberts failed to photograph the suspect's injuries at the time of the arrest resulting in no photographs for the supervisors to review as part of the response to resistance process.

BCSO Policy 500.78 Body Armor (D) states:

All sworn law enforcement personnel, whether in uniform or not, shall wear body armor during specific assignments, such as tactical operations, or other hazardous situations where the conditions are known to be especially dangerous. Prior to the assignment or situation, the supervisor in charge shall determine these times.

Agent Roberts was not wearing any identifiable Sheriff's Office markings to include his body armor during the course of this arrest which is an issue that was addressed with the unit in previous meetings. Agents had been instructed that during the course of making an arrest they will wear the proper attire which identifies them as a Deputy Sheriff and provides proper safety.

RECEIVED
AUG 25 2014
BY: _____

Supervisor's Remarks

Agent Roberts admitted that he did not complete a response to resistance form or take any photographs of the suspect's injuries as required by policy. I reviewed the Response to Resistance policy with him and he stated that he understood.

Agent Roberts also admitted that he was not wearing his vest or any other markings at the time of the arrest and after discussing the safety concerns with taking such actions while not plainly marked and protected, he explained that he understood and that it would not happen again.

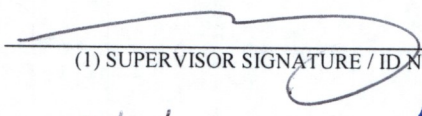
On 08/04/2014, I again advised the unit that identifiable markings and proper safety equipment would be worn any time enforcement action is taken.

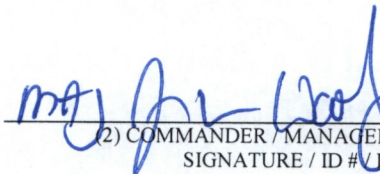
Action Taken

Written Counseling

Employee's Remarks

Signatures MUST be in order

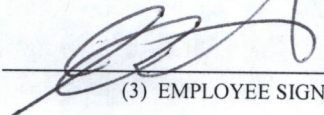
 339 8/11/14
(1) SUPERVISOR SIGNATURE / ID NUMBER / DATE
L.C. [Signature]

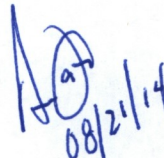
 #28 8/19/14
(2) COMMANDER / MANAGER / DIRECTOR
SIGNATURE / ID # / DATE

8/12/14
DATE Entered into PMP / Employee Evaluation
(For sworn employees only)

** Notations may be made at any level and made an attachment to the form **

I have read this report and acknowledge the counseling took place.

 926 8/11/14
(3) EMPLOYEE SIGNATURE / ID# / DATE

 08/21/14



Brevard County Sheriff's Office

EMPLOYEE COUNSELING REPORT

Use this form to document counseling that relates to deficiencies - violations of rules, regulations, procedures and policies. All constructive criticisms and corrections are to be documented. This Employee Counseling Report will be retained in the employee's permanent personnel file if it is used as a Written Counseling.

Employee Jason Roberts ID Number 926 Date November 15, 2013

Precinct / Unit CID/SIU Position / Title Deputy/Agent

Supervisor Lt. Dan Singleton Date of Incident August 8, 2013

Reason for Counseling

Avoidable vehicle crash reported on August 8, 2013 (2013-T-070)

Supervisor's Remarks

On 08/08/2013 at approximately 1745hours, Agent Roberts was driving unit 81505 over the SR3 overpass when he observed a red Mustang driving in his lane of travel slam on his brakes causing the Nissan Maxima directly in front of him swerve and engage his brakes. In an attempt to avoid the two vehicles, Agent Roberts swerved into the median colliding with the rear of the Maxima. The incident was found to be avoidable on the part of Agent Roberts. Damage to unit 81505 is estimated at \$1500 and the Maxima is estimated at \$1000.

On October 28, 2013, the LCRB reviewed the above-described vehicle damage and concurred with the avoidable finding. The LCRB recommended Agent Roberts receive written counseling based on the criteria set forth in General Order 200.15- Loss Control.

Action Taken

Written Counseling.

Employee's Remarks

Signatures MUST be in order

Lt. [Signature] 11/15/13
(1) SUPERVISOR SIGNATURE / ID NUMBER / DATE

(2) COMMANDER / MANAGER / DIRECTOR
SIGNATURE / ID # / DATE

2013 NOV 21 PM 3:47
BOS PERSONNEL

DATE Entered into PMP / Employee Evaluation
(For sworn employees only)

** Notations may be made at any level and made an attachment to the form **

I have read this report and acknowledge the counseling took place.

[Signature] 926 11-15-2013
(3) EMPLOYEE SIGNATURE / ID# / DATE



Brevard County Sheriff's Office

EMPLOYEE LETTER OF REPRIMAND

This document shall serve as a "Letter of Reprimand" for a policy/procedure violation. You are cautioned that any further misconduct of this type may result in more severe disciplinary sanctions. It is your responsibility to initiate the necessary corrective action to ensure such violation never occurs.

Employee FTO Jason Roberts ID Number 926 Date April 8, 2013
Precinct / Unit West/Patrol Position / Title Deputy/FTO
Supervisor Sgt. Ross Torquato Date of Incident December 19, 2012

Reason for Written Reprimand: (attach additional pages as needed)
Violation of Policy 200.15 (C-6)

2012-P-040

On December 19, 2012 at approximately 0400 hours, FTO Jason Roberts placed his laptop in the trunk of his patrol vehicle in order to allow the trainee to utilize the laptop stand. When he went to remove the laptop from the trunk, he noticed the Inflexis device was bent at a 45 degree angle. The overview found the incident to be avoidable on the part of FTO Roberts.

This was the second incident within the past six months where FTO Roberts damaged department equipment. In June 2012, he damaged his department laptop which was found to be avoidable.

As a result of these two incidents, he is receiving a Letter of Reprimand. Any future incidents will result in a continued progressive discipline.

2013 MAY -6 PM 4:47
SUSPENSE PERSONNEL

Signatures MUST be in order
[Signature] 4-10-13
(1) COMMANDER/MANAGER/DIRECTOR SIGNATURE; ID #, DATE
[Signature] 4/30/13
(2) CHIEF OFFICER SIGNATURE / DATE

Bruce L. Barnett
COMMANDER/MANAGER/DIRECTOR NAME PRINTED
** Notations may be made at any level and made an attachment to the form **

I have read this report and acknowledge the receipt of this Letter of Reprimand.

[Signature] 2012
(3) SUPERVISOR SERVING REPRIMAND SIGNATURE; ID #
Ross Torquato 2012
SUPERVISOR NAME PRINTED
DATE AND TIME OF SERVICE 4/8/13 2:00

[Signature] 4-08-2013
(4) EMPLOYEE SIGNATURE; ID NUMBER; DATE

4/8/13 Entered into PMP / Employee Evaluation
DATE

383 4/9/13



BREVARD COUNTY SHERIFF'S OFFICE

Titusville, Florida

Memorandum

Date: April 8, 2013

To: FTO Jason Roberts I.D. 926 *RF*

From: Sgt. Ross Torquato I.D. 202

Re: Letter of Reprimand – FTO Jason Roberts 2012-P-040

On December 19, 2012 at approximately 0400 hours, FTO Jason Roberts placed his laptop in the trunk of his patrol vehicle in order to allow the trainee to utilize the laptop stand. When he went to remove the laptop from the trunk, he noticed the Inflexis device was bent at a 45 degree angle. The overview found the incident to be avoidable on the part of FTO Roberts.

This was the second incident within the past six months where FTO Roberts damaged department equipment. In June 2012, he damaged his department laptop which was found to be avoidable.

As a result of these two incidents, he is receiving a Letter of Reprimand. Any future incidents will result in in continued progressive discipline.

WJ 383. 4/9/13.

Wayne Ivey, Sheriff



Brevard County Sheriff's Office

EMPLOYEE COUNSELING REPORT

Use this form to document counseling that relates to deficiencies - violations of rules, regulations, procedures and policies. All constructive criticisms and corrections are to be documented. This Employee Counseling Report will be retained in the employee's permanent personnel file.

Employee Deputy Jason Roberts ID Number 926 Date 10/06/2012
Precinct / Unit West/Echo Squad Position / Title Deputy Sheriff
Supervisor Sgt. Robert Vitaliano Date of Incident 06/13/2012

Reason for Counseling

On June 13, 2012, at approximately 1600 hours, Deputy Jason Roberts held his laptop by the top to stabilize it while attempting to connect cables. Immediately thereafter, he turned on the laptop and noticed the screen was cracked in the upper left hand corner.

Report received from the Loss Review Control Board indicated that in reference to 2012-P-014, the incident was identified as avoidable on the part of Deputy Roberts and a violation of 400.04 (B), Carelessness. The board recommended that Deputy Roberts receive a written counseling.

RECEIVED
2012 OCT 23 PM 2:45
BCSO PERSONNEL

Supervisor's Remarks

Deputy Roberts understands the importance of being accountable for the property assigned to him and has not had any similar prior incidents documented in PMP.

Action Taken

Deputy Roberts was served with the written counseling and cautioned regarding the above incident. The written counseling was noted in PMP. Deputy Roberts was also advised that further infractions of this nature will be addressed through progressive discipline.

Employee's Remarks

Signatures MUST be in order

[Signature] # 926 10/6/12
(1) SUPERVISOR SIGNATURE / ID NUMBER / DATE

[Signature] # 128 10/8/12
(2) COMMANDER / MANAGER / DIRECTOR SIGNATURE / ID # / DATE

10/9/12
DATE Entered into PMP / Employee Evaluation (For sworn employees only)

** Notations may be made at any level and made an attachment to the form **

I have read this report and acknowledge the counseling took place.

[Signature] # 926 10/9/2012
(3) EMPLOYEE SIGNATURE / ID# / DATE

T.P. 31
10-08-12