



Brevard County Sheriff's Office  
Titusville, Florida

MEMORANDUM

TO: Mechanic Jeremy McIntire  
FROM: Chief Deputy Douglas Waller  
DATE: April 27, 2016  
RE: Command Inquiry  
2016-CI-005

157

<b>A TRUE COPY</b>	
TIME <u>8:32 AM</u>	DATE <u>4/29/16</u>
<b>BREVARD COUNTY SHERIFF'S OFFICE</b>	
Received By: Jeremy McIntire	
Signature of Employee Served	
Served by: <u>[Signature]</u> 612	

Command Inquiry 2016-CI-005 was initiated in response to allegations that you may have violated Brevard County Sheriff's Office policies and procedures. Based on the investigative report and overview, the following has been determined:

- The allegation that you violated General Orders 400.00 *General Professional Responsibilities*, 400.04 *Substandard Performance*, and 200.10 *Agency Owned Vehicles* are **not sustained**.

I realize that an administrative investigation can be stressful to the involved employees. However, the need to be responsive to allegations of misconduct makes it imperative that we investigate such allegations in a thorough and professional manner.

I appreciate the patience you have demonstrated while waiting for the investigative results. The investigative report is being provided for your review as an enclosure with this communication.

Attachment:

- 2016-CI-005 Investigative Report

cc: Chief Deputy Douglas Waller  
Investigative File 2016-CI-005



Brevard County Sheriff's Office  
Titusville, Florida

**To:** Chief Deputy Doug Waller  
**From:** Agent Charles LaRoche, Staff Services Unit  
**Date:** April 21, 2016  
**Re:** Command Inquiry 2016-CI-005  
Mechanic Jeremy McIntire

*D. Waller*  
*157*  
*4/26/16*  
*WITB*  
*Investigation*  
*Answers*

**I. Summary:**

On the morning of April 5, 2016, Fleet Manager Mike Wimberly discovered trustees listening to the AM/ FM radio of a patrol car on the wash rack at fleet maintenance. The vehicle had been left there unlocked with the keys in the ignition overnight. Wimberly stated that on April 4, 2016 Mechanic Jeremy McIntire moved that patrol car to the wash rack in order for inmate trustees to remove BCSO markings and equipment. Although the vehicle was severely damage, Wimberly presumed that it was still drivable.

Based on the concerns this incident generated, a memorandum from Commander Mike DeMorat was submitted to Chief Deputy Doug Waller, via Chain of Command, outlining the above listed information.

On April 5, 2016, Chief Deputy Waller authorized an Administrative Investigation be conducted.

**II. Possible Policy Violations**

- 400.00 - General Professional Responsibilities
- 400.04 - Substandard Performance
- 200.10 - Agency Owned Vehicles

**III. Witnesses**

**William "Mike" Wimberly  
Fleet Manager  
Brevard County Fleet Maintenance**

On April 7, 2016, Agent Kirk Geweniger and I interviewed Fleet Manager William "Mike" Wimberly at fleet maintenance. In an audio recorded interview, Wimberly stated the following in essence:

On the morning of Monday, April 4, 2016, Wimberly asked Chief Lead Mechanic Tommy Branam to have a patrol car (2275) moved from the yard to the wash rack. Branam instructed Mechanic Jeremy McIntire to move the patrol car to the wash rack, as he was the on-duty wrecker operator that day. Vehicle 2275 was involved in a single vehicle accident on March 25, 2016 and the cost of repair was more than the value of the vehicle, therefore it was being sent out to auction.

On Tuesday, April 5, 2016, Wimberly was walking from his office toward the outfitting building and heard the AM/FM radio coming from patrol car 2275. He addressed one of the trustees that was working on the car and had him remove the keys from the ignition and turn them over to him. Wimberly had no further contact with that trustee. Wimberly stated the key that was in the ignition was a single black Chevrolet key with a square white tag on it, indicating that it was the spare key that belongs to Fleet Maintenance.

Wimberly then went to Branham and informed him about the keys that were left in the vehicle. Wimberly stated that he personally inspected the vehicle in the yard on Friday, April 1, 2016 and did not see the keys in the vehicle at that time. He stated McIntire likely would have had to retrieve them from the key box in the administrative assistant's office adjacent to Wimberly's.

Wimberly stated he believed the incident was serious enough to reprimand McIntire, citing the vehicle was severely damaged but likely still drivable.

Although Wimberly did not personally witness McIntire move the vehicle or take the keys from the key box, he knows that he was given that task. Wimberly stated that because McIntire moved the vehicle, he feels that he is likely the person that left the keys in it.

Wimberly stated the mechanics know that no keys are to be left in vehicles while at the fleet maintenance facility while unattended.

**Thomas Branam  
Chief Lead Mechanic  
Brevard County Fleet Maintenance**

On April 7, 2016, Agent Kirk Geweniger and I interviewed Chief Lead Mechanic Thomas Branam at fleet maintenance. In an audio recorded interview, he stated the following in essence:

On Monday, April 4, 2016, he was asked by Wimberly to have someone move patrol car 2275 from the field to the wash rack so the trustees could remove the BCSO markings before the vehicle went to auction. Jeremy McIntire was on wrecker duty that day and he asked him to move the vehicle, which he did.

On Tuesday, April 5, 2016, Branam was approached by Wimberly who told him about finding the keys in the vehicle and that the trustees were listening to the AM/FM radio. Wimberly asked him if McIntire left the keys in the vehicle, Branam stated he did not know why McIntire would have needed the keys in order to move the vehicle, other than needing to place the vehicle in neutral to move it easier with the wrecker.

**Adam Vaughn**  
**Inmate Trustee**  
**Brevard County Jail Complex**

On April 7, 2016, Agent Kirk Geweniger and I interviewed Inmate Adam Vaughn at fleet maintenance. In an audio recorded interview, he stated the following in essence:

Vaughn has been incarcerated at the Brevard County Jail for approximately two months now. In that time, he has spent approximately seven weeks as a trustee, the last six at fleet maintenance. He stated they work from 0700 till 1530 each day.

On Monday, April 4, 2016, the wrecked patrol car in question was brought over to the wash rack at approximately 0900 hours. Inmate Vaughn stated he did not remember who the wrecker driver was for that day as it changes from day to day. His responsibilities were to remove the BCSO decals off the vehicle, which took all day and part of the following day.

Vaughn stated he and the other two trustees that were assigned to fleet maintenance were listening to the AM/FM radio on Tuesday April 5, 2015 while working on the car. When Wimberly walked by, he heard the radio and came over and took the keys from it. Vaughn stated the keys were in the ignition when the vehicle was brought to the wash rack the day prior.

**Terrence London**  
**Inmate Trustee**  
**Brevard County Jail Complex**

On April 7, 2016, Agent Kirk Geweniger and I interviewed Inmate Terrence London at fleet maintenance. In an audio recorded interview, he stated the following in essence:

London has been incarcerated in the Brevard County Jail for the last four months. He has been assigned as an inmate trustee with fleet maintenance for the last two weeks. London stated he remembered the patrol vehicle being towed over to the wash rack on Monday but he did not recall who drove the wrecker. He stated he and the other trustees were listening to the radio on Tuesday after they noticed the keys in the ignition on Monday.

**Jeremy Jennings**  
**Inmate Trustee**  
**Brevard County Jail Complex**

On April 7, 2016, Agent Kirk Geweniger and I interviewed Inmate Jeremy Jennings at fleet maintenance. In an audio recorded interview, he stated the following in essence:

Jennings has been incarcerated in the Brevard County Jail for the last three months, the last two months he was assigned as an inmate trustee at fleet maintenance. Jennings stated the patrol vehicle was towed over to the wash rack on Monday by mechanic Jeremy. Jennings described Jeremy as a "White guy with dreads". Jennings stated he and the other two trustees were listening to the radio when Wimberly caught them and took the keys. He stated the keys were in the ignition when the vehicle was dropped off at the wash rack.

**Stanley Kowalski**  
**Mechanic**  
**Brevard County Fleet Maintenance**

On April 11, 2016 Agent Kraig Hupfer and I interviewed Mechanic Stanley Kowalski as fleet maintenance. In an audio recorded interview, he stated the following in essence:

Kowalski was the on-call wrecker operator on the day of March 25, 2016 when vehicle 2275 was crashed. Kowalski was paged and responded to the crash in order to pick up the vehicle. He stated when he arrived at the crash site, he placed the roll-back wrecker in the best position he could in order to recover and remove the vehicle.

Kowalski stated that the vehicle was not drivable in its condition. When he arrived, he observed damage at the front end, rear end, and the location where the battery is housed. He stated that the battery could have easily blown up if anyone attempted to drive it.

Kowalski stated that by using the winch, he pulled the wrecked vehicle up onto the roll back by the rear end so that the vehicle would be facing backwards when towed. Having the vehicle in that position when he arrived at Fleet Maintenance, he dropped it off nose first at the fence. He did transport Deputy Rozecki with him and issued him a pool car once they arrived. Kowalski could not recall if he took possession of the keys to unit 2275 from Deputy Rozecki or if they were left in the vehicle.

Kowalski stated when he arrived at Fleet Maintenance and went to remove the vehicle, it was able to roll off the wrecker on its own. He knew that at least one of the front axles was broken as he saw a CV joint in the roadway when he arrived. Kowalski stated he believed he disconnected the battery before he left the vehicle with Deputy Rozecki, who was still moving his equipment to the pool car. Kowalski stated he does not remember if he left the vehicle transmission in neutral or placed it in park after rolling it off the wrecker. He had no further contact with vehicle 2275 after that evening.

**Mark Rozecki**  
**Deputy Sheriff, South Precinct**  
**Brevard County Sheriff's Office**

On April 12, 2016 Lieutenant Alex Fischback and I conducted a telephonic interview with Deputy Mark Rozecki. In that audio recorded interview, Deputy Rozecki stated the following in essence:

Rozecki stated he crashed his agency issued patrol car on the evening of March 25, 2016 and totaled the vehicle. He stated the vehicle was not drivable after the crash and had to be towed from the scene. Rozecki could not remember the wrecker operators name but described Stan Kowalski. Rozecki stated he believed his patrol car was loaded on the roll back wrecker nose first but he couldn't be certain.

Rozecki rode in the wrecker back to fleet maintenance in order to get a pool car. He moved his equipment to the pool car after his patrol car was taken off the wrecker. Rozecki stated he could not remember what he did with his keys. He stated he may have left them in the vehicle. Rozecki stated he did remember reconnecting the battery terminal in order to retrieve his shotgun from the overhead rack. He then disconnected the battery again after doing so.

**Angela Bundy**  
**Fleet Support Specialist**  
**Brevard County Fleet Maintenance**

On April 13, 2016 I interviewed Ms. Bundy at Fleet Maintenance, in an audio recorded sworn interview, she stated the following in essence:

Bundy was working on Monday, April 4, 2016 but did not witness McIntire take the keys for vehicle 2275 from the key box. She is unaware of any mechanics that may have taken the keys for that vehicle and has no first-hand knowledge of events dealing with that particular unit or this incident.

#### **IV. Subject Employee:**

**Jeremy McIntire**  
**Mechanic**  
**Brevard County Fleet Maintenance**

On April 7, 2016, I made contact with Mechanic Jeremy McIntire and provided him with a "Notice of Administrative Investigation." I explained the allegations and informed him to contact a representative of his choice if he desired to have one with him during our interview. The interview was scheduled to take place on Monday, April 11, 2016, at 0800 hours in the Staff Services office.

On Monday, April 11, 2016, McIntire arrived at my office without representation. Prior to the sworn audio recorded interview, McIntire was provided with and reviewed the entire case file and listened to all audio files associated with this investigation. Details of the interview are as follows:

McIntire stated he remembered moving the patrol car to the wash rack per the request of Branam. He stated he drove the "Gator" (side by side 4 wheel drive ATV type vehicle) to where the wrecked patrol car was parked to make sure the vehicle could roll. He stated he inspected the vehicle and saw that the two front axles were broken and he would not need the keys at all. He stated Branam did give him a set of keys to a Canaveral Precinct PSA vehicle that had a dead battery that needed to be jumped but he was never given keys to vehicle 2275.

McIntire stated he attempted to move the vehicle with the Gator initially but it was stuck in the dirt and wouldn't move. He then retrieved the smaller wrecker in order to move it. I asked McIntire if the vehicle was locked when he checked it. He stated it was not. Normally he opens the driver's side door and wraps the seatbelt through the steering wheel so that it does not move. This vehicles seatbelt was locked, presumably from the impact that damaged the vehicle. McIntire stated due to the seatbelt being locked, he never entered the vehicle and would not have seen if there were keys in the ignition already.

After dropping the vehicle off at the wash rack, McIntire left fleet maintenance for Canaveral Precinct and had no further involvement with vehicle 2275 other than telling the trustees to begin removing the BCSO decals.

#### **V. Other Investigative Efforts**

Photographs of vehicle 2275 that were taken prior to its being moved to the wash rack show that the vehicle was indeed nose in and facing the fence, contrary to McIntire's statement. An inspection to determine if vehicle 2275 was operable was not completed as part of this investigation as it had already been sent to auction.

#### **VI. Summary and Recommendations:**

After reviewing the interviews conducted as well as the documents associated with this case I am unable to determine whether or not Jeremy McIntire did in fact use the keys to move unit 2275 and leave them in the ignition. In Branam's interview, he states that McIntire would not have needed them and McIntire claims he did not use them. Neither Wimberly nor Branam stated they gave McIntire the keys and Bundy did not see him take them from her office. McIntire stated he would not need the keys due to the fact that the front axles were broken, allowing the wheels to roll freely. Kowalski stated he knew that at least one of the axles was broken as well but did not inspect the other.

I recommend the following administrative charges against **Mechanic Jeremy McIntire** to be closed as follows:

*Section 400.00, General Professional Responsibilities – Not Sustained*

*Section 400.04, Substandard Performance – Not Sustained*

*Section 200.10, Agency Owned Vehicles – Not Sustained*

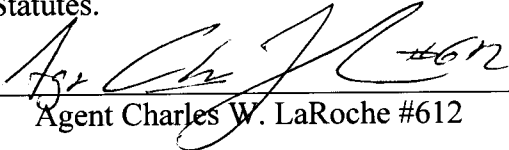
#### **VII. Enclosures**

- A.** Authorization Memo for Case Number 2016-CI-005
- B.** Notice of Administrative Investigation
- C.** Administrative Investigative Warning
- D.** Wrecker Schedule March 2016
- E.** Photographs of Vehicle

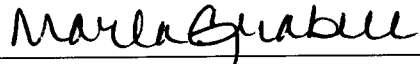


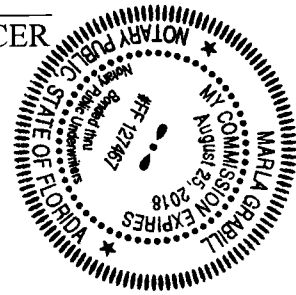
**VIII. Oath**

I, Agent Charles W. LaRoche, 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 Statutes.

Signed   
Agent Charles W. LaRoche #612

Sworn to and subscribed before me, the undersigned authority, and this 18th day of April, 2016.

Signature   
NOTARY PUBLIC/LAW ENFORCEMENT OFFICER  
IN PERFORMANCE OF OFFICIAL DUTIES



4/25/16  
Concur w/ findings  
Lt. Alex Roche 2/12/16