



Brevard County Sheriff's Office
Titusville, Florida

To: Chief Michael J. Lewis
From: Agent Charles LaRoche, Staff Services Unit
Date: June 7, 2016
Re: Command Inquiry 2016-CI-009

I. Summary:

On the evening of April 28, 2016, an inmate exited the 502B pod via an unsecured door and entered the sally port area of the 500 wing. He then pressed the button on the wall next to the 500 corridor door and the Corrections Tech in the control room unlocked the door without first verifying who was pushing the button. The inmate walked down the 500 corridor unescorted and was later stopped and re-secured as he turned into the 400 corridor.

Subsequent investigation determined that a Chaplain had been allowed into the 502B pod, when he came in the door swung shut but did not fully close, this allowed the inmate to exit the 502b pod and access the door that exits into the 500 corridor. The inmate pressed the button to be let out and the CT in the Control room pushed the button before verifying who was at the door. As soon as she unlocked the door, she looked up and saw that it was an inmate exiting the pod. She then notified the OIC and the inmate was re-secured as he reached the end of the corridor.

An incident report was generated by Corrections Deputy Wallschlager detailing his part of the incident. The report was forwarded, via the chain of command, to Chief Lewis who then authorized an Administrative Investigation be conducted.

II. Possible Policy Violations

400.04 – Substandard Performance
600.22E – Pod Control

*Concept w/ please
binding - ALE-DEP.
scheduled 99 6-7-16*

III. Witnesses

Juan Rodriguez
Corrections Sergeant
Brevard County Jail Complex

On Sunday May 8, 2016, Agent J. Landen and I interviewed Sergeant Juan Rodriguez at the Brevard County Jail Complex in reference to this incident. In an audio recorded interview, Rodriguez stated the following in essence:

Rodriguez stated he was informed by Corporal Bevins that inmate Taylor was able to leave the 500 pod and exit into the 500 corridor. He was located and re-secured shortly after turning the corner to the 400 corridor. Rodriguez then went to investigate how the inmate got out, he spoke to CT Shavonne Cook and CT Erica Pryce who were working 500 Control that shift. Pryce informed him that she unlocked the door after inmate Taylor pushed the button that leads to the 500 corridor, she confirmed that she did not check to see who was at the door prior to unlocking it. He stated that when this incident occurred, Corrections Deputy Wallschlager was busy escorting the nurse on her medication run inside the pod, as this was occurring the chaplain arrived and was let in. Wallschlager was notified of this via the radio and he moved the nurse to the smaller room (commonly referred to as the "time-out room"). The chaplain, then entered the pod by himself and went into the meeting room to hold services.

Rodriguez stated that the door did not fully close after the chaplain entered the pod and it was left unsecured as nobody checked behind the chaplain.

Rodriguez added that the chaplain that was there for service has a BCSO identification card so he does not need to be escorted anywhere in the jail.

Rodriguez stated he was aware that the door to 502B does not always close properly. He stated that sometimes if the door closes too hard or fast, it will not latch closed. He added that the CT's in the control room should be able to see that and radio to a Corrections Deputy and tell them to close the door.

Robbie Stokes
Corrections Lieutenant
Brevard County Jail Complex

On Wednesday, May 11, 2016 Agent Landen and I interviewed Lieutenant Robbie Stokes at the Brevard County Jail Complex. In an audio recorded interview, Stokes stated the following in essence:

Stokes was notified by Rodriguez that Taylor had been let out of the 500 pod and into the corridor. After getting a complete story of what happened, Stokes asked Rodriguez to complete a letter of reprimand for each of the two CT's that were working 500 control that evening.

Stokes stated that he was unaware of any problems with 502B door not properly locking when it is closed. I informed him that I personally checked that door several times on a previous visit and that it did not lock during any attempt that day. He stated that he has told his employees on several occasions to make sure the doors are fully closing. Stokes had no firsthand knowledge of the event and was not able to provide any other information.

IV. Subject Employees:

Timothy Wallschlager
Corrections Deputy
Brevard County Jail Complex

On May 8, 2016 I made contact with Corrections Deputy Timothy Wallschlager 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 his interview. Wallschlager waived his right to review any and all case file information as well as his right to have a representative of his choice present for an interview. He requested to be interviewed right away. The following are details of that interview:

He stated that on April 28, 2016 he was assisting a nurse while she was administering medications to the inmates in the 502B pod. The control room radioed down and informed him the chaplain was at the front door and was coming in for services. Due to the fact that he and the nurse were in the meeting room at the time, he moved the nurse to the smaller "timeout" room. He did that to allow the chaplain to use the larger meeting room for services. Wallschlager stated after the chaplain entered the pod, the door sounded like it closed behind him so he did not check to make sure it latched. Wallschlager remained with the nurse while she dispensed the medications. A few minutes later an inmate approached him and informed him that inmate Taylor had left the pod. Wallschlager secured the nurse and went to the pod door, which was now secured. He radioed up to the control room for it to be opened so he could assist with securing inmate Taylor. He met Corporal Bevins in the sally port of the 500 pod where they saw Taylor in the 500 corridor, almost halfway down the hall. Wallschlager stayed in the sally port and Bevins went after Taylor.

Wallschlager stated the front door to the 502B pod has had problems fully closing in the past but he thought it had been fixed.

Shavonne Cook
Corrections Tech
Brevard County Jail Complex

On May 8, 2016 I made contact with Corrections Technician Shavonne Cook and provided her with a "Notice of Administrative Investigation." I explained the allegations and informed her to contact a representative of her choice if she desired to have one with her during her interview. Cook waived her right to review any and all case file information as well as her right to have a representative of her choice present for an interview. She wished to be interviewed right away. The following are details of that interview:

Cook stated that she was one of the two CT's working 500 Control the night that Taylor got out of the pod. Cook was not feeling well that evening and was in the restroom multiple times. Upon return from the restroom, she noticed that a Chaplain was in the 502B pod. She stated that after the chaplain entered that pod, the door was left open and Taylor walked out. She did not see him exit and did not know how long after the chaplain entered, that Taylor exited. Cook stated that when Taylor pushed the button at the 500 corridor door, she unlocked it before verifying who was there. Cook stated she glanced at the screen briefly when Taylor pressed the button but assumed it was a nurse at the door because they do not have radios to call in with.

Cook stated that after Taylor walked out into the 500 corridor she realized he was an inmate in yellow scrubs and he was not being escorted by a Corrections Deputy. She stated she called the Officer in Charge (OIC) Corporal Bevins on the phone to notify him of what occurred.

Cook took full responsibility for her actions stating she did not confirm who was at the door before unlocking it. She stated she did not notice the 502B door unlocked before Taylor left that pod as she had just returned from the bathroom.

Erica Pryce
Corrections Tech
Brevard County Jail Complex

On May 11, 2016 I made contact with Corrections Technician Erica Pryce and provided her with a "Notice of Administrative Investigation." I explained the allegations and informed her to contact a representative of her choice if she desired to have one with her during her interview. The interview was scheduled to take place on Monday, May 16, 2016 at 1400 hours in the Staff Services office.

On May 16, 2016, Pryce arrived at Staff Services with her Coastal Florida Public Employees Association (PEA) representative, Al Boettjer. Prior to the sworn audio

recorded interview, Pryce was provided with and reviewed the investigative file to include all audio files associated with this investigation. Details of the interview are as follows:

Pryce stated that she was working 500 control with Cook on 4/28/16 when Taylor was able to leave the pod. She had been called on the telephone by reception and was told that the chaplain was enroute to 500. She was in the control room by herself when the Chaplain arrived as Cook was in the restroom. Upon the chaplain's arrival, she radioed down to Wallschlager who was in 502B pod assisting with the nurse to let him know the Chaplain was at the front door and was there for service.

Pryce stated that about the same time the chaplain entered 502B pod, Cook entered the control room again. At about that time, Bevins called from 500A, requesting a bubble door be opened. Pryce stated that she always uses the control panel closest to that pod so that she can visually see into that pod because the inmates that are housed there are typically the most dangerous. The computer control panel at that station was set to 'see' only the bubble doors and not all the other pod doors. Because of this, she was not able to see that the door to 502B was not properly secured.

Pryce stated that during that shift she was sitting at the control panel between the "Echo" and "Delta" pods, Cook was sitting at the station between the "Bravo" and "Charlie" pods. Normally, neither sit at the third station because there is usually three or more officers in the "Alpha" pod. If they (C/D's in Alpha) call for a bubble door, one of the CT's will walk to that station to open the requested door. *Pryce supplied a sketch of the 500 pod.*

After Pryce opened the Alpha door that was requested by Bevins, she heard the buzzer going off for the 500 corridor. She asked Cook if she could handle it, Cook replied yes. As soon as Pryce returned to her previous station, she looked at the monitor and saw that there was an inmate in yellow at that door. She immediately told Cook it was an inmate but she had already clicked the button to unlock the door. Pryce stated inmate Taylor hesitated initially but then opened the door and exited into the corridor. She told Cook she needed to inform someone an inmate was let out into the corridor. Cook then called Bevins on the telephone and he took immediate action to resecure the inmate.

V. Other Investigative Efforts

Myself and Agent Landen went to the 502B pod door and tested it to see whether or not it would close and latch on its own. We opened the door and released it from different distances, letting it close on its own with no assistance. Each time, the air pressure flowing through the doorway would slow the door down enough so that it would not allow the door to properly latch closed on its own.

We then went to the control room and had the CT radio to a Corrections Deputy in the pod and ask them to recreate the same scenario. Each time with the C/D, the door failed to close all the way and lock.

When looking at the door on the video monitor, you can see a slight amount of light coming from the crack of the door. Furthermore, you can tell from the top of the door where the door jamb isn't lined up, showing that the door is not latched.

The door locks in the 500 pod are remotely controlled by a computer in the Control Room. The computer has two screens, one that shows the status of the doors in a given area (red for closed, green for open) and one that is set up as a video monitor. During my test I noted that there is about a two second delay in the system between when the doors are opened or closed, and when the light changes from red to green.

VI. Summary and Recommendations:

The events in this investigation took place in rapid succession. The first problem arises when the Chaplain entered the 500 pod unescorted and failed to ensure that the door was secured behind him. This allowed the inmate to simply exit into the 500 Sally Port area. Once in the Sally Port area the inmate simply pressed the button to notify the CT's that he was at the door. The next failure arises when the CT opened the door without verifying who was at the door. Once the door was open the inmate exited the Sally Port and started walking down the 500 corridor. The CT's recognized their mistake immediately and were able to have the inmate secured within just a minute or two.

CD Wallschlager, who was providing security for the nurse in 502B, stated that he heard the door shut and thought it was secure so he did not check it. His responsibility at this point was to provide security for the nurse, not to facilitate the movements of the Chaplain.

As his actions did not play a role in this incident, I recommend the allegations against **Timothy Wallschlager** be closed as follows:

Section 400.04, Substandard Performance – “Not Sustained.”

Section 600.22E, Pod Control– “Not Sustained.”

Although there were two Corrections Technicians working in the Control Room when this incident occurred, only one has any culpability in this incident. CT Cook stated that she simply failed to verify who was at the door when she heard the buzzer go off. She unlocked the corridor door before she recognized that an inmate had pushed the button.

As CT **Shavonne Cook** has acknowledged that she improperly opened the corridor door, I recommend the allegations against her be closed as follows:

Section 400.04, Substandard Performance – “Sustained.”
Section 600.22E, Pod Control– “Sustained.”

As her actions did not play a role in this incident, I recommend the allegations against **Erica Pryce** be closed as follows:

Section 400.04, Substandard Performance – “Not Sustained.”
Section 600.22E, Pod Control– “Not Sustained.”

VII. Enclosures

- A. Authorization Memo for Case Number 2016-CI-009
- B. Notice of Administrative Investigation X3 (Wallschlager, Cook, Pryce)
- C. Administrative Investigative Warning X 3 (Wallschlager, Cook, Pryce)
- D. 500 Control Room Map Drawn by Pryce

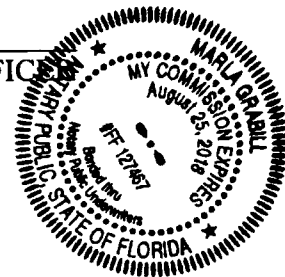
VIII. Oath

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 *Agnt C. W. LaRoche #612*
Agent Charles W. LaRoche #612

Sworn to and subscribed before me, the undersigned authority, and this 7th day of June, 2016.

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





Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: June 16, 2016
TO: Corrections Technician Shavonne Cook
FROM: Chief Michael J. Lewis *ML*
RE: Final Action
 Administrative Investigation 2016-CI-009

A TRUE COPY	
TIME	10:22 P.M.
DATE	6-16-16
BREVARD COUNTY SHERIFF'S OFFICE	
Received By: Shavonne Cook	
<i>Shavonne Cook</i>	
Signature of Employee Served	
Served by:	
<i>LT K Haman</i>	
Signature of Agent/Deputy	
LT K Haman 2016	

Administrative Investigation **2016-CI-009** is now closed. The final action regarding this matter is the determination of sustained charge(s) and the application of appropriate corrective action.

After a review of the administrative investigation, and in consideration of your input at your pre-deprivation hearing on June 15, 2016, I have determined that your actions on April 28, 2016, were in violation of the established policies and standards of the agency. On that date, you opened a secure door before verifying who was at the door. To your credit you immediately recognized that an inmate had exited through the open door into the corridor, you immediately notified your supervisor and the inmate was returned to the housing unit without incident. During your hearing you displayed a positive attitude and took full responsibility for your actions. After reviewing your work history with Major Dodson and Major Tomblin, I am confident that this event was a one-time only occurrence that will not occur again.

Therefore, based on my review, I am sustaining a single violation of **600.22E Pod Control**. The allegation that you were in violation of **400.04 substandard Performance** shall be closed as **"Not-Sustained."**

As a corrective action you will receive a **Letter of Reprimand**. You are forewarned that any subsequent violations could lead to progressive discipline up to, and including, termination. *This memorandum will serve as your Letter of Reprimand.*

cc: Major Tomblin
 Major Dodson
 Human Resource Manager Gillis
 Investigative File 2016-CI-009



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

TO: Corrections Deputy Timothy Wallschlager
FROM: Chief Michael J. Lewis
DATE: June 16, 2016
RE: Command Inquiry
2016-CI-009

A TRUE COPY	
TIME	<u>2:25 PM</u>
DATE	<u>22 June 2016</u>
BREVARD COUNTY SHERIFF'S OFFICE	
Received By:	Timothy Wallschlager
	<i>[Signature]</i>
Signature of Employee Served	
Served by:	<i>[Signature]</i>
	<i>LT. J. Wall</i>

Command Inquiry 2016-CI-009 was initiated in response to allegations that you may have violated Brevard County Sheriff's Office policies and procedures. That investigation determined that your actions were in-compliance with policy and the allegations against you will be closed as **"Unfounded."**

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-009 Investigative Report

cc: Investigative File 2016-CI-009



Brevard County Sheriff's Office
Titusville, Florida

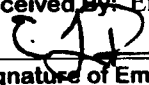
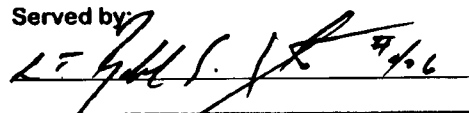
MEMORANDUM

TO: Corrections Technician Erica Pryce

FROM: Chief Michael J. Lewis

DATE: June 16, 2016

RE: Command Inquiry
2016-CI-009

TRUE COPY	
TIME <u>2:10 PM</u>	
DATE <u>22 June 2016</u>	
BREVARD COUNTY SHERIFF'S OFFICE	
Received By: Erica Pryce	
	
Signature of Employee Served	
Served by: 	

Command Inquiry 2016-CI-009 was initiated in response to allegations that you may have violated Brevard County Sheriff's Office policies and procedures. That investigation determined that your actions were in-compliance with policy and the allegations against you will be closed as **"Unfounded."**

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- 2016-CI-009 Investigative Report

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