



Brevard County Sheriff's Office
Titusville, Florida

To: Chief Michael J. Lewis
From: Agent Charles LaRoche, Staff Services Unit
Date: August 19, 2016
Re: Command Inquiry 2016-CI-022

I. Summary:

At 2135 hours on July 28, 2016, Mr. Donald Rich was booked into the Brevard County Jail Complex on charges from two separate criminal incidents that occurred in the city of Titusville. Both of the incidents involved shop lifting incidents at the same business and they were both written by the same officer. Reviewing the arrest affidavits, they are very similar as far as charges, location of arrest and offense charged. As they are both for the same type of offense at the same location, the narratives are almost a "copy and paste" of each other. The case numbers for the two affidavits are also very close to each other with only the last digit being different, one is 2016-0004252 and 2016-0004254. At first glance it would be easy to mistake the second affidavit as a copy of the first.

At approximately 0159 hours on July 29, 2016, Mr. Rich secured bond and was released from jail. At 0210 hours, Brevard County Clerk Jamie Scoles contacted the Unit One supervisor, Sergeant Christopher Martinez, and asked him about Mr. Rich's release. Ms. Scoles noticed that Rich was released on a \$2,000 bond but his arrest affidavits reflected two criminal cases, each with a \$2,000 bond for a total bond of \$4,000. Martinez quickly called Rich, as well as his bondsman, and he returned to the jail and posted the proper bond.

After reviewing the intake and releasing process for Rich, it was determined that Booking Technician Sierra Wilson had failed to input the information from the second arrest affidavit into AEGIS. None of the other personnel involved in this release caught this mistake until Jamie Scoles got the paperwork. Because of the original failure, Rich's bond was posted at half of what it should have been. After his bond was posted and the releasing process started, Corrections Deputy Felicia Brown reviewed the paperwork and failed to identify that it was two separate charging documents, as a result, she failed to notice the second charge and that the bond posted did not match the arrest affidavits.

RECEIVED w/ BONDING
PRE-DEP SR. MARTINEZ
L.O.R. BT S. WILSON
C.D. F. BROWN
998-2310

After her part of the process was completed it was reviewed by Sergeant Martinez, who also failed to catch the error originally made by Wilson.

Minutes after Rich was released, the error was caught by Scoles who contacted Sgt. Martinez. Sgt. Martinez acted quickly and was able to get Rich back to the jail complex along with his bondsman where they posted bond on the second charge.

As these events were occurring, Sgt. Martinez made Lieutenant Brock Maggie aware of that was happening. Lt. Maggie authored a memorandum outlining this incident. Based on these concerns, a command inquiry was authorized by Chief Michael J. Lewis.

II. Possible Policy Violations

400.04 – Substandard Performance
600.09D – Releasing Procedures

III. Subject Employees

Matthew Olka
Corrections Deputy
Brevard County Jail Complex

On August 15, 2016 Agent James Landen and I made contact with Corrections Deputy Matthew Olka 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. Deputy Olka requested to be interviewed right away waived his right to have a representative of his choice present for an interview. He did read over the case file prior to the interview. The following are details of that interview:

Deputy Olka looked over the releasing packet and saw that he was the one that scanned in the arrest affidavits. He requested we print out the unaltered arrest affidavits from AEGIS Corrections as well. Deputy Olka stated that he does not remember this inmate specifically but follows the same process every time he received someone. He explains his intake process as follows:

- Take paperwork from officer or deputy to include arrest affidavit, property card, victim notification card (if necessary), citations, and any other supporting documents.
- Place paperwork into a Global Jacket. If inmate already has one, he adds it to the file. If the inmate has not previously been arrested, he creates a new jacket. Olka stated

that based on the CID number that is assigned to the inmate in this case, he already had a global jacket.

- Print the inmate's D.A.V.I.D. record, review the supervised population page in AEGIS to see if the inmate is currently out of felony bond, EFACTS for current felony cases, and runs their name for any outstanding warrants.

- Review the arrests affidavit(s) and write the date and time in the "Jail Date" and "Jail Time" portion of the affidavit. He stated if there is more than one arrest affidavit, he normally only writes this information on the first one since the whole packet stays together. He stated that some other Corrections Deputies write it on all arrest affidavits.

- From there, Deputy Olka inputs information concerning level of offense (Felony/ Misdemeanor/ Ordinance Violation). Property is then input as well as what items were issued (toiletries, uniform, blankets).

- After all that is complete, he scans in all documents. They are sent to the booking technician and the Unit One supervisor (Sergeant Martinez). He stated that once all the documents are scanned and emailed, he has no further involvement with them. Olka stated that it is not his responsibility to input the bond amounts or the number of charges into AEGIS, that task falls to the Booking Technician.

It was later confirmed that the input of the number of charges and bond amounts into AEGIS does fall on the booking technician.

I asked Deputy Olka what could be done to prevent this from happening again in the future. He thought there might be a way to notify the booking technician of how many total charges there are on an individual. This may require some modification to the AEGIS system or it could be something as simple as writing it on the front page of one of the documents.

Sierra Wilson
Booking Technician
Brevard County Jail Complex

On August 15, 2016 Agent James Landen and I made contact with Corrections Technician Sierra Wilson 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. Wilson requested to be interviewed right away and waived her right to have a representative of her choice present for an interview. She did read over the case file prior to the interview. The following are details of that interview:

Wilson stated that when she is receiving an inmate into the AEGIS system, she has two monitors that she views. One is set in "landscape mode" and that is used to enter the data.

The other is set in "portrait mode" to view the arrest affidavits, this is done so they are closer to the actual size of the original as the booking technician no longer gets paper documents, only scanned versions emailed to them. She normally reviews the arrest affidavits on one screen while inputting the data into the other. Wilson stated that she must not have seen the second arrest affidavit for Rich. She stated she remembered the incident because she remembered he had to be called back to bond out. She could not recall if she was distracted from her entry duties while in progress or just missed the second affidavit. Wilson took full responsibility for her actions.

Wilson stated that because the booking tech no longer gets the actual paperwork, it seems easier to lose your place when scrolling through affidavits on the computer rather than flipping through the pages. She speculated that this may be the reason she missed the second arrest affidavit.

Felicia Brown
Corrections Deputy
Brevard County Jail Complex

On August 15, 2016 Agent James Landen and I made contact with Corrections Deputy Felicia Brown 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. Brown requested to be interviewed right away waived her right to have a representative of her choice present for an interview. She did read over the case file prior to the interview. The following are details of that interview:

Brown stated that when she receives a releasing packet for an inmate, she looks over several lines on the arrest affidavits and compares information such as name, DOB, SSN, POB, number of charges, and bond amounts. In the case with inmate Rich, she looked over the package as normal, she thought the second affidavit was a duplicate of the first. Due to the subtle differences in the affidavits, she did not catch the fact that they were two different occurrences and continued to process him out after he posted bond on only one charge.

Looking over the arrest affidavits now, Brown saw the differences in the narrative, case report numbers, and offence dates. She stated that since this incident occurred, she has been double checking the case report numbers to see if a second affidavit is a copy or different case altogether. From there, she makes sure the bond amount coincides with what is on the arrest affidavits.

Christopher Martinez
Corrections Sergeant
Brevard County Jail Complex

On August 15, 2016 Agent James Landen and I made contact with Corrections Sergeant Christopher Martinez 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. Sgt. Martinez requested to be interviewed right away waived his right to have a representative of his choice present for an interview. He did read over the case file prior to the interview. The following are details of that interview:

Sgt. Martinez stated he was the supervisor of the booking room when Rich was processed into the jail. He remembered seeing two arrest affidavits that were scanned into the system by Deputy Olka. When it came time for Rich's release, he reviewed the packet completed by Brown, he overlooked the second affidavit during the releasing process and signed off on it. *Rich was received in at 2135 hours on 7/28/16 and released at 0159 hours the following morning, approximately 4.5 hours later.*

Right after Rich was released, Sgt. Martinez stated he was contacted by one of the court clerks and notified that the charges were entered incorrectly. He immediately contacted Lieutenant Maggie and informed him of the release. Sgt. Martinez then called Rich and let him know the situation and asked him to return to the jail, Rich agreed and came back within minutes. Martinez also called Rich's bondsman who also returned to the jail.

IV. Summary and Recommendations:

The following is a detailed summary of the key points of this investigation:

Mr. Rich was brought to the Brevard County Jail Complex by Titusville Police Department and processed in by Deputy Olka. According to policy and procedures of the booking process, Olka completed this task properly and did not violate any policies.

Based on the results of this investigation I recommend the following administrative charges against **Corrections Deputy Matthew Olka** to be closed as follows:

Section 400.04, Substandard Performance – "Exonerated"

After Olka scanned in the documents and they were sent to Wilson for input into AEGIS, she failed to notice the second arrest affidavit. This oversight allowed Rich to bond out of the jail on only one of his two charges.

Based on the results of this investigation I recommend the following administrative charges against **Booking Technician Sierra Wilson** to be closed as follows:

Section 400.04, Substandard Performance – “Sustained”
Section 600.22S, Booking Technician – “Sustained”

After Rich secured bond, Deputy Brown began the releasing process. She failed to detect the oversight made by Wilson and continued to process Rich out. Deputy Brown noticed the second arrest affidavit but thought it was a duplicate of the first without checking over unique markers such as case report numbers.

Based on the results of this investigation I recommend the following administrative charges against **Corrections Deputy Felicia Brown** to be closed as follows:

Section 400.04, Substandard Performance – “Sustained”
Section 600.09D, Releasing Procedures- “Sustained”

After Deputy Brown completed her portion of the releasing process, she turned it over to Sgt. Martinez for final approval. Sgt. Martinez also missed the mistake made by Wilson and approved the release of Rich. Once Sgt. Martinez was made aware of the bad release, he took swift and appropriate action and was able to resolve the matter within approximately one hour of the release.

Based on the results of this investigation I recommend the following administrative charges against **Corrections Sergeant Christopher Martinez** to be closed as follows:

Section 400.04, Substandard Performance – “Sustained”
Section 600.09D, Releasing Procedures- “Sustained”

- V. Enclosures**
- A. Releasing Packet**
 - B. Authorization Memo**
 - C. Notice of Administrative Investigation**
 - D. Administrative Investigative Warning**
 - E. Copies of Original Arrest Affidavits**

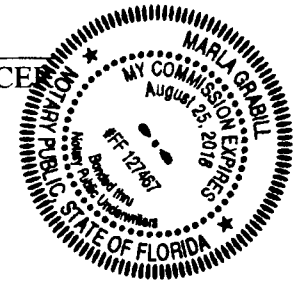
VI. Oath

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 Agx Ch. LaRoche #612
Agent Charles W. LaRoche #612

Sworn to and subscribed before me, the undersigned authority, and this 19th day of August, 2016.

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





Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: September 1, 2016
TO: Sergeant Christopher Martinez, ID# 885
FROM: Chief Michael J. Lewis *MJL 9/1*
RE: Final Action
Administrative Investigation 2016-CI-022

A TRUE COPY	
TIME	<u>5:45</u> <u>AM.</u>
DATE	<u>9-2-16</u>
BREVARD COUNTY SHERIFF'S OFFICE	
Received By:	<u>Christopher Martinez</u> <i>885</i>
Signature of Employee Served	<i>[Signature]</i>
Served by:	<u>Major James Dodson</u> <i>373</i>
Signature of Agent/Deputy	<i>[Signature]</i>

Administrative Investigation **2016-CI-022** is closed. The final action regarding this matter is the determination of sustained charges and the application of appropriate corrective action.

After a review of the administrative investigation, and in consideration of your input during your pre-deprivation hearing, I have determined that you failed to ensure proper oversight of the inmate releasing procedures that led to the improper release of an inmate from the jail.

During your pre-deprivation hearing on August 25, 2016 you accepted accountability for the oversight, and you assured me this will not occur again. As a result of my review, I am sustaining the following policy violations: **400.04, Substandard Performance, and 600.09(D), Release Procedures.** Based on your work ethic and past history with the Brevard County Sheriff's Office, you were promoted to Sergeant on January 16, 2016. Based on the limited time you have been in your role as a supervisor, as well as the amount of confidence your chain of command has in you, I have significantly mitigated your proposed discipline down to a **Letter of Reprimand.** This action will be taken into consideration at any future hearings as well as your End of Probation Review.

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

cc: Major Tomblin
Major Dodson
Human Resource Manager Gillis
Investigative File 2016-CI-022



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

TO: Corrections Deputy Felicia Brown
FROM: Chief Michael J. Lewis *(ML)*
DATE: August 25, 2016
RE: Final Action
Administrative Investigation 2016-CI-022

A TRUE COPY	
TIME <i>6:46</i>	P.M.
DATE <i>8-25-16</i>	
BREVARD COUNTY SHERIFF'S OFFICE	
Received By: Felicia Brown	
<i>[Signature]</i>	
Signature of Employee Served	
Served by: <i>[Signature]</i> * 313	
Signature of Agent/Deputy	

Administrative Investigation 2016-CI-022 is now closed. The final action regarding this matter is the determination of sustained charges and the application of appropriate corrective action.

The administrative investigation determined that a booking technician failed to enter the proper number of charges and bond amount for an inmate that was booked into the jail on July 28, 2016. As a result of this mistake the inmate was mistakenly released on bond from custody on one of his charges, but not the second. Being assigned to the releasing unit, it is imperative that mistakes such as this one are caught before the inmate is released. The mistake you made was not to catch the error made by the booking technician and correct it before the inmate was released. It is evident that this oversight is not reflective of your employment history as you have no previously documented discipline. Based on my review of the completed investigation I have determined that your actions in this matter were in violation of **General Order 600.09D, Release Procedures and 400.04, Substandard Performance.**

Agent LaRoche has reported to me that you have displayed a positive attitude during this investigation and have taken responsibility for your actions in this matter. Based on your positive attitude and acceptance of responsibility, I have decided to mitigate the potential disciplinary action in this matter down to a **Letter of Reprimand.**

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

cc: Manager Lisa Gillis, Human Resources
Investigative File 2016-CI-022



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

TO Booking Technician Sierra Wilson
FROM: Chief Michael J. Lewis *[Signature]*
DATE: August 25, 2016
RE: Final Action
Administrative Investigation 2016-CI-022

A TRUE COPY	
TIME	1930 pm hrs M.
DATE	8/25/16
BREVARD COUNTY SHERIFF'S OFFICE	
Received By: Sierra Wilson	
<i>[Signature]</i>	
Signature of Employee Served	
Served by: Lt Kelly Haman # 269	
<i>[Signature]</i>	
Signature of Agent/Deputy	

Administrative Investigation 2016-CI-022 is now closed. The final action regarding this matter is the determination of sustained charges and the application of appropriate corrective action.

The administrative investigation determined that you failed to enter the proper number of charges and bond amount for an inmate that was booked into the jail on July 28, 2016. As a result of this mistake the inmate was mistakenly released on bond from custody on one of his charges, but not the second. Being assigned to the booking unit, it is imperative that mistakes such as this one are prevented and the arrest affidavit information is input properly to AEGIS. It is evident that this oversight is not reflective of your employment history as this is your first administrative investigation. Based on my review of the completed investigation I have determined that your actions in this matter were in violation of **General Order 600.22S, Booking Technician and 400.04, Substandard Performance.**

Agent LaRoche has reported to me that you have displayed a positive attitude during this investigation and have taken responsibility for your actions in this matter. Based on your positive attitude and acceptance of responsibility, I have decided to mitigate the potential disciplinary action in this matter down to a **Letter of Reprimand.**

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

cc: Manager Lisa Gillis, Human Resources
Investigative File 2016-CI-022



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

TO: Corrections Deputy Matthew Olka
FROM: Chief Michael J. Lewis *MLJ 29*
DATE: August 25, 2016
RE: Command Inquiry
2016-CI-022

A TRUE COPY	
TIME	<u>6:55AM</u>
DATE	<u>8-25-16</u>
BREVARD COUNTY SHERIFF'S OFFICE	
Received By: Matthew Olka	
<i>[Signature]</i> + <i>LOK</i>	
Signature of Employee Served	
Served by: <i>[Signature]</i>	
<i>Major D. 313</i>	
Signature of Agent/Deputy	

Command Inquiry 2016-CI-022 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 400.04 *Substandard Performance*, is "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-022 Investigative Report

cc: Chief Michael Lewis
Investigative File 2016-CI-022