



Brevard County Sheriff's Office
Titusville, Florida

To: Chief Deputy Doug Waller

From: Agent Charles LaRoche, Staff Services Unit

Date: January 5, 2017

Re: Administrative Investigation (2016-CI-032)

Deputy William Gleason (ID #2219)

Corporal Justin Hope (ID # 1278)

I. Summary:

On November 12, 2016, Officers with the Titusville Police Department were conducting an investigation into an alleged **Battery-Domestic Violence** incident that occurred on Rock Pit Road in the city of Titusville (Refer to TPD case 2016-00062907). As the first officer arrived on scene, a male matching the description of the suspect fled the area on foot after being verbally addressed by the officer. After a subsequent foot pursuit, a perimeter was set up with approximately nine Titusville Police Officers. As part of their apprehension efforts, TPD requested assistance from the Brevard County Sheriff's Office and asked for patrol deputies as well as the Sheriff's Tactical Air Response (S.T.A.R.).

Upon arrival of the S.T.A.R. unit, a heat source was detected at the rear of 1551 Garden Street and they directed deputies/officers from the perimeter to that location. TPD Officer Diarmuid McGrory went to the rear of the building and located the suspect and addressed him verbally and with his Conducted Electrical Weapon (CEW) or Taser. The suspect was lying in a prone position against the wall where his left arm was concealed, and his right arm was visible, but his right hand was concealed under his head.

McGrory announced the location of the suspect over the radio. Moments later a second TPD Officer, Austin Reedy, as well as BCSO Corporal Justin Hope arrived at the rear of the building. Reedy drew his Taser and verbally addressed the suspect. Hope drew his firearm and verbally addressed the suspect. The suspect, later identified as Mr. Jason Stewart, was being passively resistant by ignoring the orders and commands to show the officers his hands. A few seconds later, Deputy William Gleason arrived at the rear of the building to assist. Gleason immediately went hands-on with the suspect, jumping on top of Stewart to secure him. During this process Gleason also delivered a closed hand strike

Handwritten notes:
157
1/5/17
*Concluded with
Fingerprints

to the suspect's shoulder. At that time, the four LEO's on-scene were able to gain control of the suspect and place him into handcuffs.

As Stewart was being escorted to the front of the building, he turned his head to the left and spit in Gleason's face, hitting him in the eye. Gleason immediately pushed Stewart's head to the right so as not to be spit on again, and escorted him to the ground. While Stewart was on the ground, Gleason held his face pointed away from him while McGrory held his legs. While this occurred, Hope is heard telling Stewart to apologize for spitting on Gleason. After Stewart settled down and his compliance was gained, he was transported to Parrish Medical Center for medical attention as he sustained an abrasion to the left side of his face when he was taken to the ground.

Officers McGrory and Reedy, believing that the actions taken by Deputy Gleason and Corporal Hope were an inappropriate use of force, notified their supervisor, Sergeant T.J. Wright, who then informed TPD Lieutenant Josh Little. Lt. Little informed BCSO Lieutenant Stephen Fernandez and Sergeant Craig Adelman and requested they meet at Titusville Police Department.

Lieutenant Fernandez met and collected Body-Worn Camera (BWC) footage from Lieutenant Little that evening and authored a memorandum, summarizing the events as described by TPD. The memo was directed to Commander James Woolsey who forwarded the memorandum to Chief Deputy Douglas Waller.

Chief Waller then authorized an Administrative Investigation be conducted.

II. Possible Policy Violations

- 400.00 General Professional Responsibilities
- 400.06 Compliance with Law and Regulation
- 400.00 Conduct Toward the Public
- 500.76 Response to Resistance

III. Witnesses

Stephen Fernandez
Deputy Lieutenant
Brevard County Sheriff's Office

On November 18, 2016, I conducted a sworn, audio recorded interview with Lieutenant Fernandez at the West Precinct. The following is a summary of that interview:

On the night of November 12, 2016 Fernandez was acting as the Countywide Watch Commander. He received a telephone call from Sergeant Adelman, who informed him that Gleason had been spit on while assisting Titusville Police Department during the

apprehension of a suspect. Fernz instructed Adelman to have Gleason sent to the hospital to be medically cleared as part of an Exposure Incident due to the transfer of bodily fluids of Stewart to Gleason. After speaking with Adelman and getting more details of the incident from him, Gleason, Hope and Fernz headed towards the hospital to make contact with TPD and Mr. Stewart. While en route, Fernz received a telephone call from TPD Lieutenant Josh Little who stated he spoke with TPD Sergeant T.J. Wright. Little told Fernz that there were concerns with Gleason's actions during the apprehension and arrest of the suspect. The officers expressed their opinion that Gleason used too much force for the incident and Wright wanted to meet with Fernz and discuss the incident.

Fernz stated that when he arrived at Titusville Police Department and met with Wright, a few of the officers were there downloading their BWC footage. Fernz asked Officer Reedy for a quick briefing so that he could express his concerns. Fernz stated Reedy appeared uncomfortable and stated "It is what it is" and asked Lt. Fernz to review the footage. None of the Titusville Officers provided Fernz an official statement at that time.

Fernz collected the BWC footage from Officers McGrory, Reedy, and Rodriguez and returned to the North Precinct and reviewed them again. After reviewing the videos, he notified Commander Woolsey of the incident.

After reading Gleason's case report and Response to Resistance form (BCSO 500.76F), and reviewing the BWC footage, Fernz's conclusion was that Gleason's actions did not appear to be in compliance with BCSO Response to Resistance policy and reported his findings via his chain of command, requesting further investigation.

Craig Adelman
Deputy Sergeant
Brevard County Sheriff's Office

On November 22, 2016, I conducted a sworn, audio recorded interview with Sergeant Adelman at the North Precinct. The following is a summary of that interview:

On November 12, 2016, BCSO dispatch called him and informed him that the Titusville Police Department was requesting assistance from BCSO in the form of patrol deputies to assist in the apprehension of a wanted suspect. Adelman agreed and directed the response of Corporal Hope and Deputy Gleason. He stated a short time later, he heard on the radio that the suspect had been located and arrested.

Shortly after the suspect was arrested, Hope called Adelman by telephone and informed him that Gleason was spit on by the suspect during the incident and they needed to implement the exposure control plan due to the saliva making direct contact with Gleason's eye.

While Adelman was completing some of the required documentation for the Exposure Incident, Gleason began complaining of some pain to his right arm. Adelman asked if there was a use of force with the incident. Gleason explained that he may have made contact with his flashlight and the suspect (Stewart) when taking him to the ground after being spit on. Adelman instructed Gleason to complete a case report and Response to Resistance Form.

**Austin Reedy
Police Officer
Titusville Police Department**

On November 21, 2016, I conducted a sworn, audio recorded interview with Officer Reedy at the Titusville Police Department. The following is a summary of that interview:

Reedy stated that when TPD case 2016-62807 was dispatched, he was on a different call for service. He stated he recalled hearing Corporal Werring call out a foot pursuit shortly after arriving on scene. Due to the low priority nature of the call he was on, as well as the close proximity, he left his call and responded to 62807 as a back-up officer. Reedy stated Werring reported the suspect was travelling northbound on foot and a perimeter was started. Reedy initially took up a position at Garden Street and Forrell Avenue. Later on, he shifted approximately three buildings to the east and was in the vicinity of 1551 Garden Street.

While on perimeter, Reedy stated dispatch gave out information about the suspect to include his name, physical description and his known propensity of violence toward law enforcement officers.

When S.T.A.R. directed McGrory to a heat source behind a building on Garden Street, Reedy kept his position on perimeter. When McGrory radioed that he located the suspect, Reedy rushed to the rear of the building to assist. He stated he saw McGrory standing with Taser in hand and addressing the suspect, who at that time appeared to be sleeping or pretending to be asleep. Reedy stated he could not see the suspect's hands and started issuing commands for the suspect to show his hands. Reedy had his Taser drawn at this time as well. Reedy stated that he did not know if the suspect was armed at the time and instinctively drew his Taser instead of his handgun or going hands-on.

I asked Reedy when he or McGrory would have taken the suspect into custody if Gleason had not intervened. Reedy stated that he would have deployed his Taser on the suspect.

Reedy described the "Knee spike" that Gleason allegedly used on the suspect. He stated Gleason entered his field of view quickly from his right and landed a knee spike in the middle of the suspect's back. Reedy was not able to give any more detail and could not recall which knee Gleason used. I asked Reedy if he felt the actions taken by Gleason were an appropriate use of force, he stated, "Well, it surprised me and I wasn't expecting it."

Reedy stated that he was trained that if he could not see a suspect's hands in a case like this, he would not have gone hands-on.

I then asked Reedy to describe the closed hand strike that he alleged Gleason used on the suspect in his report. Reedy was not able to further explain the strike or confirm if it even made contact with the suspect.

I then asked Reedy about another use of force incident in his report where he described a "Foot strike to the area of Stewart's head" that was allegedly used by Corporal Hope. Reedy stated the technique was a "foot rake" or "stomp," but he could not further elaborate. He was also unable to confirm if the foot strike even made contact with the suspect. When asked about how much force was used by Hope during this strike, Reedy stated it was not a very forceful attempt and said it could have even been incidental contact. Reedy also stated his attention was not on Hope's actions at the time because he was still approaching the suspect and attempting to gain control of his right hand.

Reedy stated that after the suspect was detained in handcuffs, he started being 'mouthy' to all the law enforcement officers on scene. In the BWC footage, Stewart is heard yelling "Pussy ass crackers" several times over and over. It is unclear who, if anyone directly, he is yelling this to. I asked Reedy why the defendant's actions were not documented in his case report, he stated he unintentionally omitted it.

Reedy stated he and Gleason picked up the suspect and began walking him around to the front of the building. While walking the suspect, Gleason verbally engaged with the suspect. He did not recall what Gleason was saying, just that he was arguing with him. When they got to the side of the building, Reedy observed the suspect spit in Gleason's face.

While Gleason was taking the suspect to the ground, he realized that he (the suspect) was helpless and possibly going to fall on his face due to being handcuffed behind his back. Reedy stated he slowed the suspect down by holding on to his right arm. After the suspect was on the ground, Reedy stated Gleason kept his knee on the back of the suspect's neck or head. While on the ground, Reedy stated the suspect was still being 'mouthy' but as far as he could tell, he was not resisting or trying to pull away.

After compliance was gained from the suspect again, Reedy left the scene and started taking calls for service again. He stated he had no further contact with the suspect.

Timothy Werring
Police Officer/ Corporal
Titusville Police Department

On November 21, 2016, I conducted a sworn, audio recorded interview with Corporal Werring at the Titusville Police Department. The following is a summary of that interview:

Werring stated he was the first officer to arrive on scene for TPD case 2016-62807. Prior to his arrival, dispatch relayed that the victim stated that her ex-boyfriend, Jason Stewart, had struck her with his fist. Dispatch also provided a physical and clothing description of the suspect as he was said to have left the residence. Werring stated that when he arrived at the residence, there was a female outside who was yelling at a male who appears to be trying to hide behind a mailbox unit. Werring stated he began walking toward the male, who matched the description given by dispatch. The male immediately fled on foot, northbound. After running through several yards and scaling a fence, Werring decided to set up a perimeter and request K-9 assistance. He stated the suspect was seen by another officer and fled from them as well. A short while later S.T.A.R. located the suspect behind a business on Garden Street and directed an officer to the location. Werring stated that while Reedy, McGrory, Gleason, and Hope were addressing the suspect, he was still in the back yard of the residence located directly behind them. There is a concrete wall, approximately 5' tall that Werring scaled to get to the location but the suspect was being secured when he arrived. Werring felt that due to the fact there were four law enforcement officers detaining the suspect, he did not need to assist. Werring spotted his supervisor, Sergeant T.J. Wright, who just pulled up on scene and walked over to speak with him. Werring stated he did not see anything that happened during the apprehension.

I then asked Werring about the criminal charges he had for the suspect. He stated that due to the fact that the suspect ran from him as soon as he addressed him, he had probable cause for arrest for **Resisting an Officer without Violence**. Werring stated that due to the fact that he gave chase, he did not make contact with the alleged victim until after the suspect was apprehended. Werring stated he assumed he would obtain probable cause for **Battery Domestic Violence** after he made contact with her.

Werring stated that after he spoke with Wright, he heard someone spit. He turned his head to see who it was and saw Gleason push the suspect's head away and his flashlight flying away. He could not say if the flashlight hit the suspect or not. Gleason and the other officers then escorted the suspect to the ground.

Werring then stated that he felt that Gleason's actions were 'excessive' after that point. I asked Werring to be more specific, he replied that after he walked away, he heard Gleason tell the suspect to "Say you're sorry" over and over, while he had the suspect's head on the ground. Werring stated he later saw the abrasion the suspect sustained when he was taken to the ground and, although he had no evidence to support his belief, he assumed that Gleason intentionally caused it.

Werring was not able to comment on the actions of the suspect, Gleason, or Hope at that time since he had walked away. He formed his opinions on what he heard as he was walking away and not what he personally witnessed.

It should be noted that the arrestee, Jason Stewart was additionally charged when found to be in possession of a controlled substance when booked into the County Jail.

Diarmuid McGrory
Police Officer
Titusville Police Department

On November 22, 2016, I conducted a sworn, audio recorded interview with Officer McGrory at the Titusville Police Department. The following is a summary of that interview:

McGrory stated he was the first officer dispatched to TPD case 2016-62807 but was coming from the Police Department. While en route, he heard Werring inform dispatch that he was on scene. Moments later Werring called out that he was in a foot pursuit with the possible suspect. McGrory stated when he arrived in the area, he was directed to set up as a perimeter unit where he remained for most of the call. I then asked McGrory about when S.T.A.R. directed him to the rear of 1551 Garden Street, to a heat source. He stated he walked to the rear of 1545 Garden Street first and walked west from there. When he came to the rear of 1551, he spotted a male matching the description of the suspect, lying on the ground against the wall behind the building. He verbally addressed the suspect and informed dispatch where he was located. Reedy was the next officer on scene and set up to his left, Hope arrived and came to his right side.

McGrory stated the suspect was lying on his stomach with his hands concealed. He and Reedy were issuing verbal commands to the suspect, who was not responding to their commands. McGrory stated that moments later, Gleason entered the area from the left and placed his left knee on the suspect's back and swung a closed fist at his head. McGrory stated that he was not sure if the fist struck the suspect at all.

I then asked McGrory about a sentence in his case report where he stated Hope approached the suspect and kicked him in the head. He stated that Hope used a "toe kick" or "toe poke" in the area of the suspect's head. McGrory stated he was unsure how much force was used but it was not much, he stated it may have even been incidental contact.

After the suspect was placed into handcuffs and was being walked toward the front of the building, McGrory stated he was walking behind them. He observed the suspect turn his head toward Gleason and then saw Gleason's reaction. McGrory did not see the spit but was able to figure out what had happened. McGrory described Gleason's immediate reaction as follows: Gleason swung his left arm toward the suspect's face, while doing so, the flashlight in his hand came out and flew away. McGrory did not believe the flashlight struck the suspect in the face. Gleason's hand impacted the suspect's face and turned it away from him. When he realized Gleason was taking the suspect to the ground, he grabbed his (suspect's) waistband so he did not fall flat on his face. McGrory stated that once the suspect was face down on the ground again, he began to flail his legs and he

(McGrory) had to pin his legs so nobody got kicked. McGrory could not recall any actions taken by Gleason or Hope after that point.

McGrory stated he then left that immediate scene and retrieved his marked patrol car. After the suspect was placed into the back seat, he transported him to Parrish Medical Center. McGrory had no further contact with Gleason or Hope.

In summary, McGrory felt that Gleason's initial actions were not appropriate. He did not believe they were a misuse of force, but he believed that going 'hands-on' at that point was not called for. McGrory again stated he would have deployed his Taser on the suspect who was passively resisting him instead of attempting to gain control of him physically.

McGrory stated that the only thing he thought was inappropriate that Hope did during this encounter was the 'Toe poke' technique. By his own admission, McGrory stated he did not know if Hope's foot contacted the suspect or not.

T.J. Wright
Police Officer/ Sergeant
Titusville Police Department

On November 22, 2016, I conducted a sworn, audio recorded interview with Sergeant Wright at the Titusville Police Department. The following is a summary of that interview:

Wright stated he was the supervisor on duty on November 12, 2016, when this incident occurred. He made the determination to call BCSO and ask for assistance in the form of patrol deputies. When contact was finally made with the suspect, Wright stated he was on the street just south of the location. By the time Wright arrived on scene, the suspect was already in handcuffs and was being placed into a TPD patrol car. Wright did not personally witness the apprehension or the transport of the suspect to the patrol car.

I asked Wright about statements made by Reedy and McGrory about the initial contact with the suspect, where both officers stated they would have deployed their Taser on the suspect before making physical contact with him and then try to place him in handcuffs. Wright stated that action would be in compliance with TPD policy due to the fact that the suspect has a history of violence with law enforcement and he had already fled on foot twice during this encounter.

I then asked if the actions that Gleason took during the apprehension would be in compliance with their policies. Wright stated that would be acceptable, but they would go hands-on as a last resort. Wright stated he is the Defensive Tactics (DT) instructor for the agency and believed Gleason did nothing wrong.

Mark Jennings
Police Officer
Titusville Police Department

On November 22, 2016, I conducted a sworn, audio recorded interview with Officer Jennings at the Titusville Police Department. The following is a summary of that interview:

Officer Jennings is the Taser instructor for the Titusville Police Department. I asked Jennings about the statements made by Reedy and McGrory that they would have deployed their Tasers had the suspect not complied with their verbal commands. He stated that if they had deployed their Tasers, it would not have been in compliance with TPD policy. Jennings provided me with a copy of TPD **General Order 410.5, Dart-Firing Stun Guns**. Paragraph 4(E) Deployment, reads that "*Active Physical Resistance or higher must be encountered before the Taser is deployed.*"

Jennings was not on-scene during the apprehension and transport of Stewart.

Jason Stewart
(Arrestee)

On November 23, 2016, I conducted a sworn, audio recorded interview with Mr. Stewart at the Brevard County Jail Complex. The following is a summary of that interview:

Stewart stated that during the encounter on November 12, 2016, he heard S.T.A.R. flying overhead. He then stopped and waited in place and knew it was just a matter of time before officers located him. Once the first officer got there, Stewart heard the officer starting to yell at him. Stewart stated he was just lying there and did not comply with the orders. Stewart felt that someone landed on him pretty hard, but that he did not feel anything was excessive when he was being handcuffed. Stewart stated he did not remember being struck or kicked in the head at any time.

Once he was being escorted to the front of the building, Stewart believed Gleason said "Boy, you know not to run." Stewart alleged that Gleason called him "Boy" several more times and it upset him. Stewart said he spit in Gleason's direction to let him know he was pissed at him, he claimed he did not spit on Gleason intentionally. Stewart was apologetic for spitting on Gleason.

Stewart stated that after he was taken to the ground, he felt as though Gleason held his head on the ground and told him to "Say you're sorry, Boy", over and over again.

I reviewed the BWC footage and at no time does anyone call Stewart "boy."

IV. Subject Employees:

**William Gleason
Deputy Sheriff
Brevard County Sheriff's Office**

On November 17, 2016, I made contact with Deputy William Gleason 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. The interview was scheduled to take place on Tuesday, November 29, 2016, at 0830 hours at Staff Services.

On November 29, 2016, Deputy Gleason arrived at Staff Services without representation. Prior to the sworn audio recorded interview, Gleason was provided with and reviewed the entire case file, listened to audio files, and watched the BWC footage associated with this investigation. Details of the interview are as follows:

Gleason responded to the area of Garden Street and S. Dixie as a back-up deputy for Titusville Police Department after they requested assistance (TPD 2016-62807). Moments after arriving on scene, he heard S.T.A.R. direct an officer to a heat source behind a building in close proximity to his location. He knew at the time that the suspect was known to have violent tendencies and was on probation for Resisting an Officer with Violence.

Gleason observed McGrory go to the rear of 1545 Garden Street to look for the heat source. Moments later, he heard McGrory on the radio stating he had located the suspect one building west of that location (1551 Garden Street). Gleason was able to hear McGrory yelling at the suspect and began to run to his location. Gleason was following behind Reedy, who was closer to the building at the time. When Gleason got to the rear of the building, he heard both TPD Officers yelling at the suspect, who was lying in a prone position with the left side of his body against the wall. Gleason observed at least one of the officers with a Taser in his hand, but neither was taking any action to take the suspect into custody. He stated that he knew Hope was in the area as well, but did not see exactly where he was positioned. After navigating around a tree and stump, Gleason ran up to the suspect and placed his left knee on his back in order to gain control of the suspect. Gleason stated that it was not a knee strike or knee spike and his knee slipped off to the left side, leaving him straddled over the suspect. Gleason stated he then delivered a distractor strike to the suspect upper left shoulder. In contrast to McGrory and Reedy's statements, Gleason stated he struck the suspect on his upper left shoulder. Gleason knew he did not strike his head because the suspect was wearing a 'puffy' jacket and the blow did not feel like a bone on bone strike as it would feel to the skull, it was a soft impact to the jacket.

Gleason then grabbed the suspect's left wrist. He was unsure how or why the left arm went over the shoulder instead of behind the suspect's back, but it was not an intentional action. Gleason stated he held the left arm and waited for the TPD Officers to interject and take

the suspect into custody. Eventually the officers were able to gain control of the suspect's right wrist and place him into handcuffs.

Based on comments written in Reedy and McGrory's case reports, I asked Gleason if he observed Hope kick or deliver a 'foot strike' to, or in the vicinity of, the suspect's head. Gleason stated he did not see anything like that occur.

After the suspect was secured in handcuffs, Gleason stated he conducted a cursory search of his person for any weapons and located nothing. He assisted in standing the suspect up and then began walking him around to the front of the building. Gleason stated that he doesn't understand why he was seemingly doing all the work to secure the suspect and escort him when it was a TPD case. He stated the suspect began verbally engaging the law enforcement officers on scene at this time, telling them to "Get faster, Bitch" and calling them "Crackers". Gleason stated that he was not professional when speaking with the suspect as they walked. Once they got to the side of the building, the suspect looked directly at Gleason and spit in his eye.

Based on the statement given by Stewart, I asked Gleason if he ever called the suspect "Boy". Gleason stated that he did not. Gleason stated immediately after he was spit on, he reacted to being hit in the face by the spit and automatically reached across his body with his left arm and pushed the suspect's face away from him. He stated he did have his flashlight in his left hand at that time, but believed that when he opened his hand to push the face away, the flashlight came out of his hand and fell to the ground, but it did not strike the suspect. Initially he thought it may have made contact with the suspect, but no other witnesses, to include the suspect, claim the flashlight struck the suspect.

After Gleason pushed the suspect's face away, he immediately escorted him to the ground to gain compliance from him. He stated he placed his left knee on the back of the suspect's neck, with his face pointed away, so the suspect would not have the opportunity to spit on anyone else again. Gleason stated the suspect began twisting his torso and his left knee may have slipped to the back of the suspect's head at that point. Gleason stated that he did not intentionally place his knee in the back of his head and he did not intentionally inflict pain on the suspect.

In the statement provided by Werring, he stated that he believed that Gleason was intentionally inflicting pain and demanding an apology from the suspect for spitting on him. Werring stated that was a conclusion and he was not watching the incident at the time. In fact, it was Hope who was asking for the apology and Gleason was not saying anything at the time. In Stewart's statement, he also felt that Gleason was demanding an apology and inflicting pain to obtain it. Gleason was adamant that he was not inflicting pain and was surprised that the suspect had an abrasion on his face after he was picked up again and escorted to the TPD patrol car. Gleason believed the suspect may have sustained the abrasion on his face while he was 'wiggling around' on what appeared to be a gravel or asphalt ground.

When asked, Gleason stated that he believed all his physical actions and his response to resistance were appropriate for the situation.

I then asked Gleason about his verbal demeanor toward the suspect and if he read over ***BCSO Policy 400.22 Conduct Toward the Public***. Gleason asked if the suspect would be considered as a member of the public due to the criminal nature of the investigation. I advised him that yes, he is still a citizen of the community and should be treated and spoken to in an appropriate manner, despite the criminal investigation. Gleason was then allowed to read over the policy again at that time. Gleason stated his comments were in the heat of the moment and he made no physical threats to the suspect. I asked Gleason about the comment he makes shortly after being spit on where he says "If I get hepatitis or some shit, I'm gonna kill this mother fucker." He stated he did not recall making that comment and thought he said he was going to be upset or 'pissed off'. He stated that the comment was made in the heat of the moment.

I then asked Gleason about the telephone call he placed to the TPD communications center. In that recorded telephone call, he asks the dispatcher for the suspect's driver's license number so he could complete a case report. The dispatcher asked Gleason if he was the one who was spit on, he replied yes. She asked Gleason if the spit missed or only got a little on him, Gleason replied, "No, right in the eye". Gleason explained that he was going to the hospital to get cleared and the dispatcher said she was sorry, Gleason responded "He paid for it though". Gleason stated he did not remember saying that to the dispatcher and did not know until he heard the recorded phone call.

Justin Hope
Deputy Corporal
Brevard County Sheriff's Office

On November 17, 2016 I made contact with Corporal Justin Hope 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. The interview was scheduled to take place on Tuesday, November 29, 2016 at 1300 hours at Staff Services.

On November 29, 2016 Corporal Hope arrived at Staff Services without representation. Prior to the sworn audio recorded interview, Hope was provided with and reviewed the entire case file, listened to audio files, and watched the BWC footage associated with this investigation. Details of the interview are as follows:

Hope stated when he responded to the call from TPD, requesting assistance from deputies, he set up on the northern perimeter on Garden Street. He arrived just minutes before S.T.A.R. pointed out the heat source behind 1551 Garden Street. Over the radio, Hope heard the officer stated that he had locate the suspect there. Hope stated he went around to the rear of the building and heard the TPD officers yelling at the suspect, who is lying on

the ground with his left arm concealed. Hope stated that the way the suspect was holding his arms raised his threat level. Once Gleason made his move and went hands on, Hope stated he and the TPD officers approached and attempted to detain him.

I asked Hope if he saw any sort of knee spike delivered by Gleason, he stated he saw Gleason come down on the suspect, but he did not think it was excessive or unwarranted to gain control of the suspect. I then asked Hope if he observed Gleason deliver a closed hand strike to the suspect's head. He stated Gleason did use a closed hand technique, but it was not to his head, Hope believed it landed on the upper part of the suspect's shoulder.

I then questioned Hope about the allegations made by Reedy and McGrory about a kick to the suspect's head. Hope stated as he was approaching the suspect, he observed the suspect look down toward the area of his waist. Hope stated that due to the fact that he was previously informed the suspect would probably fight and had a history of violence, coupled with the fact that one of his hands was still concealed under his torso, Hope believed he may have had some sort of weapon in his waistband that he was about to reach for. Hope stated he then placed his foot in the area of the suspect's forehead to block his view of what he was looking toward as well as come between his face and his right hand, which was still unsecured. Hope stated his intent was not to kick the suspect in the face, but believed he may have made incidental contact. Hope stated other than helping to gain control of the suspect's right arm, he had no other physical contact with him.

While the suspect was being escorted to the front of the building, Hope stated he was walking behind and to the left of Gleason. He stated he saw the suspect spit on Gleason, who immediately took him to the ground. Hope stated Gleason placed his shin on the area of the back of the suspect's head in such a way that he could not turn his head and spit on anyone else. Hope stated the suspect was still kicking his legs while on the ground and believed that he may have caused the additional pain on himself by doing so.

I then asked Hope about the statements he was making on the BWC to the suspect while he was on the ground. In the footage, Hope is heard telling the suspect to "Say you're sorry", over and over. Hope did not have a reason or excuse as to why he would demand an apology and stated it was a serious lapse of judgement.

Hope stated that other than his and Gleason's verbal demeanor toward the suspect, he felt that all physical actions he and Gleason did were within policy and warranted.

V. Other Investigative Efforts

Timeline of Events

1959 hours: 911 call placed to TPD dispatch
2000 hours: Call dispatched to McGrory
2006 hours: Werring received dispatch, en route to call

2009 hours: Werring arrived on scene, called foot pursuit immediately. Perimeter set up
2035 hours: Suspect seen again inside perimeter, fled on foot again
2040 hours: TPD phoned BCSO dispatch, requested assistance
2049 hours: Hope and Gleason arrived on scene at Garden Street
2051 hours: S.T.A.R. directed Reedy to heat source
2053 hours: Suspect taken into custody

When the call was initially given to the responding officers, the dispatcher gave some background information about the suspect to include that he was on probation for resisting an officer with violence, approach with caution. This information was repeated at approximately 2023 hours. After Hope and Gleason arrived on scene, it was repeated again.

I reviewed all BWC footage that was provided by Titusville Police Department. The following is a summary of each:

22D_417_Rock_Pit-file 2

This video was captured from McGrory's BWC. It was started at 2051 hours and is 1 minute 42 seconds long. In his interview, McGrory stated the video was stopped on accident during the arrest of Stewart.

At 52 seconds into the video, McGrory is heard telling dispatch he is going behind 1545 Garden Street to check a heat source located by S.T.A.R. At 1:22 into the video, McGrory locates Stewart, who is lying in a prone position with his left arm concealed. McGrory issues a verbal command "Let me see your hands" and draws his Taser. He then informed dispatch he located the suspect. At 1:33 Reedy is heard yelling "Put your hands out now!" Reedy and McGrory both issue three loud and clear verbal commands to Stewart, who does not respond whatsoever.

At 1:38, Gleason enters the video, lands on Stewart's back and uses a closed hand strike on the suspect. I was able to slow this video down and darken the washout of the flashlights. Watching the video in 1/2 time and frame by frame, I was able to tell that Gleason did use a closed hand strike but I cannot tell from this angle where it hit Stewart.

22D_417_Rock_Pit

This video was taken from Officer McGrory's BWC. It is 30 minutes long and is footage from post-arrest when McGrory is driving Stewart to the hospital (4 minutes) and their attempt to have Stewart medically cleared. As soon as McGrory approaches the nurse station, Stewart begins yelling and swearing at him and hospital staff. McGrory had to escort Stewart back to the "Sally Port" area between the emergency vehicle parking lot and the nurses' station. A second attempt was made to check Stewart in at but he continued his irate behavior toward everyone at the hospital.

22D_417_Rock_Pit_Road

This video is directly after the above video and is also taken from McGrory's BWC and is 25:22 in duration. Stewart is calmer in this video and appears to fall asleep for a few minutes.

22D_417_Rockpit_Rd

This is also a video from McGrory's BWC and it is 11:18 in duration. It was started approximately 7 minutes after the above video was stopped. At the beginning of this video, Stewart is escorted out to the parking lot due to his behavior. It appears that at this point, he believes Werring is the person who caused his abrasion and he wants to fight him. After the attending physician comes outside to speak with Stewart, he calmed down again and was allowed to return to the sally port of the hospital. At 8:40 into this video, Stewart was taken to the restroom and saw his abrasion in the mirror for the first time. He immediately became irate again and started cursing at McGrory. Due to his behavior again, Stewart was taken outside of the hospital. While walking him out, Stewart kept cursing at McGrory and Werring and kicked over some unknown equipment. Stewart was placed into the back of Werring's patrol car and the video is stopped.

22D_Battery_LEO_- _Jason_Stewart

This video was captured by Werring's BWC and is 13:33 in duration. In the beginning of this video, Werring is attempting to continue his criminal investigation into the Battery – DV case. He reads Stewart his Miranda Warning and starts asking Stewart questions.

At 3:15 into this video, Stewart begins yelling at Werring and has to be sat back down in a chair in the sally port. Stewart then threatened to spit on Werring's face. He continued his verbal tirade and started yelling at Werring and McGrory to shoot him, yelling "Shoot me" over and over while looking into Werring's BWC. At 7:32 into the video, a nurse enters the sally port and tells the officers to take Stewart outside due to his yelling and cursing.

22D_Battery_LEO_- _Jason_Stewart-file 2

This video was captured by Werring's BWC and is 22:08 minutes in duration. It was taken from the victim's residence after Stewart was taken into custody and was at the hospital. This video is solely the investigation into the Battery –DV complaint.

S52_Suspect_And_1015

This video was captured from Reedy's BWC and is 18:19 minutes in duration. This video is from a perimeter position on Garden Street, close to the area Stewart was apprehended. At 9:20 minutes into the video, Hope approaches Reedy and asks for a name of the suspect. Reedy provides that information as well as Stewart's violent tendencies.

At 12:40 into the video, Reedy begins walking to the rear of a building on Garden Street. Moments later, he begins running when he heard McGrory yelling at the suspect. After he rounds the corner of the building and takes up a position, Reedy draws his Taser and starts issuing verbal commands. After three warnings from him and McGrory, Gleason enters from Reedy's left and lands on Stewart's back. From this camera angle and the video slowed to ½ time and darkened, I can see that the closed hand strike hits Stewart on the top of his right shoulder. This is consistent with Gleason's statement that he thought he hit his shoulder because the blow landed on something 'squishy'. Gleason stated Stewart was wearing a puffy jacket at the time of arrest.

While Gleason is on Stewart's back and trying to get ahold of his left hand, Hope enters the view and approaches Stewart from his head area. At 13:09 into the video, Hope's left foot is seen moving to the area of Stewart's forehead. Before any potential impact is made, something obstructs the camera view and it is not known if his foot makes contact with Stewart's head. Stewart stated in his interview that he does not remember being kicked in the forehead. Furthermore, if Hope's foot did strike his head, the speed at which his foot was moving would have likely not made a significant impact.

While the officers and deputies are attempting to handcuff Stewart, Gleason asks him "Do you speak fucking English, yes or no?" Stewart does not answer but starts groaning. Gleason tells Stewart to stop whining, you can't run that long and then whine. Stewart replies "Get faster bitch, you pussy ass cracker".

As Stewart is being escorted to the front of the building, he repeats over and over "Pussy ass cracker." Gleason is heard replying things such as "yeah" and who's in handcuffs". Gleason is the only one who is talking back to Stewart for this duration.

At 14:20 minutes into the video, it appears that Gleason is taking Stewart to the ground. This is immediately after Gleason is spit on but that is not heard or seen on video. Due to the close proximity of Hope, Gleason, McGrory, and Reedy on the suspect, it is difficult to tell what actions they are taking. While Stewart is heard groaning loudly in pain, Hope asks "Are you done?" three times. He also asks "Are you going to shut your mouth?" Stewart replies that he is done. Hope then says "Say you're Sorry" four times. Stewart keeps saying "I'm done!" and then says "please" several times over and over. Gleason leans over toward Stewart's head and says "We are past please, fucker. You fucking spit in my face and now you want to apologize, fuck off!" Gleason then stated "If I get hepatitis or some shit, I'm gonna kill this mother fucker." Stewart then says "I'm sorry" again, Gleason replies "I'm not."

Other BWC Videos

The remainder of the footage provided by TPD was viewed and deemed to have no investigatory value for this administrative review (virtually all of this footage is TPD's

interaction with the suspect at the hospital or it is footage from perimeter units that had no contact with the suspect).

FLIR video from S.T.A.R.

A review of the FLIR video shows the officers are directed toward the location the suspect was ultimately located. At 2049 hours, an unknown TPD dispatcher is heard speaking to 106D (Hope) and telling him the suspect's name and providing a basic description of the suspect. The dispatcher also informed Hope that the suspect is currently on probation for **Resisting with Violence**. This was transmitted over the radio on TPD-1 channel which was patched with Police North.

The video shows McGrory locate and address the suspect at approximately 2051 hours after being directed to the rear of 1551 Garden Street. Reedy and Hope arrive on scene at close to the same time as each other from opposite sides. The three take up position, moments later, Gleason arrives from the left side. As Gleason runs around the rear of the building, he does not hesitate when coming around to go hands on with the suspect. He does not wait to see what any of the other 3 LEO's were doing and went straight toward the suspect.

Photographs of the scene

On November 14, 2016, I responded to 1551 Garden Street in order to photograph the location Stewart was apprehended. At the rear of the building where he was located, I saw that he was lying in an area between a wall and an air conditioner unit. There was not much space between the A/C unit and his head or between his feet and the corner. There was no grass growing on the ground behind the building and it was just dirt with leaves on it. The soil was not very compact or hard like concrete.

The building itself is "L" shaped with the bottom of the "L" at Stewarts feet. At the edge of the "L" are three large trees as well as a stump from another tree that is approximately 3' high. When Gleason made his approach, he did have to hesitate momentarily to get between the corner of the building and one of the trees and the stump. In addition to the photographs of the building and pathways around it, I made a short digital video of the path Gleason would have taken when he ran around the building.

The area where Stewart was taken to the ground is an asphalt driveway which appears to be several years old. The asphalt is faded and cracked. The blood stain that was left on the asphalt is approximately 2" wide by 6" long and there are several cracks running through it.

Jail Phone Calls/ Visitation

During the course of this administrative investigation, I listened to approximately 96 minutes of jail phone calls and watched 135 minutes of video visitation with Stewart. None of the phone calls or video visits provided any new or different information that was not already obtained by other investigatory measures.

VI. Summary and Recommendations:

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

On November 12, 2016, at approximately 1959 hours, officers from the Titusville Police Department initiated an investigation into an allegation of Domestic Violence at a residence on Rock Pit Road in Titusville. Upon the arrival of the first uniformed TPD officer, the suspect took flight on foot and did not obey the various commands he was given to stop. Because the suspect failed to obey the lawful commands he was given and fled the scene, the TPD officers established a perimeter to try and contain the suspect and capture him. The TPD supervisor contacted the Brevard County Sheriff's Office and requested the assistance of the Sheriff's Office to locate the suspect, specifically they requested the assistance of the BCSO Aviation Unit as well as some additional manpower to assist with the perimeter. The perimeter was established as part of the attempt to apprehend the suspect and a patrol K-9 was deployed in effort to locate him.

Several minutes after the initial foot pursuit and the perimeter was set, the suspect was located and addressed by a different officer. Again, he fled on foot, ignoring the lawful orders he was being given at the time.

This failure to comply on the part of the suspect necessitated the deployment of further assets and TPD requested assistance from BCSO in the form of S.T.A.R. and patrol units. Hope and Gleason were the closest two units and responded to the call for assistance.

After a thorough review of the BWC footage, witness statements (to include Mr. Stewart) and subject officer interviews, I have determined that the amount of physical force used by Gleason and Hope to effect the arrest of Mr. Stewart was lawful and in compliance with BCSO policies. The videos and statements that were taken do not support the allegations of excessive or unnecessary force that were alleged. Some of the more concerning comments, which were documented in the TPD case reports were inconsistent and not substantiated during sworn interviews with the officers that authored them.

In addition to being in compliance with the established BCSO policies regarding Use of Force, the amount of force utilized by Deputy Gleason and Corporal Hope to effect this arrest also appears to be in compliance with TPD's policy. During this investigation it was determined that there are conflicting opinions within the TPD as to exactly where ECW (Taser) use is allowed. According to TPD's ECW instructor, Mark Jennings, the TPD

officers would not have been in compliance with their policy had they deployed the ECW's on Mr. Stewart as they stated they had intended to do, Jennings stated that they would have been in compliance had they gone "hand's on" with Mr. Stewart at that point.

I have reviewed the tactical decisions that Deputy Gleason made during this incident and I find that his tactics and approach to the suspect were not designed to deescalate the situation. Specifically, Gleason failed to assess the entire scene when he rounded the corner, immediately jumping onto the suspect. Gleason stated that he saw both TPD officers addressing the suspect and recognized that at least one of the officers had a Taser in his hand. Gleason failed to see that Corporal Hope was also on-scene and was addressing the suspect with his firearm. By failing to coordinate his efforts with the other LEO's on-scene and immediately jumping on the suspect, Deputy Gleason placed himself in harm's way. His actions placed himself and the other officers present in danger as he could have easily been struck if one of the officers deployed their Taser, as they stated they intended to do.

After the suspect was taken into custody and being escorted to the front of the building, Gleason was the only LEO on scene who was verbally engaged with him. The suspect was yelling at Gleason and Gleason was talking back to him. The suspect claims that he got upset with the comments Gleason was making and spit on him because of it. Had Gleason simply handed off the suspect to the TPD officers after he was detained, it is likely that he would not have been spit on. By his own admission, Gleason was not acting or speaking in a professional manner when arguing back and forth with the suspect after the initial contact. These actions prevented the situation from deescalating and were a direct cause for Gleason being spit on.

The suspect in this event was charged with **Battery on a Law Enforcement Officer, Battery-Domestic Violence, Resisting Arrest W/O Violence** and **Violation of Probation / Community Control**. Once he arrived at the jail it was determined that the suspect was in possession of an amount of suspected crack cocaine, so he was additionally charged with **Possession of Cocaine**. In addition to being in possession of controlled substances, the evidence suggests that he was also under the influence of controlled substances during this incident. This is based on a review of his jail phone calls during which he told one of his associates that "I'm Percing, I'm Percing", this would be a reference to the use of the narcotic drug Percocet, a pain killer.

After Gleason was spit on and took the suspect to the ground, he continued to speak to the suspect in an unprofessional manner. At that time, Hope began speaking to the suspect in an inappropriate and unprofessional manner as well, where he demanded an apology and used profane language toward the suspect. As a first line supervisor, Hope should have stepped in and stopped Gleason from making any remarks and deescalated the situation. Instead, he joined in after Gleason was spit on. As a representative of the Sheriff's Office, Hope's inaction and his comments bring discredit upon the agency and its members.

I recommend the following administrative charges against **Deputy William Gleason** to be closed as follows:

Section 400.00, General Professional Responsibilities – “Sustained”
Section 400.04, Substandard Performance (Carelessness) – “Sustained”
Section 400.06, Compliance with Law and Regulation– “Exonerated”
Section 400.22, Conduct toward the Public – “Sustained”
Section 500.76, Response to Resistance – “Exonerated”

I recommend the following administrative charges against **Corporal Justin Hope** to be closed as follows:

Section 400.00, General Professional Responsibilities – “Sustained”
Section 400.04, Substandard Performance (Incompetence) – “Sustained”
Section 400.06, Compliance with Law and Regulation– “Exonerated”
Section 400.22, Conduct toward the Public – “Sustained”
Section 500.76, Response to Resistance – “Exonerated”

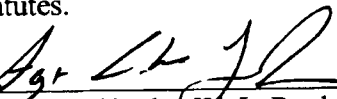
VII. Enclosures

- A. Memorandum Authored by Lieutenant Fernez
- B. Authorization Memo from Chief Waller
- C. Notice of Administrative Investigation (Hope and Gleason)
- D. Titusville Police Department Case Reports 2016-62807
- E. Titusville Police Department CAD Reports 2016-62807
- F. BCSO Case Report 2016-384657
- G. BCSO CAD Report 2016-384657
- H. Titusville Police Department Body-Worn Camera Footage DVD's
- I. BCSO Sheriff's Tactical Air Response FLIR Video
- J. Photographs and Video of 1551 Garden Street

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

 #612
Agent Charles W. LaRoche #612

Command Inquiry 2016-CI-032
January 5, 2017
Page 21 of 21

Sworn to and subscribed before me, the undersigned authority, and this 5th day of
January, 2017.

Signature  #64
NOTARY PUBLIC/LAW ENFORCEMENT OFFICER
IN PERFORMANCE OF OFFICIAL DUTIES



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: December 13, 2016
TO: Deputy William Gleason
FROM: Chief Deputy Douglas Waller
RE: Final Action
Administrative Investigation 2016-CI-032

A TRUE COPY 5:00P.M.	
TIME	DATE 12/21/2016
BREVARD COUNTY SHERIFF'S OFFICE	
Received By: William Gleason	
Signature of Employee Served	
Served by:	
Signature of Agent/Deputy	

Administrative Investigation 2016-CI-032 is now 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 facts laid out in the investigative report, and in consideration of the comments you made during your pre-deprivation hearing on December 13, 2016, I have determined that your actions during this event were in violation of the established policies and procedures of the Brevard County Sheriff's Office. Specifically, you jeopardized your safety by inserting yourself into an enforcement action without coordinating with the other on-scene LEO's, then, after the suspect was secured, you engaged in a highly unprofessional verbal banter with him, which escalated the situation. As a direct result, I find you are in violation and sustain the following policies and procedures:

- Section 400.00 *General Professional Responsibilities – Sustained*
- Section 400.04 *Substandard Performance – Sustained*
- Section 400.22 *Conduct Toward the Public – Sustained*

As we discussed during your hearing, the behavior you displayed during and after this incident was simply unacceptable. Our citizens put great power in our hands in order to preserve the peace and enforce the law. They demand that we temper our enforcement activities with discretion, personal tolerance, and the respect for basic human dignity. You are a law enforcement professional with over twelve years of experience and you should have been able to employ techniques and strategies that would have deescalated this situation, not inflame it.

As I stated today, I am very disappointed in your performance during this incident. Your actions represent every member of this agency, and in this situation you represented yourself, your agency and your citizens poorly. You are clearly aware of your

December 13, 2016

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employment expectations and unfortunately, you failed to meet those expectations and acted in manner that is both substandard and embarrassing.

The citizens we serve demand that we conduct ourselves with the utmost professionalism at all times, during this incident you failed to meet that standard. Although you have accepted responsibility for your actions, I was left with the impression that you either did not truly understand the gravity of your poor judgement or that you do not really think you did anything wrong. Let me be clear, your tactics were unsafe and your interaction with the suspect was unacceptable.

Based on input from Commander Woolsey, I have determined that the appropriate corrective action for this incident will be a **twenty (20) hour suspension without pay**.

Barring a Civil Service Appeal or Collective Bargaining Grievance of the proposed disciplinary action, the unpaid suspension will be served at Commander Woolsey's discretion. While on unpaid suspension, you are not to enter into the secured areas of any Brevard County Sheriff's Office facility. You are also not authorized to work any overtime during the pay cycle that you serve your suspension, if you incur any overtime you are to immediately notify Commander Woolsey or his designee.

You are noticed that any repeat of this type of behavior will result in progressive discipline to include termination of your employment.

If you file a Civil Service Appeal or Collective Bargaining Agreement grievance in regards to the proposed disciplinary action, the period of unpaid suspension will be postponed until the appeal or grievance process is completed.

As provided by the Civil Service Act, Chapter 83-373, Laws of Florida, you may appeal this disciplinary decision to the Civil Service Board. As provided for in the Collective Bargaining Agreement between the Coastal Florida Police Benevolent Association and the Brevard County Sheriff's Office, you may file a disciplinary grievance to this disciplinary action. You may only choose one process. To appeal or grieve this action, you must file a petition for review within ten days of receipt of this memorandum. The petition for review shall be filed by United States mail, registered, return receipt requested, or in person with H.R. Manager Lisa Gillis, Personnel, and 700 Park Avenue, Titusville, FL 32780. A copy of any petition should also be directed to my attention.

cc: Commander Woolsey
Human Resource Manager Gillis
Investigative File 2016-CI-032



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: December 13, 2016

TO: Corporal Justin Hope

FROM: Chief Deputy Douglas Waller

RE: Final Action
Administrative Investigation 2016-CI-032

A TRUE COPY	
TIME	5:30 P.M.
DATE	12-15-2016
BREVARD COUNTY SHERIFF'S OFFICE	
Received By: Justin Hope	
Signature of Employee Served	
Served by:	
Signature of Agent/Deputy	

Administrative Investigation **2016-CI-032** is now 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 facts laid out in the investigative report, and in consideration of the comments you made during your pre-deprivation hearing on December 13, 2016, I have determined that your actions during this incident were in violation of the established policies and procedures of the Brevard County Sheriff's Office. Specifically you failed to conduct yourself in a professional manner when dealing with an unruly suspect and you failed to exercise appropriate supervisory control over one of your subordinates. These failures are in violation of the following policies and procedures:

- Section **400.00 General Professional Responsibilities – Sustained**
- Section **400.04 Substandard Performance – Sustained**
- Section **400.22 Conduct Toward the Public – Sustained**

As we discussed during your hearing, I am very disappointed in your performance during this incident. Your actions represent every member of this agency, and in this situation you represented yourself, your agency and your citizens poorly. You are clearly aware of your employment expectations and unfortunately, you failed to meet those expectations and acted in manner that is both substandard and embarrassing.

During your hearing you were very open and apologetic about the mistakes that you made during this event and it was clear to me that you understand the gravity of this situation. You represented yourself very well during your hearing and I believe that you are sincerely remorseful for your actions and fully committed to being a productive member of the Brevard County Sheriff's Office.

Final Action 2016-CI-032

December 13, 2016

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Based on this belief, and the positive input that I received from Commander Woolsey on your behalf, I have decided to mitigate the proposed corrective action in this matter down to a twelve (12) hour suspension without pay. — WILL BE SERVED ON 12/19/2016

Barring a Civil Service Appeal or Collective Bargaining Grievance of the proposed disciplinary action, the unpaid suspension will be served at Commander Woolsey's discretion. While on unpaid suspension, you are not to enter into the secured areas of any Brevard County Sheriff's Office facility. You are also not authorized to work any overtime during the pay cycle that you serve your suspension, if you incur any overtime you are to immediately notify Commander Woolsey or his designee.

You are noticed that any repeat of this type of behavior will result in progressive discipline to include termination of your employment.

If you file a Civil Service Appeal or Collective Bargaining Agreement grievance in regards to the proposed disciplinary action, the period of unpaid suspension will be postponed until the appeal or grievance process is completed.

As provided by the Civil Service Act, Chapter 83-373, Laws of Florida, you may appeal this disciplinary decision to the Civil Service Board. As provided for in the Collective Bargaining Agreement between the Coastal Florida Police Benevolent Association and the Brevard County Sheriff's Office, you may file a disciplinary grievance to this disciplinary action. You may only choose one process. To appeal or grieve this action, you must file a petition for review within ten days of receipt of this memorandum. The petition for review shall be filed by United States mail, registered, return receipt requested, or in person with H.R. Manager Lisa Gillis, Personnel, and 700 Park Avenue, Titusville, FL 32780. A copy of any petition should also be directed to my attention.

cc: Commander Woolsey
Human Resource Manager Gillis
Investigative File 2016-CI-032