



# BREVARD COUNTY SHERIFF'S OFFICE

Titusville, Florida

## Memorandum

**Date:** November 5, 2016

**To:** Chief Doug Waller via Chain of Command

**From:** Lieutenant Ross Torquato

**Re:** 2016 - CI - 025 Deputy Marcus McCaslin, ID#1612

*D. Waller*  
11/2/16

### Synopsis of Complaint

On September 1, 2016, I received an email from Staff Services authorizing an inquiry into the recent performance of Deputy Marcus McCaslin, ID# 1612. The request for an inquiry came as a result of information Commander Bruce Barnett, ID#022, had recently received regarding Deputy McCaslin allegedly sleeping while on duty.

Commander Barnett's memo stated in substance:

Lieutenant Thomas Mosebach, ID#307, approached him on August 31, 2016, and advised Deputy McCaslin may be sleeping while on duty.

On August 29, 2016, at approximately 0311 hours, Deputy McCaslin failed to acknowledge a radio call from Brevard West in reference to a business alarm. While the dispatcher attempted to raise Deputy McCaslin, Lieutenant Mosebach was advised by a squad member that Deputy McCaslin may be sleeping. Lieutenant Mosebach was also told that some of the squad members may have pictures of him sleeping while on duty; and he has failed to respond to radio calls from dispatch in the past. Commander Barnett asked if there were any potential health or personal issues that may be leading to Deputy McCaslin sleeping while on duty. Lieutenant Mosebach advised that it is his understanding that Deputy McCaslin is a personal trainer during the day, and this may be the reason he is tired when he comes to work.

### Details of Inquiry

Deputy McCaslin has been assigned to Delta shift since January 2, 2016. Sergeant Todd Beuer, ID#960, and Lieutenant Mosebach are the shift supervisors for the West Precinct Delta squad.

*CONDUCT - INVESTIGATIVE FINDINGS*  
*Ross Torquato*  
11.7.16

On September 1, 2016, I contacted Kathrine Kelley, ID#1659, the Agency's Off-Duty Coordinator, in the Finance Unit. I requested she send me any and all Secondary Employment/Off-Duty Work Detail forms related to Deputy McCaslin. Ms. Kelley forwarded one form, dated May 3, 2014. At that time, Deputy McCaslin requested approval to engage in outside employment with *Power Details*, the agency's secondary employment tracking software. There are no other secondary employment forms on file.

On September 1, 2016, at approximately 1831 hours, I conducted a recorded interview with Lieutenant Thomas Mosebach in my office at West Precinct. Lieutenant Mosebach stated in substance the following:

On the morning of August 29, 2016, at approximately 0311 hours, Brevard West attempted to dispatch a business alarm to Deputy McCaslin and FTO Andrew Johnson, ID#384. The alarm call was located at the Speedway Gas station, 8275 Wickham Rd., Melbourne. (Cr. 2016-00293492) At the time this call was dispatched, Lieutenant Mosebach was in Sergeant Beuer's office at West Precinct, along with Corporal Evan Cawthon, ID#1180, and FTO Johnson ID# 0384. FTO Johnson, responded over the radio that he would be en-route, but Deputy McCaslin failed to acknowledge the radio call. After the dispatcher attempted to raise Deputy McCaslin, unit 443A, on the radio several times, FTO Johnson advised Lieutenant Mosebach, while in the office, that "Marcus (McCaslin) was probably sleeping." Lieutenant Mosebach then requested the dispatcher "alert tone him". They sounded the alert tone for Deputy McCaslin, but he still did not answer. Lieutenant Mosebach asked, over the radio, where Deputy McCaslin's GPS showed him to be. Lieutenant Mosebach was told that there was not a GPS signal for Deputy McCaslin. He then had Deputy McCaslin paged, again he did not respond. Corporal Cawthon was then directed, by Lieutenant Mosebach, to call Deputy McCaslin on the phone.

I asked Lieutenant Mosebach if FTO Johnson was responding to the alarm call alone because Deputy McCaslin did not answer the radio. He stated yes. He also believes that if he had not directed Corporal Cawthon to call Deputy McCaslin on the phone, Deputy McCaslin would not have responded to the alarm.

Corporal Cawthon was able to reach Deputy McCaslin, via phone, and advised him to respond to the alarm call. Lieutenant Mosebach requested Deputy McCaslin provide his current location when he advised he was en-route. Deputy McCaslin responded that he was at "Judge Fran and Lake Andrew". Deputy McCaslin responded to the alarm call, which was an actual burglary to the business. The front glass door had been smashed and the cash register looked as if it had been disturbed.

Lieutenant Mosebach stated that while on scene at the burglary, Major Thomas Young, ID# 236, arrived. Major Young advised he was listening to the radio and saw Deputy McCaslin responding from the dead end of Lake Andrew Drive, north of Judge Fran Jamieson Way.

Lieutenant Mosebach did not address the issue of Deputy McCaslin possibly sleeping at this time. He wanted to talk with Commander Barnett about the incident prior to taking

action. Since this shift, ending the morning of August 29, 2016, was Deputy McCaslin's last shift of the week, Lieutenant Mosebach waited until he saw Commander Barnett on August 30, 2016 to inform him of the incident.

I then asked Lieutenant Mosebach if he believed it was common knowledge on the squad that Deputy McCaslin sleeps on duty. He stated he was informed by FTO Johnson on August 29, 2016, while in the office during the burglary alarm call, that it was common knowledge. He also was told by FTO Daniel McMahan, ID 1224, on a later date, there are pictures of Deputy McCaslin sleeping on duty. Lieutenant Mosebach did not have any other conversations in reference to this issue with any squad members. Lieutenant Mosebach added he had no direct knowledge of Deputy McCaslin sleeping on duty.

Prior to my interview with Lieutenant Mosebach, he had FTO McMahan come into my office. FTO McMahan told me there were pictures of Deputy McCaslin sleeping he had received through a squad text message. I requested he send me the pictures, via department email. I received the pictures on September 1, 2016, at 1908 hours. One picture, labeled McCaslin 1, was taken from in front of the patrol vehicle and depicts Deputy Marcus McCaslin sitting in his car with his eyes closed, his head back while wearing a black ball cap. The second picture, labeled McCaslin 2, is taken from the front driver's side of the vehicle. Deputy McCaslin's head is up, his eyes are open and he is looking toward the driver's side door window.

On September 1, 2016, at 1848 hours, I conducted a sworn and recorded interview with Corporal Cawthon in my office at West Precinct in reference to this investigation. Corporal Cawthon advised he has been assigned to Delta squad at West Precinct since the beginning of 2016. Almost from the start of this assignment, members of the squad would make jokes at the squad table about Deputy McCaslin sleeping during the shift. When I asked if Sergeant Todd Beuer, the shift supervisor, was at the squad meeting, he advised that he was at the squad meetings. Corporal Cawthon stated he does not have any direct knowledge of Deputy McCaslin sleeping on duty. However, he has been told that Deputy McCaslin goes to the dead end of Pineda Causeway to sleep.

In reference to the alarm call on August 29, 2016, Corporal Cawthon, stated Deputy McCaslin failed to respond to the radio call. After several attempts to raise Deputy McCaslin, Corporal Cawthon reached him by phone and Deputy McCaslin then responded to alarm call. Corporal Cawthon did not question Deputy McCaslin either on the phone, or at the scene, regarding why he did not answer the radio calls.

I then asked Corporal Cawthon if he had any knowledge of Deputy McCaslin being a personal trainer or having a business. Corporal Cawthon stated he did not know if he was a trainer. He stated the only thing he knows about Deputy McCaslin's personal life is that he attends college and has a son.

On September 3, 2016, I requested a copy of the radio transmissions from the Communication Center in reference to Cr. 2016-00293492. After receiving the audio of the call via email, I made a CD copy for the file. The following is a summary of the radio transmission recorded on August 29, 2016:

Dispatch: 443Alpha and 446 10-65 a business alarm ...  
 403: 403 raise 443 Alpha again.  
 Dispatch: 43Alpha.  
 403: Where do you show his GPS?  
 Dispatch: Not plotting right now. Brevard to 443Alpha.  
 403: 403 46 is 51, he's 10-12 with me. Raise 43Alpha again.  
 Dispatch: Brevard to 443Alpha.  
 403: Tone him Brevard.  
 Dispatch: *Alert tone.* Brevard 443Alpha, 443Alpha. We're sending out a page as well  
 Unknown: We're trying to call him.  
 403: 403 try raising him again.  
 Dispatch: Brevard to 443Alpha, 43 Alpha  
 443Alpha: 43 Alpha  
  
 403: Brevard what's his location since his GPS is not working  
 443Alpha: Judge Fran and Lake Andrew

After listening to the recording, I was able to determine that one minute and twenty seconds (1 minute 20 seconds) elapsed from the time the Communication Center first dispatched the call until the time Deputy McCaslin answered on the radio.

I further calculated that FTO Johnson arrived on scene two minutes and twenty seconds (2 minutes 20 seconds) from the time the call was originally dispatched. At which time, he found the shattered glass door. Deputy McCaslin arrived three minutes and ten seconds (3 minutes and 10 seconds) after the call was originally dispatched. I estimated, based on the location Deputy McCaslin stated he was at when he finally answered, had he responded when originally called, he would have had a response time of approximately one minute and fifty seconds (1 minute and 50 seconds), shortly before FTO Johnson. However, because he did not immediately respond, FTO Johnson was on scene approximately one minute (1 minute) without back-up.

On September 6, 2016, at 0431 hours, I conducted a sworn and recorded interview with FTO Andrew Johnson in my office at West Precinct in reference to this investigation. FTO Johnson stated in substance the following:

He was at West Precinct with Lieutenant Mosebach and Corporal Cawthon when a business alarm was dispatched. Brevard West attempted to contact Deputy McCaslin several times, but he failed to answer. Brevard West then issued an alert tone and paged him. Deputy McCaslin finally answered the radio and responded to the scene. While in the office, FTO Johnson told Lieutenant Mosebach "he (McCaslin) was probably asleep". He believed this is the reason Deputy McCaslin was not answering the radio. I asked why he thought Deputy McCaslin was asleep, to which he responded the squad jokes all the time about him sleeping during the shift. When I asked him about Deputy McCaslin sleeping on duty, he stated "it's embarrassing".

FTO Johnson stated over the past 12 months, he has found Deputy McCaslin asleep in his patrol car on two occasions. He was unable to narrow the incidents down to specific dates or times, but thought one was last year and one was this year. Both times, Deputy McCaslin was parked at the west end of Pineda Causeway. I asked him if he notified his supervisors in reference to these incidents, to which he replied he did not notify his supervisors because he wanted to try to help Deputy McCaslin "fix" the problem. He stated he brought this issue to the Lieutenant's attention during this burglary alarm call because he believes Deputy McCaslin is still sleeping during the shift and is not trying to fix the problem.

I asked FTO Johnson if the topic of Deputy McCaslin sleeping on duty is brought up during squad meetings. He responded by saying it is usually joked about and is common knowledge. He stated supervisors are present during these squad meetings. I asked again why he had not brought the issue of Deputy McCaslin's sleeping to a supervisor's attention. He felt the issue was silly and the supervisors did not need to get involved. He hoped that Deputy McCaslin would resolve the problem on his own. As a result of Deputy McCaslin's performance, his belief that Deputy McCaslin is sleeping on duty and his lack of activity, FTO Johnson requested not to work with Deputy McCaslin.

When I asked about Deputy McCaslin's personal life, FTO Johnson stated he knows that Deputy McCaslin has a child and attends college. I asked him if he had any knowledge of Deputy McCaslin having a personal training business, he said that he knows Deputy McCaslin works out a lot but has no knowledge of him having a business.

I then asked FTO Johnson if he had any knowledge of pictures showing Deputy McCaslin allegedly sleeping on duty. He replied that he has received pictures of Deputy McCaslin sleeping, via a squad group text message.

On September 6, 2016, at approximately 0512 hours, I conducted a sworn and recorded interview with Deputy Ryan Mason, ID# 2057, in my office at West Precinct. Deputy Mason stated in substance the following:

On Monday, August 29, 2016, he heard a burglary alarm dispatched to FTO Johnson and Deputy McCaslin. Deputy McCaslin did not answer the radio after several calls, then an alert tone was given. Deputy McCaslin eventually answered the radio and responded to the call.

I asked Deputy Mason if he had any direct knowledge of Deputy McCaslin sleeping while on duty. He stated there was one occasion where he was sitting car to car with Deputy McCaslin typing a report. After several minutes of typing, he looked over and Deputy McCaslin was slumped over and appeared to be asleep. Deputy Mason called out to Deputy McCaslin several times before he responded. After Deputy McCaslin responded, Deputy Mason asked him if he was asleep, but Deputy McCaslin did not answer the question. Deputy Mason believed Deputy McCaslin was asleep. Deputy Mason did not inform his supervisors about Deputy McCaslin sleeping on duty.

Deputy Mason confirmed that the topic of Deputy McCaslin sleeping on duty is frequently discussed at the squad meetings. He stated the comments are made as jokes and he feels the supervisors believe these comments are made in jest.

Deputy Mason confirmed he also received a photograph of Deputy McCaslin sleeping from a squad text. From this photograph, Deputy Mason believed Deputy McCaslin was sleeping while in his patrol car.

When asked if he had any knowledge of Deputy McCaslin owning or operating a personal trainer business, he stated he had no knowledge of him owning a business.

On September 6, 2016, at 0538 hours, I conducted a sworn and recorded interview with Deputy Justin Wood, ID#1434, in my office at West Precinct in reference to this investigation. Deputy Wood stated in substance the following:

Deputy Wood worked on Sunday, August 28, but ended his tour of duty at midnight to work a detail. He stated while he was on the detail, during the early morning of August 29, 2016, he heard the alarm call in question. After hearing the call, he noticed that Deputy McCaslin did not answer the radio. After several attempts to raise Deputy McCaslin on the radio, an alert tone was issued. After several more attempts to raise him, Deputy McCaslin finally answered the radio.

Deputy Wood stated he has no direct knowledge of Deputy McCaslin sleeping on duty, but confirmed that comments are often made during squad meetings. He also stated that when he meets with deputies between calls, they discuss Deputy McCaslin sleeping on duty. Since he has not seen him sleeping on duty, Deputy Wood has not talked with any supervisors about this issue. He has no knowledge of Deputy McCaslin having a business.

On September 6, 2016, at 0604 hours, I conducted a sworn and recorded interview with Deputy Keaton Mauldin, ID#1884, in my office at West Precinct in reference to this investigation and he provided the following information in substance:

Deputy Mauldin was not working on August 28-29, 2016. He stated he does have direct knowledge of Deputy McCaslin sleeping on duty. Since he and Deputy McCaslin both live in the south end of the county, they meet at the west end of the Pineda Causeway to type reports at the end of shift. On numerous occasions, Mauldin has arrived to find Deputy McCaslin sitting in his patrol car asleep. Deputy Mauldin has pulled up to the car, written reports and driven away, without Deputy McCaslin waking up. Deputy Mauldin stated this happens regularly, and Deputy McCaslin even sets the alarm on his phone to go off at 0606 hours, or 0607 hours, so he can wake up to go home. Deputy Mauldin stated the earliest he has pulled up on Deputy McCaslin sleeping is approximately 0535 or 0540 hours.

Deputy Mauldin has made comments to Deputy McCaslin at squad meeting about his sleeping. He added that most of the comments were before squad meeting had started and Sergeant Beuer or the other supervisors probably did not hear the comments. While on shift, Deputy Mauldin has spoken to Deputy McCaslin about his sleeping on duty. He has

not approached any supervisors about Deputy McCaslin sleeping on duty. When asked why, he said he had been informed by senior members of the squad that "they have been trying to get paper on Marcus for a while" but nothing has been done. He did not clarify who they were, or why nothing had been done. When I asked if he had gone to Sergeant Beuer to inform him that Deputy McCaslin was sleeping on duty, he said he has not talked to Sergeant Beuer about this issue.

Deputy Mauldin does not have any knowledge of Deputy McCaslin having a private business.

At the end of the interview, I asked how often he believes Deputy McCaslin is sleeping on duty, he replied, "I could catch him every night".

On September 6, 2016, at 0630 hours, I conducted a sworn and recorded interview with FTO Nicholas Worthy, ID#1411, in my office at West Precinct in reference to this investigation. FTO Worthy stated in substance the following:

He is the person on the squad that took the photograph of Deputy McCaslin sleeping on duty. At the time, FTO Worthy, his trainee and other squad members were assisting SIU with a search warrant investigation in Canaveral Groves. After the warrant was served, FTO Worthy and his trainee were inside the residence assisting with evidence collection. Since the target of the warrant was not home, and there were several guns in the residence, Deputy McCaslin was stationed outside the residence as a security element. Deputy McCaslin was there to prevent the suspect from entering the house and endangering those conducting the search. FTO Worthy walked out to his patrol car and he observed Deputy McCaslin sitting in his car sleeping. FTO Worthy took two photographs with his cell phone. Deputy McCaslin was outside for approximately one hour but FTO Worthy did not know how long he had been sleeping. He did wake Deputy McCaslin after taking the photographs, but Deputy McCaslin denied sleeping at the time. FTO Worthy said he did talk with Sergeant Beuer about this incident but does not know if he showed him the picture. When asked if Sergeant Beuer followed up on the issue, he said he did not know.

FTO Worthy believes Deputy McCaslin continues to sleep on duty and was sleeping on August 29, 2016, when he did not answer his radio in response to the alarm call. FTO Worthy gave the same account as the other squad members in reference to Deputy McCaslin not answering the radio. He stated there are numerous times when Deputy McCaslin does not answer the radio during the shift. He believes Deputy McCaslin may be sleeping at these times, but has no further direct knowledge of him sleeping.

At this point, we discussed Deputy McCaslin not having his GPS on during the shift. FTO Worthy does not know if this is intentional or if it is a technical issue. He does remember seeing other deputies GPS working when Deputy McCaslin's GPS is off. He said Sergeant Beuer has advised the squad numerous times that their GPS needed to be on during the shift and if it was not operational, the deputy needed to notify Sergeant Beuer that the GPS was malfunctioning.

FTO Worthy added that because of his belief that Deputy McCaslin is sleeping on duty and a conversation he had with Deputy McCaslin regarding a neck injury Deputy McCaslin has, he requested Corporal Cawthon not assign Deputy McCaslin as his zone partner. FTO Worthy explained that Deputy McCaslin told him he had a neck injury and did not want to work in the Cocoa area because he was concerned he may re-injure it.

On September 6, 2016, at 1149 hours, I conducted a sworn and recorded interview with Major Thomas Young, ID# 236, in my office at West Precinct in reference to this investigation. Major Young stated in substance the following:

He was the Watch Commander on the night in question and was in the West Precinct area when it was dispatched. He heard Brevard West attempting to raise Deputy McCaslin to respond to the call. He heard Brevard West alert tone Deputy McCaslin and attempt to locate him on GPS. While en-route to the call, he observed Deputy McCaslin in the area of Lake Andrew Drive and Judge Fran Jamieson Way. After arriving on scene, he asked why Deputy McCaslin did not respond to the initial radio call. He was told by Lieutenant Mosebach and Corporal Cawthon that they believed Deputy McCaslin was possibly sleeping.

Major Young then brought up the issue of Deputy McCaslin not having his GPS on during the shift. Major Young advised me that earlier this year, he attended the Delta shift squad meeting at West Precinct where he addressed this issue. The squad meeting was on the night that was scheduled to have a Black Lives Matter march in Cocoa. Major Young advised Sergeant Beuer to ensure that his squad utilized their GPS while on shift. Sergeant Beuer informed him that some of the deputies were having technical issues and the Information Technology Technician did not work nights. He told Sergeant Beuer to get a list of the units who had inoperable GPS units and to contact Kevin Rose, the technician assigned to West Precinct. He could make arrangements for Kevin to come in to accommodate the squad or to leave the computers for him during the day. Major Young did not give Sergeant Beuer an end date in which to have this task accomplished.

On September 7, 2016, at 1512 hours, I conducted a sworn and recorded interview with FTO Daniel McMahan in my office at West Precinct in reference to this investigation. FTO McMahan stated in substance the following:

On August 29, 2016, he heard Brevard West call Deputy McCaslin several times, which went unanswered. Brevard West then sounded the alert tone, which also went unanswered. After several minutes, Deputy McCaslin answered the radio and responded to the call.

I asked FTO McMahan about the comments that are made at the squad table in reference to Deputy McCaslin sleeping on duty. He said that comments were frequently made about him sleeping, and although they were made in a joking manner, those making them were serious. FTO McMahan, although never finding Deputy McCaslin asleep, believes that he sleeps frequently while on duty based on what other squad members have told him. He said that he has had this belief for well over a year. FTO McMahan has seen the photographs of Deputy McCaslin sleeping, but does not know who took them. Since he



has never seen Deputy McCaslin sleeping, he has not approached his supervisors about this matter.

On September 10, 2016, at 1807 hours, I conducted a sworn and recorded interview with Deputy Brian Griffin, ID#865, in my office at West Precinct in reference to this investigation. Deputy Griffin stated in substance the following:

On August 29, 2016, Deputy Griffin was on a detail in the West Precinct area and heard the alarm call in question. After hearing the call, he noticed that Deputy McCaslin did not answer the radio. After several attempts to raise McCaslin on the radio, an alert tone was issued. Deputy Griffin also checked to see if Deputy McCaslin had his GPS on, but he did not see Deputy McCaslin on the map. Deputy McCaslin finally answered the radio.

Deputy Griffin said that comments were frequently made about Deputy McCaslin sleeping, and although they were made in a joking manner, those making them were serious. Although never finding Deputy McCaslin asleep, he believes that Deputy McCaslin sleeps frequently while on duty. He said that he has had this belief for well over a year. Deputy Griffin stated that when he became the acting Corporal, prior to Sergeant Beuer taking over the squad, he heard the rumors of Deputy McCaslin sleeping. During that time, Deputy Griffin attempted to locate Deputy McCaslin sleeping, but was unable to locate him. Since he has never seen Deputy McCaslin sleeping, he has not approached his supervisors about this matter.

Deputy Griffin made the statement that he believes Sergeant Beuer has attempted to locate Deputy McCaslin while he was sleeping, but he does not know if Sergeant Beuer was successful.

On September 10, 2016, at 1832 hours, I conducted a second sworn and recorded interview with Corporal Cawthon in my office at West Precinct. This interview was conducted to clarify Corporal Cawthon's opinion on the comments that are made at the squad table about Deputy McCaslin sleeping on duty. He stated that he believed the comments were only jokes. Although he believed the comments to be jokes, he did attempt to locate Deputy McCaslin several times throughout the year just to make sure there was no truth behind the comments. Each time he would pull up on Deputy McCaslin, he was awake and alert. Corporal Cawthon did not remember any other incidents where Deputy McCaslin missed radio calls to the extent that he failed to answer the radio like he did on August 29, 2016.

On September 10, 2016, at 1903 hours, I conducted a sworn and recorded interview with Deputy Adam Benke, ID# 2119, in my office at West Precinct in reference to this investigation. Deputy Benke stated in substance the following:

Deputy Benke heard Brevard West dispatch the alarm call in question. After hearing the call, he noticed that Deputy McCaslin did not answer the radio. After several attempts to raise Deputy McCaslin on the radio, an alert tone was issued. Deputy McCaslin finally answered the radio and responded to the call.

Deputy Benke advised he has no direct knowledge of Deputy McCaslin sleeping on duty, but did receive the photographs in the squad text message. He also confirmed that during squad meetings there are frequent comments about Deputy McCaslin sleeping on duty.

He also told me that he has requested not to be zone partners with Deputy McCaslin. When I asked why he did not want to be his zone partner, he stated when he first got to the squad, Deputy McCaslin told him "after 1200 at night, he (McCaslin) did not like responding to calls". Deputy McCaslin told him he would go "stamp" patrol areas and watch videos on his phone. After being told this information, along with the assumption that Deputy McCaslin was sleeping on duty, Deputy Benke decided to request that he not be partnered with Deputy McCaslin.

Deputy Benke also confirmed that there has been multiple occasions where Deputy McCaslin has not answered radio calls. He stated some of the incidents also required that an alert tone be issued to get Deputy McCaslin's attention.

Since he has never seen Deputy McCaslin sleeping, he has not approached his supervisors about this matter.

On September 21, 2016 at 1245, I met with Sergeant Jacqueline Hearon ID# 0479 to conduct a sworn and recorded interview in reference to this investigation. Sergeant Hearon was the Delta shift supervisor at West Precinct from January 1, 2015, until October 30, 2015, when Sergeant Beuer took over the squad. During that time, Deputy McCaslin was assigned to her squad, but was out due to worker's compensation injuries for much of the year. Sergeant Hearon did explain that early in 2015, she was approached by a squad member in reference to Deputy McCaslin possibly sleeping and watching videos while on duty. She said the deputy made it sound more like a rumor than a fact. She could not remember who provided this information. She stated from the time she heard the information, until Deputy McCaslin injured his neck, she attempted verify if the information was accurate. She would drive around the area where Deputy McCaslin was patrolling and if she found him stationary, she would pull up to him. She stated she did this approximately 5 to 7 times, but each time, Deputy McCaslin was awake and usually typing reports. Sergeant Hearon then asked Kevin Rose of the Information Technology unit if there was a way to determine if a deputy was watching videos on their department issued lap top. She was told there was no way to determine if a deputy watched videos on the lap top if they used the DVD player.

Since she was unable to verify if Deputy McCaslin was watching videos or sleeping on duty, she did not document the information.

On September 25, 2016, at 0535 hours, I conducted a second sworn and recorded interview with FTO Worthy. In his first interview, FTO Worthy stated he was on a call for service assisting SIU where he took pictures of Deputy McCaslin sleeping on duty. I was able to locate the possible call for service as a Domestic Violence call that occurred at 6907 Soggy Bottom Avenue in Cocoa. (Cr. 2015-00502795) After giving FTO Worthy the details of the case, he was able to confirm this case as being the one when he took the pictures.

FTO Worthy also confirmed that he did inform Sergeant Beuer that he had discovered Deputy McCaslin sleeping on duty. When asked if he showed Sergeant Beuer the pictures, he stated "I think I showed him the picture, but I'm not sure."

He also clarified that he only sent the pictures to Andrew Johnson. He identified the people in the group text as: Dan McMahon, Andrew Johnson, Brian Griffin, Justin Wood, Adam Benke, Ryan Mason, Darryl Johnson and Keaton Mauldin. He also confirmed that the supervisors do not get the messages.

Below is a summary of the witness statements:

- Corporal Cawthon has not been told by anyone on the squad that Deputy McCaslin is sleeping on duty. He also has not found him sleeping.
- FTO Johnson found him sleeping twice, but he did not notify his supervisors.
- Deputy Mason found him asleep once, but he did not notify his supervisors.
- Deputy Wood has not seen him sleeping and has not talked with any supervisors.
- Deputy Mauldin has found him sleeping numerous times, but has not notified any supervisors.
- FTO Worthy took pictures of McCaslin sleeping and notified Sergeant Beuer at the time of the incident.
- FTO McMahon has not seen him sleeping and has not talked with any supervisors.
- Deputy Benke has not seen him sleeping and has not talked with any supervisors.
- Sergeant Hearon did not find Deputy McCaslin sleeping at any time while she was his supervisor.

### **Interview with Sergeant Todd Beuer**

On September 29, 2016, at 1740 hours, I conducted a sworn and reordered interview with Sergeant Todd Beuer at West Precinct. Agent Kraig Hupfer, ID#210, was also present during the interview. Sergeant Beuer stated in substance the following: He assumed supervisory duties of Delta Squad on November 1, 2015. At that time, he was told by his direct supervisor, Lieutenant David Marich, that he was getting a squad of "misfits", due to their performance issues. Sergeant Beuer began monitoring the squad's performance in an attempt to determine the competency of the deputies. During the first couple of weeks, he heard rumors and talk that Deputy McCaslin may possibly be sleeping on duty. He even discussed this issue with Lieutenant Marich. Sergeant Beuer began his attempts to confirm if Deputy McCaslin was sleeping on duty.

On November 21, 2015, Sergeant Beuer assisted with an investigation that occurred on Soggy Bottom Ave. At this point, Sergeant Beuer had worked on the squad for approximately three weeks. He remembered the call and being on scene, but stated he was not shown any pictures of Deputy McCaslin possibly sleeping on duty. When I asked if FTO Worthy had approached him and stated Deputy McCaslin was sleeping, he answered not directly. He said that he and other deputies were standing in a group, when he heard

FTO Worthy say that he just caught Deputy McCaslin sleeping in his car. Sergeant Beuer did not question FTO Worthy about his statement due to the other squad members being on scene.

I asked Sergeant Beuer if he heard the comments at the squad table regarding Deputy McCaslin sleeping while on duty. He said he did hear them, that's why he was attempting to locate him sleeping. When asked if he talked to any of the deputies on his squad about Deputy McCaslin sleeping, he said he did not. He explained that since he was told there were many issues on the squad, he did not want to question the deputies for fear of dividing the squad and causing performance to suffer further. He believed if this was an ongoing issue, then he would be able to locate him sleeping at some point.

Over the course of the next several months, Sergeant Beuer would randomly search for Deputy McCaslin at the alleged locations where he slept, the Pineda Causeway and the Post Office on S.R. 524. Each time he located Deputy McCaslin, he was awake.

Sergeant Beuer said that Deputy McCaslin is a dependable deputy who answers his calls and performs his job to an acceptable standard. He does not remember Deputy McCaslin not answering his radio with any greater frequency than anyone else on the squad. He said that since the radio re-programming, the radios, especially the pacsets, are less dependable.

Sergeant Beuer does not believe that Deputy McCaslin is that well liked on the squad, and the squad members don't socialize with him during the shift, but if Deputy McCaslin called for assistance, all of the squad members would respond.

I also discussed the issue of the deputies having their GPS activated while working. He stated he has told them several times during squad meetings to ensure their GPS is working properly. Sergeant Beuer emailed me a document that he has provided to the squad which states several of his expectations for the squad. In it, there are two occasions where he directs them to have their GPS activated.

Sergeant Beuer has no knowledge of Deputy McCaslin having a private business or working for a business providing personal fitness training.

### **Interview with Deputy Marcus McCaslin**

On October 3, 2016, at 1700 hours, I met with Deputy Marcus McCaslin at West Precinct to conduct a sworn and recorded interview. Prior to the interview, Deputy McCaslin, Agent Hupfer and I reviewed the audio interviews, dispatch comments of Cr. 2016-00293492 and photographs associated with this investigation. We listened to all of the interviews except for Deputies Griffin, Benke, and FTO McMahon. I advised Deputy McCaslin that these three interviews contained the same information, they had not seen him sleeping, the squad did make jokes about him sleeping and that they had no knowledge of him having or working for a fitness business.

After reviewing the interviews and the photographs, I started the interview. I asked Deputy McCaslin directly if he was sleeping during the burglary alarm call in question. He stated he was not sleeping. When asked why he did not respond to the call, he stated he had his radio turned down so he could type reports. At the time of this call, he had four reports to type. He said he became aware of the call, when Corporal Cawthon called him on the phone. He told me once this burglary call ended, he took that report also.

Deputy McCaslin and I then discussed why his GPS was not on during this call. He told me his GPS was not working and that he had notified his supervisors and Kevin Rose, from IT.

I then asked him if he ever slept on duty while employed by the Sheriff's Office. He stated there was one time that he has slept on duty. He stated he was with Deputy Ryan Mason, sitting car to car, when he told Deputy Mason he was very tired. He asked Deputy Mason if he minded if he closed his eyes while Deputy Mason was writing a report. He said Deputy Mason agreed to allow him to sleep while he typed. He said he could not remember why he was so tired that night.

I then went through the statements made by the deputies: FTO Johnson has seen you sleeping two times, Deputy Mauldin has caught you sleeping numerous times and that you have an alarm set for 606 or 607 hours, so you can wake up to go home. Deputy McCaslin denied both of these allegations.

With regard to FTO Johnson, Deputy McCaslin stated they do not have a good relationship for unknown reasons, and that FTO Johnson has never talked to him about sleeping on duty. He said they have never really talked about much since being on the same squad.

We also discussed the call on Soggy Bottom Avenue. Deputy McCaslin stated in substance; He was in the residence with FTO Worthy and a trainee. After some time, they walked out to their vehicles. FTO Worthy and the trainee went to their vehicle, and he walked to his. Since his allergies were bothering him, Deputy McCaslin sat in his car and put eye drops in his eyes. Since sitting up straight for too long hurts his neck, he laid his head back to the right. It was at this time the pictures were taken. Even though his eyes were closed, he heard a noise which he thought was a flash of FTO Worthy's cell phone. When he opened his eyes, FTO Worthy was standing outside the vehicle taking a second photograph. When he asked what he was doing, FTO Worthy said "I caught you sleeping". Deputy McCaslin denied being asleep. He told me the whole incident took less than five minutes, from getting in the car, putting in the eye drops, hearing the noise, then getting out of the car. I explained that FTO Worthy related that Deputy McCaslin was outside alone for over an hour. Deputy McCaslin denied being outside alone that long. He stated several times that FTO Worthy and his trainee were outside with him.

Deputy McCaslin stated Sergeant Beuer was on scene at this time, and FTO Worthy showed the photographs to Sergeant Beuer. Sergeant Beuer made a comment to Deputy McCaslin about sleeping on duty. When Deputy McCaslin denied sleeping, he said

Sergeant Beuer responded "Come on guy, you were sleeping". He said Sergeant Beuer and the others were joking about the incident.

I asked to explain why Deputy Mauldin would say that he sees him sleeping almost every night. He stated that when Deputy Mauldin pulls up next to him at the Pineda Causeway extension, he parks so they are facing the same direction, they are not sitting driver's window to driver's window. Deputy McCaslin said he is usually sitting with his head down typing reports or looking at his phone. He believes that since Deputy Mauldin believes the rumors of him sleeping, and that he does not acknowledge him when he pulls up, Deputy Mauldin just assumes he is sleeping.

I then asked Deputy McCaslin what he thought the issue was between him and the other members on the squad. He said he did not know. I then asked why he thought FTO Johnson, FTO Worthy and Deputy Mauldin would all lie about him sleeping on duty knowing that they could be terminated for untruthfulness. He again stated he did not know what issue they have with him.

Deputy McCaslin also denied having any conversations with his squad members about not wanting to work in Cocoa or being afraid of being injured. He said that he has become less proactive in randomly stopping cars, and has tried to focus more on specific areas. He thinks that as a result of being more focused, the squad may perceive that he does not want to be involved in calls.

During the interview, Deputy McCaslin alleged that FTO Worthy has pulled alongside him and asked if he (McCaslin) would watch out for him while he closed his eyes.

We discussed his previous neck injury and any possible limitations he may have since he stated he had to lean to the side when he put drops in his eyes. He stated his neck gets stiff sometimes from being in one position too long. He stated there are no issues with his neck that would keep him from doing his duty.

At the end of the interview, I escorted Deputy McCaslin out to his patrol vehicle to retrieve his personal cell phone. After we retrieved his phone, we went back into the office. Once inside the office, I examined the alarm function of his cell phone. He had four alarms set at the time, 0825, 0830, 1200, and 1205. There were no alarms set for 606 or 607.

On October 10, 2016, at approximately 1354 hours, I met with Deputy Taylor Lakeman ID# 1916, at East Precinct to conduct a sworn and recorded interview. Deputy Lakeman stated in substance the following: He remembered the domestic violence call on Soggy Bottom Avenue. While at the call, he and several other deputies were assisting SIU with packaging evidence and standing security outside to ensure the suspect did not come to the residence. At one point, he and FTO Worthy walked out to their patrol vehicle. At the time, Deputy McCaslin had been outside for more than 15 minutes, possibly up to an hour, by himself. He and FTO Worthy walked about 100 yards from the residence out to the street. When they got to the street, he saw Deputy McCaslin sitting at the dead end of the road, which is to the left of the driveway. FTO Worthy shined his light at the car, and

Deputy Lakeman saw Deputy McCaslin sleeping in his patrol vehicle. He did not see a flash or hear a flash from FTO Worthy's cell phone. After looking at Deputy McCaslin, Deputy Lakeman walked to his patrol vehicle. At the same time, FTO Worthy walked up to the driver's side of Deputy McCaslin's driver's side window and knocked on the window. This is when Deputy McCaslin woke up. I showed Deputy Lakeman the photographs that FTO Worthy took. He said he had not seen the photographs before. He said that the photograph of Deputy McCaslin sleeping is what he saw when he observed Deputy McCaslin in the vehicle. Deputy Lakeman said he did not remember Sergeant Beuer being out in front of the house after this incident. He did not remember standing around in a group discussing Deputy McCaslin sleeping, as Deputy McCaslin described in his interview.

I had Deputy Lakeman clarify his statement that Deputy McCaslin was outside for more than 15 minutes by himself, prior to him and FTO Worthy walking outside.

On October 18, 2016, I emailed Brandon Borodach, from Information Technology, and requested any emails sent from Deputy McCaslin to Sergeant Beuer and/or Corporal Cawthon between the dates of August 1, 2016 and September 1, 2016. I also spoke with Kevin Rose at West Precinct about emails he may have received from Deputy McCaslin in reference to his GPS not working. Mr. Rose forwarded me an email from Deputy McCaslin dated September 1, 2016 at 10:07 PM. There were no emails between August 1 and 30, 2016 from Deputy McCaslin to Kevin Rose in reference to his GPS not working.

On October 19, 2016, I received an email from Mr. Borodach in answer to my request. Attached to the email, were 11 emails sent from Deputy McCaslin to Sgt. Beuer and Corporal Cawthon during this time period. None of the emails discussed his GPS.

On November 7, 2016 at 0530 hours, I was informed by Sergeant Beuer that his new Corporal, David Turbeville ID #1891, had found Deputy McCaslin sleeping at approximately 0325 hours today. Sergeant Beuer also emailed me a photograph that Corporal Turbeville had taken of Deputy McCaslin sleeping.

When I arrived at West Precinct, I met with Deputy McCaslin and conducted a second sworn and recorded interview. In this interview, I informed Deputy McCaslin of the new allegation and showed him the photograph on my phone. Deputy McCaslin confirmed that the person in the photograph was him, but denied sleeping. He stated he had been working on a report, and closed his eyes for a few moments. He stated he was not "knocked out". He repeated this several times. To clarify, I asked if he was asleep, to which he replied "no". He stated he was aware of his surroundings but had no answer for how Corporal Turbeville had pulled up next to him, taken a photograph, then drove away without him knowing. I concluded the interview by asking again if he had ever slept on duty, other than the incident he had previously disclosed. He stated other than that one time, he had never slept on duty.

On November 7, 2016, at 0554 hours, I met with Corporal Turbeville at West Precinct to conduct a sworn and recorded interview. Corporal Turbeville stated in substance the

following: He was assigned to Delta squad as a corporal on November 5, 2016. At that time, he was informed by Sergeant Beuer that there is an ongoing rumor on the squad that Deputy McCaslin may be sleeping on duty. Sergeant Beuer told Corporal Turbeville that if he ever found Deputy McCaslin sleeping on duty, he was to call Sergeant Beuer immediately.

While on patrol in the area of Stadium Parkway and Murrell Road, he saw a BCSO Chevrolet Impala parked in the Northwest portion of the Publix parking lot. Since he was trying to introduce himself to everyone on the squad, he drove over to the vehicle so he could talk with them. As he approached the vehicle from the front, with his headlights on, the light from the headlights shined inside the vehicle, and he saw a deputy sleeping in the car. He stopped his patrol car next to the Impala with the driver's windows closest to each other. He spent approximately 30 seconds next to the Impala, took a photograph with his cell phone, then drove off to a different part of the parking lot. Due to the Impala being parked in a public area and being accessible to anyone who would drive or walk up on the vehicle, he maintained visual contact with the Impala. Since he did not know who the deputy was, he checked his computer's GPS mapping system. When he did, he determined that it was Deputy McCaslin in the Impala. Corporal Turbeville notified Sergeant Beuer, and Sergeant Beuer responded to the area. Prior to Sergeant Beuer arriving on scene, and several minutes after the photograph was taken, Deputy McCaslin drove out of the parking lot.

**Conclusion:**

Per BCSO General Orders, employees will adhere to the following polices:

400.00 General Professional Responsibilities

*Employees will not engage in any conduct that constitutes neglect of duty, conduct unbecoming an officer, insubordination, carelessness, or any other act that is likely to adversely affect the discipline, good order, or reputation of the Sheriff's Office or any of its employees.*

*Within Brevard County sworn employees will at all times:*

- A. Protect life and property.*
- B. Preserve the peace.*
- C. Prevent, detect, and deter crime.*
- D. Enforce all applicable laws in a fair and impartial manner.*

400.04 Substandard Performance

*A. Incompetence*

*An employee will be determined incompetent in his/her job performance when he/she has demonstrated an inability to meet reasonable measures of job performance or to maintain established standards of proficiency. Depending upon the circumstances, the Sheriff will determine appropriate action, including counseling, retraining, transfer, demotion or discharge of such employee.*

400.27 Prohibited Activity while On-Duty



*Employees are prohibited from engaging in the following activities while on duty, except when in performance of a law enforcement function, and then only with the specific consent of a Command Staff member and never in uniform.*

*B. Sleeping on Duty: Employees will remain alert while on duty. If unable to do so, he/she will report to their supervisor, who will determine the proper course of action.*

400.44A Availability While On-Duty

*Employees on-duty will not conceal themselves except for some law enforcement purposes. Employees will be immediately and readily available to the public during their duty hours. Except under the most extraordinary circumstances, or when otherwise directed by competent authority, no employee will fail to answer any telephone call, radio call, or other form of electronic communication (e.g., page, text message, silent dispatch, MDT, etc.) directed to him/her.*

400.68 Truthfulness

*Employees are required to be truthful at all times whether under oath or not. Employees will not infer or mislead, either directly or indirectly, any information to an employee of the Sheriff's Office, the public, or any other governmental agency.*

300.24 Secondary Employment/Off-Duty Work Details

*A. Non-Law Enforcement Related Off-Duty Employment*

- 1. Complete a Secondary Off-Duty Work Request form (DMS: 300.24-1) and submit it via chain of command for permission to work at any non-law enforcement related off duty employment; one form per job.*
- 2. Complete the Secondary Off-Duty Work Request form (DMS: 300.24-1) and submit it via chain of command to the off-duty detail coordinator if you have an agreement with a property owner or manager or at the onset of an agreement with the property owner or manager to pay a reduced amount of rent or no rent at all for an on-site residence.*

Based on interviews with the above listed departments members, radio traffic from CR 2016-00293492, statement made by Deputy McCaslin, and photographs taken by FTO Worthy, this inquiry concluded the actions of Deputy Marcus McCaslin were in violation of BCSO G.O. 400.00 General Professional Responsibilities, 400.04 Substandard Performance, 400.27 Prohibited Activity while On-Duty, 400.44A Availability While On-Duty, 400.68 Truthfulness.

Deputy McCaslin admitted to sleeping while on duty; but as mitigation stated he had another deputy sitting next to him. Deputy McCaslin also gave a conflicting statement as to the details of when the photographs were taken. In his statement, he stated he walked to his patrol vehicle with FTO Worthy and a trainee, sat in his vehicle for approximately five minutes putting drops in his eyes, and then heard a flash. FTO Worthy and Deputy Lakeman, the trainee at the time, both stated that Deputy McCaslin was outside by himself, FTO Worthy stated for approximately one hour, Deputy Lakeman stated between

15 minutes and one hour. The similar accounts of the incident given by FTO Worthy and Deputy Lakeman, directly conflict with Deputy McCaslin's statement. With regard to his GPS, Deputy McCaslin stated he had emailed Sergeant Beuer and Corporal Cawthon in reference to his GPS not working. A check of his email account revealed that he did not send any emails about his GPS not working to his supervisors between August 1 and August 30, 2016. He did send an email on September 1, 2016 at 10:07 PM. On November 7, deputy McCaslin was found to be sleeping in his vehicle while on duty by Corporal Turbeville. Thus, the findings relative to these allegations are **Sustained**.

With regard to the violation of BCSO G.O. 300.24 Secondary Employment/Off duty Work Details no information has been found to confirm this allegation. This allegation is **Not Sustained**.

### ***Sergeant Todd Beuer***

#### 400.00 General Professional Responsibilities

*Employees will not engage in any conduct that constitutes neglect of duty, conduct unbecoming an officer, insubordination, carelessness, or any other act that is likely to adversely affect the discipline, good order, or reputation of the Sheriff's Office or any of its employees.*

*Within Brevard County sworn employees will at all times:*

- A. Protect life and property.*
- B. Preserve the peace.*
- C. Prevent, detect, and deter crime.*
- D. Enforce all applicable laws in a fair and impartial manner.*

#### 400.04 Substandard Performance

##### *B. Carelessness*

*An employee may be determined to have impaired or jeopardized the proper and efficient operation of the Office of the Sheriff due to his/her carelessness or neglect of their job performance under this provision where he/she acts or fails to act either in a deliberate or willful manner that reflects a reckless or wanton disregard for life, safety, or property; or in any manner contrary to acceptable standards of performance; or which results or could have resulted in injury, danger, or damage to others or to their property.*

During the course of Sergeant Beuer's time on the squad, he advised there has been a running conversation in reference to Deputy McCaslin sleeping on duty. In November 2015, Sergeant Beuer heard FTO Worthy state to other squad members, that he had "just caught" Deputy McCaslin sleeping on a call. Sergeant Beuer failed to question FTO Worthy in reference to this statement.

Although, Sergeant Beuer attempted to locate Deputy McCaslin sleeping while on duty, he did not discuss this matter with anyone one on the squad or with Deputy McCaslin. As the shift supervisor, Sergeant Beuer should have attempted to prove or dispel the rumors. At a minimum, Sergeant Beuer should have addressed this issue with Deputy McCaslin.

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Based on the information gathered, this inquiry concluded the actions of Sergeant Todd Beuer did violate BCSO G.Os 400.00 or 400.04. Thus, the findings relative to these allegations are **Sustained**.

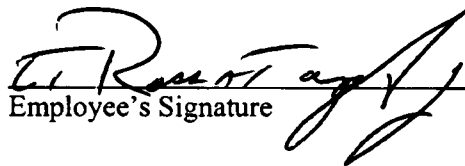


**BREVARD COUNTY SHERIFF'S OFFICE  
ADMINISTRATIVE INVESTIGATOR AFFIDAVIT OF COMPLIANCE**

I, the undersigned, 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.

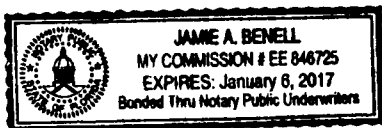
This affidavit pertains to Administrative Investigation 2016-CI-025  
Investigation Number


Ross Torquato  
Employee's Name

  
Employee's Signature

**STATE OF FLORIDA  
COUNTY OF BREVARD**

Subscribed and sworn before me, a person authorized by law to administer oaths,  
this 1st day of November, 2016.  
Date Month Year



  
Signature of Law Enforcement Officer in  
Performance of Official Duties According to  
F.S. 117.10



Brevard County Sheriff's Office  
Titusville, Florida

**MEMORANDUM**

**DATE:** November 15, 2016  
**TO:** Deputy Marcus McCaslin, ID#1612  
**FROM:** Chief Deputy Doug Waller  
**RE:** Final Action  
 Administrative Investigation 2016-CI-025

<b>A TRUE COPY</b>		
TIME	1057	A.M.
DATE	11/16/16	
<b>BREVARD COUNTY SHERIFF'S OFFICE</b>		
Received By:		
	Signature of Deputy Marcus McCaslin	
Served by:		
	Signature of Agent/Deputy	

Administrative Investigation 2016-CI-025 is now closed. The final action regarding this inquiry is the determination of sustained charges and the application of appropriate corrective action.

After a review of the administrative investigation I have determined that your actions were in violation of the established policies and standards of the agency. Specifically, you were caught sleeping while on-duty. In review of the investigative findings you failed to accept responsibility for your actions, and performed in a manner that placed our citizens, your co-workers and yourself in danger.

Therefore, based on my review of your actions, I am **"Sustaining"** the following violations of agency policy:

- **400.00 General Professional Responsibilities**
- **400.04 Substandard Performance**
- **400.27 Prohibited Activity while On-Duty (Sleeping)**
- **400.44A Availability While on-Duty**

As a direct result of the associated Settlement Agreement and General Release, the violation of **400.68 Truthfulness** shall be closed as **"Not-Sustained."**

The corrective action for this incident will be a **forty-eight (48) hour Suspension Without Pay**. Through the Settlement Agreement and General Release, you have waived your right to **Appeal** this action to the **Civil Service Board** or to **Grieve** this matter in accordance with the Collective Bargaining Agreement, therefore the suspension will be served immediately.

Cc: Commander Bruce Barnett  
 CFO Greg Pelham  
 H.R. Manager Lisa Gillis  
 Copy to file 2016-CI-025



Brevard County Sheriff's Office  
Titusville, Florida

**MEMORANDUM**

**DATE:** November 17, 2016  
**TO:** Sergeant Todd Beuer ID#936  
**FROM:** Chief Deputy Doug Waller  
**RE:** Final Action  
 Administrative Investigation 2016-CI-025

<b>A TRUE COPY</b>	
TIME <u>5:20</u>	P.M.
DATE <u>Nov. 28, 2016</u>	
BREVARD COUNTY SHERIFF'S OFFICE	
Received By:	
<u>Todd W. Beuer #936</u>	
Signature of Sergeant Todd Beuer #936	
Served by:	
<u>[Signature]</u>	
Signature of Agent/Deputy	

Administrative Investigation 2016-CI-025 is now closed. The final action regarding this inquiry is the determination of sustained charges and the application of appropriate corrective action.

After a review of the administrative investigation, and in consideration of the input you provided at your "Pre-Deprivation Hearing" on November 16, 2016, I have determined that your actions were in violation of the established policies and standards of the agency.

Specifically, you failed to properly supervise a subordinate employee that was engaged in a pattern of substandard conduct that you should have recognized was detrimental to the overall operation of the Brevard County Sheriff's Office.

As a result of my review, I am sustaining the following policy violations:

- **400.00 General Professional Responsibilities**
- **400.04 Substandard Performance**

During your hearing you accepted responsibility for your actions and stated, in essence, that you are still growing into your new position as a sergeant within the agency. As we discussed during your hearing, being the sergeant in charge of a squad is much different than being the senior deputy or corporal. As the sergeant in charge, your actions have a direct impact on the success or failure of your subordinate employees. Your subordinates look to you for leadership and direction and you must be able to provide them with the level on supervision that they need. Commander Barnett has advised me you are aware of your expectations and he believes that you will use this experience to guide your performance. I have known you since you started your career at the Brevard County Sheriff's Office and I believe you possess the attributes to develop into an outstanding leader. That said, the burden is on you to demonstrate that you can make the transition to being the sergeant in charge. Because of our belief in your abilities, I am going to accept

that this incident has been an opportunity for you in your development and mitigate the corrective action in this matter down to a **Letter of Reprimand**.

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

*This memorandum shall serve as your Letter of Reprimand.*

Cc: Commander Bruce Barnett  
H.R. Manager Lisa Gillis  
Copy to file 2016-CI-025