



Brevard County Sheriff's Office
Titusville, Florida

To: Chief Deputy Doug Waller

From: Agent Charles LaRoche, Staff Services Unit

Date: April 13, 2017

Re: Administrative Investigation (2017-CI-004)
Deputy Agent Timothy Anliker (ID #582)
Deputy Michael Williams (ID #398)
Corrections Sergeant Brian Seeley (ID#443)
Corrections Lieutenant Robert Edwards (ID#953)
Corrections Sergeant Mark Shoar (ID#902)

D. L. 155
4/13/17
**Cancel with Edwards*
**PLEASE SEELEY PRE-DEPRIVATION*
14-2-2017
LI - EDWARDS - CHIEF LEAD
DAD. ANLIKER - LEAD
DAD. WILLIAMS - LEAD

I. Summary:

This Administrative Investigation concerns the facts and circumstances surrounding an unauthorized use of the Brevard County Sheriff's Office (BCSO) electronic email system in violation of agency policy and the contractual provisions of the ratified Collective Bargaining Agreements (CBA) between the BCSO and the Coastal Florida Police Benevolent Association.

The investigation determined that the unauthorized usage started with a group email composed by Agent Tim Anliker on March 2, 2017, concerning a Collective Bargaining topic. The email and subsequent follow-up emails were sent to several agency employees while Anliker was on duty, specifically seeking a response to see if they were interested in taking a Collective Bargaining business action such as filing a grievance. Several employees responded to Anliker's request, some forwarded the email correspondence to other employees and some simply deleted the email.

The following current employees received Anliker's email:

Gary Anderson, Christopher Sands, Brian Guilford, James Stimmell, Brenda Branham, Mike Wallace, Sherry Pope, Don Eggert, John Bradshaw, Cletis Jones, Steven Gjeremo, Pam Hibbs, Michael Doyle, Tim Hart, Sang Hill, Joseph Petroske, Christopher Stahl, Michael Williams, Douglas McCarty, Craig Reynolds.

Two other deputies, John Hudgens and Mitchell Boshnack received a copy of the email forwarded from Craig Reynolds.

Deputy Mike Williams forwarded Anliker's email to Corrections Sergeant Brian Seeley. Seeley then forwarded Anliker's email to Corrections Corporals Gary Wood, Michael VanSlyke and Roy Foster as well as Corrections Sergeant Mark Shoar, and Corrections Lieutenant Robert Edwards. Seeley included his personal commentary to the email, which included defamatory and unprofessional remarks about Sheriff Ivey and the Sheriff's Office. Upon receiving the

communications, and in a timely manner, Corrections Corporal Roy Foster ensured Seeley's email was brought to the attention of Major Tomblin and Major Dodson, who immediately notified Chief Lewis, Chief Deputy Waller, and Sheriff Ivey.

On Monday, March 13, 2017, Chief Deputy Waller authorized an Administrative Investigation be completed.

II. Possible Policy Violations

- 400.00 General Professional Responsibilities
- 400.04 Substandard Performance
- 400.08 Gossip and Criticism
- Collective Bargaining Agreement Section 5.05, Electronic Mail

III. Witnesses

The following deputies were interviewed in regards to this case, each of them stated that they simply received Anliker's email, but did not respond:

Gary Anderson	Timothy Hart
Brian Guilford	Don Eggert
Mike Wallace	Mitchell Boshnack
James Stimmell	Steve Gjermo
Christopher Sands	Joseph Petroske
Pamela Hibbs	

The following deputies were interviewed in regards to this case, as each stated that they had received Anliker's email, and responded using the BCSO Email system with commentary:

Sherry Pope – On Duty	John "Mike" Bradshaw – On Duty
Cletis Jones – On Duty	Craig Reynolds – On Duty
Christopher Stahl – On Duty	John Hudgens – On Duty
Brenda Branham – On Duty	Michael Doyle – Off Duty
Douglas McCarty – On Duty	

Deputy Sang Hill stated that he received Anliker's email and responded while off duty with an email question as to who made the decision regarding the Collective Bargaining issue. He took no further actions.

Agent Marlon Buggs is a Vice President of the Coastal Florida Police Benevolent Association, when he received Anliker's email he took the appropriate action by forwarding Anliker's correspondence to the Coastal Florida Police Benevolent Association for review/action. Specifically Buggs responded to Anliker, "Tim, I know you are not a PBA member; however, I forwarded this matter to Al Boettjer. If Al cannot reach a resolution in this matter, I'm not interested in any further actions myself. Thanks!"

Corrections Corporals Roy Foster, Michael VanSlyke, and Gary Wood received the unprofessional communication from Seeley, which also included the initial email from Anliker.

Corrections Corporal Foster forwarded the email to Administrative Assistant Shandelyn Stokes and brought the email communication to the attention of Majors Tomblin and Dodson, he did not reply in any other manner.

Corrections Corporal Michael VanSlyke and Gary Wood only read the emails and did not reply or share them with anyone else.

Gregory Pelham
Chief Financial Officer
Brevard County Sheriff's Office

On April 4 and April 13, 2017, Major Fischback and I conducted sworn, audio recorded interviews with CFO Pelham. Pelham was interviewed to clarify the series of events that transpired concerning the longevity pay issue. He stated that all the employees he interacted with acted in a professional manner. The following is a summary of his interviews:

CFO Pelham stated that in the afternoon hours of March 1, 2017, he received emails, telephone calls, and visits from several employees concerning Collective Bargaining business. CFO Pelham confirmed that Anliker and Seeley were two of the employees who had contacted him regarding the topic. CFO Pelham stated he spoke with Anliker by telephone, but did not call or email Seeley that day.

CFO Pelham stated that Coastal Florida PBA Representative Al Boettjer stopped by his office on March 2, 2017, to speak with him about the topic. CFO Pelham advised that the matter concerned a financial issue relating to the Agreement. CFO Pelham stated the matter was not a topic negotiated, however, shortly prior to the Agreement ratification vote, he, Representative Boettjer and Chief Deputy Waller discussed the topic. Due to the late timing, both parties, to include respective legal counsels determined that the Agreement language wasn't specific to the topic, but that it did not prevent the intended direction. As a result, there was confusion at the time of implementation due to the eight month delay from ratification. BCSO Payroll had followed the actual Agreement language as ratified, but not as it had been agreed.

CFO Pelham stated that during the evening of March 2, 2017, he contacted Chief Deputy Doug Waller and informed him of the Collective Bargaining topic. Chief Deputy Waller then spoke to Representative Boettjer during the evening of March 2, 2017, resolving the issue and advising Representative Boettjer that he would follow-up the conversation the following day with a written communication documenting his verbal direction. An email was directed to Representative Boettjer on March 3, 2017, by Chief Deputy Waller documenting the resolution that was verbally communicated the prior evening. CFO Pelham stated that he was initially made aware of the Collective Bargaining issue during the afternoon of March 1, 2017, and by 1525 hours on March 3, 2017, with the email by Chief Deputy Waller, the matter was completely and formerly resolved. CFO Pelham advised that Representative Boettjer was very professional in his efforts and assisted with the closure to the issue within hours of his involvement. CFO Pelham then directed an email to the impacted employees outlining the agency's course of action and that Representative Boettjer responded by email with CFPBA's concurrence to the resolution.

IV. Subject Employees:

Timothy Anliker
Deputy Agent
Criminal Investigative Services

On March 14, 2017, I made contact with Agent Timothy Anliker 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 later scheduled to take place on Monday, March 20, 2017, at 0830 hours in the Staff Services conference room.

On March 20, 2017, Anliker arrived at Staff Services with his representative Al Boettjer from "C.J. Kristie Consulting". Prior to the interview, Anliker was provided with, and he reviewed, the entire case file and listened to the audio recordings to his satisfaction. Details of the interview are as follows:

Anliker stated he was first made aware of the Collective Bargaining issue on March 1, 2017. Anliker stated that he thought he remembered speaking with an unknown PBA representative within the agency in July of 2016 about the topic.

I asked Anliker if he was a PBA member, he stated no. I asked if he was a PBA representative for the Deputy Sheriffs, Field Training Officers and Corporals #1451 Collective Bargaining Unit, to which he replied no. I then asked if he was aware that **Section 5.05** of the **Collective Bargaining Agreement** states that only PBA representatives are allowed to use the agency's electronic email to send association approved mass communication to unit members relating to Association business. He stated he was not aware of the contractual language at the time he sent the email. Anliker went on to explain that, although he is not a PBA member or representative, the email he sent was not sent "Global" and he felt it was not Association business. He stated the intent behind his email was to find out if other employees were impacted and wanted to know if they were interested in following up with PBA, Finance, or the Chief Deputy, to seek a reason why. He stated he knew if he were to initiate a grievance, he only had a few days to file it.

I then asked Anliker about one specific response he received from Corporal Sang Hill. Hill responded to the initial email and asked "You mean Sheriff Ivey made this decision?" In his reply email, Anliker wrote "More like Greg Pelham." I asked Anliker what he meant by that comment. He stated that he was under the impression that CFO Pelham made the decision, not the Sheriff himself. He stated that it is the Finance Manager's job to decipher the contract. I then asked Anliker if he was under the impression that CFO Pelham intentionally withheld benefits from him and others. He replied "No" and added that somewhere along the way through the contract negotiations, something was left out or missed and a simple mistake was made.

I asked Anliker if he was on duty when he sent emails regarding this matter, at which he responded that he was. He stated it only took a few minutes to send the email, and had he called all those people individually, it would have taken a lot longer. He went on to say that he works eight hour shifts and only takes a lunch two days a week.

Anliker stated he did not intend to portray himself as a PBA representative during this communication and he sent it to try to gain a resolution. His intent was not to "Rally the Troops" or upset the Sheriff's Office in any way, he merely wanted to get a collective idea on how to approach getting the answers he was seeking. Anliker stated he only used the email system to communicate to coworkers and he felt it was not PBA business he was addressing.

Brian Seeley
Corrections Sergeant
Brevard County Jail Complex

On March 13, 2017, I made contact with Corrections Sergeant Brian Seeley and served him with a memorandum of "Administrative Leave." I explained he was being placed on Administrative Leave, with pay, pending the outcome of this Administrative Investigation. I also provided Seeley 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. Seeley stated he did not currently have representation and would likely represent himself. Seeley's interview was scheduled for 1300 hours on March 20, 2017 at Staff Services.

On March 20, 2017, Seeley arrived at Staff Services without representation. Prior to the sworn audio recorded interview, Seeley was provided with, and reviewed, the entire case file and listened to the audio recordings to his satisfaction. Details of the interview are as follows:

Seeley stated that on the morning of March 1, 2017, he received his paycheck stub in his email. He stated he checked with his lieutenant (Edwards) and then replied to the payroll email regarding a Collective Bargaining issue. He stated that Cindy Speece responded to him and told him that everything was correct. Seeley exchanged emails with Speece outlining his concerns. He also included language copied from the contract to highlight his points. Seeley stated that he was at one of the contract negotiation meetings in 2016 before the contract was finalized and he believed a mistake was made. Seeley stated he was not satisfied with Speece's answer so he emailed CFO Greg Pelham his concerns. Seeley's emails with Finance took place from March 1-2, 2017, while he was on duty.

I then asked Seeley about the email that he received from Michael Williams that was originally composed by Tim Anliker. Seeley stated he was at home when he originally read that email. After reading it, Seeley attached it and sent the following email to Gary Wood, Michael VanSlyke, Roy Foster, Mark Shoar, and Robert Edwards (sent at 1036 hours March 3, 2017):

Well...once again, the Sheriff's Office administration has found a way to "put a little more jingle in our pockets" (that's an exact quote for the Sheriff during our first supervisor meeting with him when he was elected).

A little more jingle being a little "per hour" pay raise that they can use to say, "oh, you got a pay raise so according to the contract, you don't get your longevity pay". Be grateful for your \$700 spread out over the year and don't worry about the \$1,000 you each lost.

Thank you Sheriff for once again proving that people aren't the most important resource, a good, sneaky finance team is.

This is going to be the longest 2 years of my career! I intend to join with the folks in the below email in attempting to right this wrong. I was in the negotiation and we were either misled during the meeting or someone has gotten with the command staff and just plain old told them how to save thousands of dollars by screwing us. Great way to lead...

Brian

Seeley stated he had no excuse or reason for sending the email, claiming that he was under a lot of stress both at work and at home. Seeley stated he wanted to apologize for his actions or somehow undue what he had done. He went on to explain that if he was thinking straight at the time, he would have never sent it. Seeley stated he did not intend for anyone else to see the email he sent. He sent it to a few select people that he trusted and he considers long-time friends.

Seeley stated that after he sent the email, he did not follow it up in any way. It was his weekend off and he put no further thought into it. He remembered getting an email later that day from CFO Pelham, informing the resolution to the issue.

Secondary Seeley Interview

On Wednesday, April 5, 2017, Brian Seeley came to Staff Services upon request for a second interview to clarify a few concerns that came up after his initial interview. During his initial interview, Seeley stated that Lt. Edwards had not provided him any direction on this matter but during an exit interview with Judicial Services Chief Michael J. Lewis on April 3, 2017, he claimed that Lt. Edwards had provided him direction to try and recall the email. The following is a summary of that interview:

Seeley stated that on March 6, 2017, Lieutenant Edwards called him into his office after reading the email containing defamatory and unprofessional remarks. Seeley stated Edwards spoke with him about it and suggested he try to recall the email, Seeley stated he thought it was too late to attempt to recall the email and said it would not do any good, so he did not do it. Seeley took responsibility for sending the inflammatory email and told Edwards he would own up to it when the time came.

I then asked Seeley if Edwards had prior knowledge that he was going to send an email containing defamatory and unprofessional remarks. Seeley stated Edwards had no idea he was going to send it. Seeley stated that he had sought Edwards permission to send the earlier emails (March 1-2), but not for the one containing the unprofessional remarks that he sent on March 3, 2017, from his home computer.

I then asked Seeley why he copied Sergeant Mark Shoar on the email, he stated that he and Shoar have been friends for a long time and he knew Shoar had been involved in the contract negotiations in the summer of 2016.

Michael Williams
Deputy Sheriff / SRO
Brevard County Sheriff's Office

On March 17, 2017, I made contact with Deputy Michael Williams 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 later scheduled to take place on Wednesday, March 22, 2017, at 0830 hours in the Staff Services conference room.

On March 22, 2017, Williams arrived at Staff Services with PBA Representative Michael Scudiero. Prior to the sworn audio recorded interview, Williams was provided with, and reviewed, the entire case file and listened to the audio recordings to his satisfaction. Details of the interview are as follows:

Williams stated he received the email from Anliker on March 2, 2017. Reviewing the email, Williams replied "Interested" at 1638 hours that same day.

A review of Williams' email account revealed that at 1853 hours on March 2, 2017, Sergeant Seeley had forwarded him a copy of the emails that he had exchanged with CFO Pelham earlier that day.

On March 3, 2017, at 0853 hours, Williams' responded to Sergeant Seeley's email from the night before by forwarding him a copy of the email he had received from Anliker, he also included the following commentary "*Brian, you and everyone at the jail in this position should read this. We were all blindsided with this. You are not confused, or missed something. THIS WAS NEVER DISCUSSED!*" I asked Williams why he forwarded that email to Seeley, Williams replied that Seeley had already contacted him with his concerns about the Collective Bargaining issue.

Williams stated that he knows Seeley because he began his career in the Jail and has known Seeley since then. Williams stated that when he sent the email reply to Seeley, he included a response to an earlier email that Seeley had forwarded to him (the earlier email is part of Seeley's correspondence with CFO Pelham). Williams stated he would not have sent Anliker's email to Seeley, absent his earlier communication (Pelham email) with him about the issue.

I then asked Williams if he knew Anliker previous to this email. He stated he had met him a few times before, but did not know him well. Williams did not know if Anliker was a member of the PBA or an agency representative. I then asked if he felt Anliker's email was PBA business or matters of a personal concern that only affected a small amount of people within the agency, Williams stated it fell under both categories, but he was unaware that the email Anliker sent was prohibited under **Section 5.05** of the **Collective Bargaining Agreement**. I asked Williams if he spent any of his on-duty time responding and replying to these emails, he stated he was "off the clock" for most of it, but there is at least one instance when he was at work.

**Robert Edwards
Corrections Lieutenant
Brevard County Jail Complex**

On March 23, 2017, I made contact with Corrections Lieutenant Robert Edwards 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 March 25, 2017, at 0900 hours at the Brevard County Jail Complex.

On March 25, 2017, Edwards arrived at the Jail Complex with PBA Representative Al Boettjer. Prior to the sworn audio recorded interview, Edwards was provided with, and reviewed the entire case file and listened to the audio recordings to his satisfaction. Details of the interview are as follows:

I first asked Edwards to confirm Seeley's statement that he had asked him for permission to contact Finance about the Collective Bargaining issue. Edwards stated that Seeley did seek permission to do so. Edwards stated that Seeley was very upset and so he helped him look up the wording in the contract.

While Edwards was helping Seeley research the contractual language, he was called to Major Tomblin's office for an unrelated issue. While in the Major's office, Edwards mentioned to Tomblin that Seeley was dealing with a pay issue. Major Tomblin advised him that Seeley was not a PBA member and that he needs to remain calm and let the issue work itself out.

When Edwards returned downstairs, Seeley asked him if he could now contact CFO Pelham about the issue. Edwards assumed that the issue was not resolved with the initial Payroll contact. Edwards stated he told Seeley to also contact an agency PBA representative such as Sergeant Mark Shoar or even Al Boettjer from Coastal PBA, as they might not be aware, or they might already be addressing the issue.

Edwards stated that later that day (March 1, 2017), he told Seeley to reach out to Deputy Mike Williams for guidance.

Edwards stated the following day (March 2, 2017), Seeley stated he had not received a response from CFO Pelham about the issue. Edwards asked Seeley if Shoar or Williams were contacted, Seeley stated they were aware of the issue. At the end of that work day, Edwards stated Seeley did not have a resolution, but he had made enough telephone calls and sent enough emails that the right people should be aware. Edwards stated that he believed he gave Seeley the proper guidance for resolving the issue. His direction was to stay calm and give the PBA and Finance Unit time to handle the issue and to wait for the final answer before doing anything else. Edwards stated Seeley insisted on pressing the issue on March 1st and 2nd and completed practically none of his normal supervisory duties and responsibilities for those two days. I asked Edwards if Seeley was negligent in the performance of his duties, he replied "No, but the other Sergeants had to pick up his slack."

I then asked about the email that Seeley sent out on Friday, March 3, 2017. Edwards stated that many people can attest that he is difficult to reach when off duty. He does not carry his

department telephone with him everywhere and therefore, does not check his email on a regular basis or take calls right away. He stated that sometime over the weekend, he saw that Seeley had sent him an email, but he did not read it. Edwards went on to explain that when Seeley sends an email, many people do not read them because Seeley is long winded and it takes him a long time to get to the point.

Edwards stated that when he got to work for his next rotation on Monday, March 6, 2017, he saw Seeley in the hallway. Seeley appeared to be happy and in a good mood and Edwards assumed all had been resolved.

Edwards stated he went to his office and read his emails and then read Seeley's email from March 3, 2017. Edwards stated that when he read it in its entirety, he was very angry. Edwards stated that after roll call, he called Seeley to his office to ask him about the email. When Seeley got there, he appeared to be in a better mood. Edwards asked whether the issue was sorted out, and Seeley replied that it was. Edwards then began reading Seeley's email to him. Edwards stated that Seeley recognized the severity of the email and that he told Seeley the issue would probably skip the Majors and the Chief and head straight to Parkway (Staff Services), as he thought there would be an administrative investigation. Edwards stated his conversation with Seeley about the email was short, and then they both went about their day.

Edwards stated that after his meeting with Seeley, he was busy with other tasks and did not have any further contact with Seeley. Edwards stated that the same thing occurred the following day, and as a result, he never had time to notify or speak with the Majors about Seeley's email.

Edwards stated that the reason he did not bring the email to the attention of the Majors or the Chief was because he thought there was no way they had not been made aware of it already. Edwards gave two examples of incidents where he took information to the Majors in the past, only to find out that they were already aware.

Edwards stated that he received a telephone call on March 14, 2017, from Major Dodson who advised that Seeley was suspended and not permitted in the building. Edwards stated he was not told why he was suspended and assumed it was some sort of complaint. After he got back to work on March 15, 2017, he started hearing rumors about the email Seeley sent. It was at that time Edwards figured out why Seeley was suspended, but he was under the impression the Command Staff was completely aware of the email back on March 6, 2017.

In a closing, Edwards stated that he loves working for the Sheriff's Office and would not jeopardize his career by covering up the irresponsible actions of a fellow employee. He stated that Seeley's actions were "Rogue" and outside his normal character.

Mark Shoar
Corrections Sergeant
Brevard County Jail Complex

On March 25, 2017, I made contact with Sergeant Mark Shoar 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 March 25, 2017 at 1100 hours at the Brevard County Jail Complex.

On March 25, 2017, Shoar arrived at the Jail Complex with PBA Representative Al Boettjer. Prior to the sworn audio recorded interview, Shoar was provided with and reviewed the entire case file and listened to the audio recordings to his satisfaction. Details of the interview are as follows:

I asked Shoar if he works on the same shift as Seeley, he stated that they are both on day shifts, but they work different days and never work at the same time unless one is called in for overtime. I then asked Shoar if Seeley contacted him for advice on March 1st or 2nd for a collective Bargaining issue. Shoar stated that Seeley did email and call him. Shoar stated that after a telephone conversation, Seeley sent him a copy of his concerns that he initially sent to CFO Pelham on March 1, 2017. On March 3, 2017, Shoar received the email that contained defamatory remarks from Seeley. Shoar stated that when Seeley normally sends an email, he doesn't always read them. Shoar said once he saw this email, he called him and advised Seeley that the issue was being resolved.

I then asked Shoar if he reported Seeley's email up through his Chain of Command, he replied that he was not on duty when he read it or when he spoke with Seeley on the telephone. Shoar stated that he was either on his regularly scheduled days off, or he was on pre-approved annual leave from March 1, 2017 through March 7, 2017 (I later confirmed this via his timesheet). Shoar added that Seeley's supervisor (Lt. Edwards) was included in the email distribution so he did not feel he was required to follow up with Seeley's supervisor (Lt. Edwards).

V. Other Investigative Efforts

I reviewed over one thousand emails that were either sent or received by the employees involved with this investigation for the time period of February 24, 2017, through March 4, 2017. I determined that there were approximately 36 emails that pertained specifically to this topic.

The following is a timeline of the emails pertaining to Anliker:

3/1/2017	1503	Asks Greg Pelham to call
3/2/2017	1239	Asks Brenda Branham to call
3/2/2017	1321	Branham tells Anliker other deputies affected
3/2/2017	1617	Anliker sends original email out
3/2/2017	1638	Williams responds "Interested"
3/2/2017	1705	Hill responds "You mean Sheriff Ivey made this decision?" Anliker responded on 3/3/2017 at 0844 "More like Greg Pelham"
3/2/2017	1715	Doyle responded he was interested
3/3/2017	0755	Bradshaw replies he is interested
3/3/2017	0810	Reynolds forwards Anliker's email to Hudgens and Boshnack
3/3/2017	0811	Branham replies to Anliker she is interested
3/3/2017	0815	Reynolds replies to Anliker he is interested
3/3/2017	0831	Hudgens responds to Anliker he is interested
3/3/2017	0853	Williams forwards Anliker's email to Seeley

3/3/2017 0903 Cletis Jones replied to Anliker that he is interested
3/3/2017 0905 McCarty replied to Anliker that he is interested
3/3/2017 0910 Pope replied to Anliker stating she is interested
3/3/2017 1001 Reynolds informs Anliker that Stouch and Wilson are retired and informs him that Hudgens and Boshnack are affected
3/3/2017 1042 Buggs replied to Anliker informing him that he sent the email to PBA rep Al Boettjer. Told him he was NOT interested in further action
3/3/2017 1105 Seeley forwarded an email he sent to Pelham along with an attachment outlining his concerns
3/3/2017 1731 Hibbs forwarded the email to Major Darrell Hibbs

The following is a timeline of Seeley's emails:

3/1/17 0906 Seeley emails PAYROLL
3/1/17 0929 Cindy Speece replies
3/1/17 1109 Seeley replied to Speece, outlining his concerns and attached portions of the contract
3/1/17 1120 Speece replies
3/1/17 Seeley forwarded his concerns to Sergeant Pischinger
3/2/17 0807 Pischinger replied to Seeley, asks to meet so he can explain
3/2/17 0955 Seeley emailed CFO Pelham, explaining his concerns
3/2/17 1750 Seeley sent the Pelham email to VanSlyke and Lt. Edwards
3/2/17 1853 Seeley sent same Pelham email to Michael Williams
3/3/17 0853 Williams responded to Seeley, told him the lack of longevity pay was not discussed in contract negotiations
3/3/17 1025 Seeley responded to Williams with inflammatory comments
3/3/17 1036 Seeley sent inflammatory email to Wood, Foster, VanSlyke, Edwards, and Shoar
3/3/17 1105 Seeley sent Pelham email to Anliker, Shoar, and Al Boettjer
3/3/17 1535 Pelham responded to Seeley, stating there are discussions in the works
3/3/17 1536 Seeley responds, thanking him for a reply

*****These emails are included with this case report as an enclosure.***

There were no requests by CFPBA to Sheriff Ivey or designee to authorize and use the Agency's electronic email system to communicate a CFPBA message to Agency members.

VI. Summary and Recommendations:

Deputy / Agent Timothy Anliker

On March 1, 2017, Agent Anliker used BCSO resources, to include the agency's electronic email system, to send out an email to twenty-two (22) other employees about a Collective Bargaining matter. Anliker was on duty at the time and did not have authorization to utilize the BCSO email system, his actions are in violation of **Section 5.05 of the Collective Bargaining Agreement.**

5.05 Electronic Mail

(D) Unit representatives shall be allowed use of the BCSO electronic mail system to distribute association approved mass communication to members relating to the Association. All communications will be coordinated through the Sheriff or his designee. No member is authorized to conduct association business using the BCSO electronic mail system. The Sheriff shall not provide Agency electronic mail capabilities for any other labor organization.

Anliker is a member of the Deputy Sheriffs, Field Training Officers and Corporals #1451 Collective Bargaining Unit, and conducted Collective Bargaining business during the course of his normal duty shift and assignment.

As a direct result of Anliker's actions, many employees wasted tax payer funding to either read, respond, or forward emails using agency resources.

Anliker makes a comment in the email where he expressed his belief that the interpretation of the contract was not fair based on his recollection of the contract negotiations.

During his interview Anliker stated that he was not trying to "Rally the Troops" on the longevity pay issue. This comment is contradicted by the wording of his email which reads, in part: "*Should Al Boettjer be unable to resolve this issue, we could still pursue the matter. This could include meeting with Chief Waller and or filing a grievance on the issue. This email is being sent to those in the same position as myself. If you are interest (sic) in pursuing this matter, please let me know – or if you are not interest, please let me know.*"

Based on my investigation of this matter, I recommend the administrative charges against **Deputy / Agent Timothy Anliker** be closed as follows:

Section 400.04, Substandard Performance–“Sustained”

Section 400.08, Gossip and Criticism–“Not Sustained”

CBA Section 5.05, Electronic Mail – “Sustained”

Deputy / SRO Michael Williams

Deputy / SRO Michael Williams received the initial email from Anliker and later forwarded it to Sergeant Seeley, who he knew was upset about the Collective Bargaining matter. Williams is not only a member of the Deputy Sheriffs, Field Training Officers and Corporals #1451 Collective Bargaining Unit, he is also a Unit Representative. The record reflects that Deputy / SRO Williams utilized the agency email system to conduct Collective Bargaining business during the course of his normal duty shift and assignment.

5.05 Electronic Mail

(D) Unit representatives shall be allowed use of the BCSO electronic mail system to distribute association approved mass communication to members relating to the Association. All communications will be coordinated through the Sheriff or his designee. No member is authorized to conduct association business using the BCSO electronic mail system. The Sheriff shall not provide Agency electronic mail capabilities for any other labor organization.

I recommend the administrative charges against **Deputy Michael Williams** be closed as follows:

*Section 400.04, Substandard Performance—"Sustained"
CBA Section 5.05, Electronic Mail – "Sustained"*

Corrections Sergeant Brian Seeley

At the time of this incident, Sergeant Seeley was a member of the Corrections Sergeants and Lieutenants #1555 Collective Bargaining Unit, and conducted Collective Bargaining business during the course of his normal duty shift and assignment. This activity was furthered by utilizing the agency email system for an unapproved purpose.

According to Lt. Edwards, Seeley had spent the majority of two consecutive shifts attending to a Collective Bargaining topic and neglected his daily duties and responsibilities to the point that the other sergeants on the squad had to attend to Seeley's duties.

At the time of this incident, Seeley was a 28 year employee with the Sheriff's Office, 14 of those years as a Sergeant. Being such a tenured employee, Seeley should have known how to appropriately address collective bargaining issues without violating contractual obligations or resorting to unprofessional actions. Seeley also failed in his supervisory responsibilities because he was distracted by his personal pay issue, thus leaving his subordinates without his supervision and causing his peer sergeants to have to attend to his duties.

I recommend the administrative charges against **Corrections Sergeant Brian Seeley** be closed as follows:

*Section 400.04, Substandard Performance—"Sustained"
Section 400.05, Insubordination -"Sustained"
Section 400.08, Gossip and Criticism—"Sustained"
CBA Section 5.05, Electronic Mail – "Sustained"*

**It should be noted that on March 31, 2017, Seeley tendered his resignation (effective April 4, 2017) with the Brevard County Sheriff's Office, therefore no further action needs to be taken in regards to Sergeant Seeley.*

Corrections Lieutenant Robert Edwards

Lieutenant Robert Edwards is a member of the Corrections Sergeants and Lieutenants #1555 Collective Bargaining Unit.

Lt. Edwards stated he became aware of the Collective Bargaining issue on Wednesday March 1, 2017 when Sergeant Seeley brought it to his attention. As a senior supervisory employee, Lt. Edwards should have known how to properly address an employee concern and complete the appropriate chain of command notices that were warranted. Lt. Edwards failed in his General Professional Responsibilities and Supervisory Duties by allowing Seeley to spend nearly two full shifts (March 1-2, 2017) focused on his personal pay issue while neglecting his supervisory responsibilities. Lt. Edwards also failed to recognize that Sergeant Seeley's actions were in violation of the CBA.

Lt. Edwards also failed in his supervisory responsibilities when he failed to notify his chain of command about the content of Sergeant Seeley's March 3, 2017 email. Lt. Edwards stated that he read this email in its entirety on March 6, 2017 and recognized immediately that it was inappropriate and would probably end up in Staff Services. Even though he recognized the serious nature of Seeley's email, Lt. Edwards failed to communicate its existence with the two Majors or Chief. His explanation for this failure was that he got busy on March 6-7, 2017 and never had the opportunity to speak to them about it. When he returned to work he thought there was no way that they (Majors and Chief) didn't know about the email so he did not say anything.

I recommend the administrative charges against **Corrections Lieutenant Robert Edwards** be closed as follows:

Section 400.00, General Professional Responsibilities--"Sustained"

Section 400.04, Substandard Performance--"Sustained"

Corrections Sergeant Mark Shoar

Sergeant Shoar was either on Annual Leave or on his regularly scheduled days off when he was in communication with Seeley about the Collective Bargaining topic. He stated he did call Seeley and told him the issue was being addressed by both the agency and PBA. When Shoar returned to duty and read Seeley's email, he did not feel it was his responsibility to report Seeley's email because Seeley's direct supervisor (Edwards) was copied and aware.

I recommend the administrative charges against **Corrections Sergeant Mark Shoar** be closed as follows:

Section 400.00, General Professional Responsibilities--"Not-Sustained"

Section 400.04, Substandard Performance--"Not-Sustained"

Related Violations / Concerns

The Investigation determined that the following employees who are all members of the Deputy Sheriffs, Field Training Officers and Corporals #1451 Collective Bargaining Unit, conducted Collective Bargaining business during the course of their respective normal duty shift and assignment (*sole exceptions Deputies Mike Doyle and Sang Hill – Off Duty) using agency resources. The unauthorized use of agency resources was in violation of agency policy and the contractual provisions of the ratified Collective Bargaining Agreements (CBA) between the BCSO and the Coastal Florida Police Benevolent Association.

5.05 Electronic Mail

(D) Unit representatives shall be allowed use of the BCSO electronic mail system to distribute association approved mass communication to members relating to the Association. All communications will be coordinated through the Sheriff or his designee. No member is authorized to conduct association business using the BCSO electronic mail system. The Sheriff shall not provide Agency electronic mail capabilities for any other labor organization.

Employees:

Sherry Pope – On Duty

Cletis Jones – On Duty

Christopher Stahl – On Duty

Brenda Branham – On Duty

Douglas McCarty – On Duty

John “Mike” Bradshaw – On Duty

Craig Reynolds – On Duty

John Hudgens – On Duty

Michael Doyle – *Off Duty

Sang Hill – *Off Duty

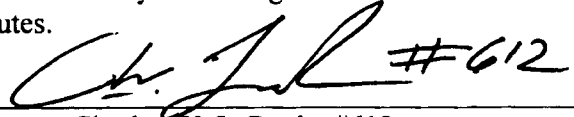
*Not found to have violated agency policy and the contractual provisions of the ratified Collective Bargaining Agreements (CBA) between the BCSO and the Coastal Florida Police Benevolent Association. Employees Pamela Hibbs and Roy Foster used agency resources while on duty to provide appropriate supervisory notice of the matter. Employee Marlon Buggs used agency resources to appropriately notify PBA of the matter.

VII. Enclosures

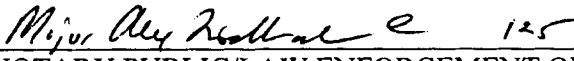
- a. Authorization for Administrative Investigation**
- b. Administrative Leave Memorandum – Seeley**
- c. Notice of Administrative Investigation – Seeley**
- d. Notice of Administrative Investigation – Anliker**
- e. Notice of Administrative Investigation – Williams**
- f. Notice of Administrative Investigation – Edwards**
- g. Notice of Administrative Investigation – Shoar**
- h. Administrative Investigation Warning – Seeley**
- i. Administrative Investigation Warning – Anliker**
- j. Administrative Investigation Warning – Williams**
- k. Administrative Investigation Warning – Edwards**
- l. Administrative Investigation Warning – Shoar**
- m. Resignation Memorandum – Seeley**
- n. Copies of 36 emails**

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

Sworn to and subscribed before me, the undersigned authority, and this 13th day of April, 2017.


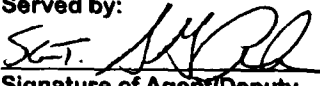
Signature  125
NOTARY PUBLIC/LAW ENFORCEMENT OFFICER
IN PERFORMANCE OF OFFICIAL DUTIES



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: April 26, 2017
TO: Deputy John Hudgens #341
FROM: Commander John Mellick
RE: Final Action
Administrative Investigation 2017-CI-004

A TRUE COPY	
TIME <u>0930</u>	A.M.
DATE <u>05/22/17</u>	
BREVARD COUNTY SHERIFF'S OFFICE	
Received By: John Hudgens	
 #34	
Signature of Employee Served	
Served by:	
 #277	
Signature of Agent/Deputy	

Administrative Investigation **2017-CI-004** is closed. The final action regarding this matter is the determination of sustained charges and the application of the appropriate corrective action.

After a review of the administrative investigation, it has been determined that your actions were in violation of the established rules and regulations of the Brevard County Sheriff's Office, as well as in direct violation of the provisions of the Collective Bargaining Agreement. Specifically, while you were in an on-duty capacity, you used agency resources to include equipment, systems and time to send unauthorized email communications concerning Collective Bargaining Unit business. Your actions needlessly disrupted the organizational operations of the Sheriff's Office and caused unnecessary strife with other employees over an issue that was already being resolved.

You are a member of the Deputy Sheriffs, Field Training Officers and Corporals #1451 Collective Bargaining Unit.

As a result of your actions, the following policy violations were sustained: **400.04, Substandard Performance and CBA Section 5.05, Electronic Mail.**

As a corrective action you will receive a **Written Counseling.** You are forewarned that any subsequent violations could lead to progressive discipline up to, and including, termination.

cc: Investigative File 2017-CI-004



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: April 26, 2017
TO: Corporal Craig Reynolds #465
FROM: Commander John Mellick
RE: Final Action
Administrative Investigation 2017-CI-004

A TRUE COPY	
TIME	5:43 P.M.
DATE	5-5-2017
BREVARD COUNTY SHERIFF'S OFFICE	
Received By:	Craig Reynolds
Signature of Employee Served	<i>[Signature]</i>
Served by:	<i>[Signature]</i>
Signature of Agent/Deputy	<i>[Signature]</i>

Administrative Investigation **2017-CI-004** is closed. The final action regarding this matter is the determination of sustained charges and the application of the appropriate corrective action.

After a review of the administrative investigation, it has been determined that your actions were in violation of the established rules and regulations of the Brevard County Sheriff's Office, as well as in direct violation of the provisions of the Collective Bargaining Agreement. Specifically, while you were in an on-duty capacity, you used agency resources to include equipment, systems and time to send unauthorized email communications concerning Collective Bargaining Unit business. Your actions needlessly disrupted the organizational operations of the Sheriff's Office and caused unnecessary strife with other employees over an issue that was already being resolved.

You are a member of the Deputy Sheriffs, Field Training Officers and Corporals #1451 Collective Bargaining Unit.

As a result of your actions, the following policy violations were sustained: **400.04, Substandard Performance** and **CBA Section 5.05, Electronic Mail.**

As a corrective action you will receive a **Written Counseling.** You are forewarned that any subsequent violations could lead to progressive discipline up to, and including, termination.



cc: Investigative File 2017-CI-004



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: April 26, 2017
TO: Deputy Brenda Branham #345
FROM: Commander John Mellick
RE: Final Action
Administrative Investigation 2017-CI-004

A TRUE COPY	
TIME	4:05 P.M.
DATE	5-16-2017
BREVARD COUNTY SHERIFF'S OFFICE	
Received By:	Brenda Branham
	
Signature of Employee Served	
Served by:	
	
Signature of Agent/Deputy	

Administrative Investigation **2017-CI-004** is closed. The final action regarding this matter is the determination of sustained charges and the application of the appropriate corrective action.

After a review of the administrative investigation, it has been determined that your actions were in violation of the established rules and regulations of the Brevard County Sheriff's Office, as well as in direct violation of the provisions of the Collective Bargaining Agreement. Specifically, while you were in an on-duty capacity, you used agency resources to include equipment, systems and time to send unauthorized email communications concerning Collective Bargaining Unit business. Your actions needlessly disrupted the organizational operations of the Sheriff's Office and caused unnecessary strife with other employees over an issue that was already being resolved.

You are a member of the Deputy Sheriffs, Field Training Officers and Corporals #1451 Collective Bargaining Unit.

As a result of your actions, the following policy violations were sustained: **400.04, Substandard Performance** and **CBA Section 5.05, Electronic Mail.**

As a corrective action you will receive a **Written Counseling.** You are forewarned that any subsequent violations could lead to progressive discipline up to, and including, termination.

cc: Investigative File 2017-CI-004



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: April 26, 2017
TO: Deputy Douglas McCarty #469
FROM: Commander John Mellick
RE: Final Action
Administrative Investigation 2017-CI-004

A TRUE COPY 3:55 PM	
TIME	3:55 PM
DATE	5-16-2017
BREVARD COUNTY SHERIFF'S OFFICE	
Received By:	Douglas McCarty
Signature of Employee Served	<i>[Signature]</i>
Served by:	<i>[Signature]</i>
Signature of Agent/Deputy	<i>[Signature]</i>

Administrative Investigation 2017-CI-004 is closed. The final action regarding this matter is the determination of sustained charges and the application of the appropriate corrective action.

After a review of the administrative investigation, it has been determined that your actions were in violation of the established rules and regulations of the Brevard County Sheriff's Office, as well as in direct violation of the provisions of the Collective Bargaining Agreement. Specifically, while you were in an on-duty capacity, you used agency resources to include equipment, systems and time to send unauthorized email communications concerning Collective Bargaining Unit business. Your actions needlessly disrupted the organizational operations of the Sheriff's Office and caused unnecessary strife with other employees over an issue that was already being resolved.

You are a member of the Deputy Sheriffs, Field Training Officers and Corporals #1451 Collective Bargaining Unit.

As a result of your actions, the following policy violations were sustained: **400.04, Substandard Performance** and **CBA Section 5.05, Electronic Mail.**

As a corrective action you will receive a **Written Counseling.** You are forewarned that any subsequent violations could lead to progressive discipline up to, and including, termination.

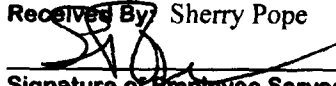
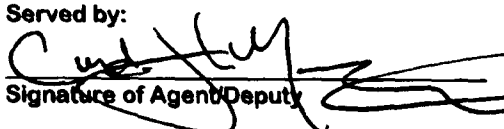
cc: Investigative File 2017-CI-004



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: April 26, 2017
TO: Deputy Sherry Pope #228
FROM: Commander John Mellick
RE: Final Action
Administrative Investigation 2017-CI-004

A TRUE COPY	
TIME	<u>5-5-31 P.M.</u>
DATE	<u>5-5-2017</u>
BREVARD COUNTY SHERIFF'S OFFICE	
Received By	Sherry Pope
	
Signature of Employee Served	
Served by:	
	
Signature of Agent/Deputy	

Administrative Investigation **2017-CI-004** is closed. The final action regarding this matter is the determination of sustained charges and the application of the appropriate corrective action.

After a review of the administrative investigation, it has been determined that your actions were in violation of the established rules and regulations of the Brevard County Sheriff's Office, as well as in direct violation of the provisions of the Collective Bargaining Agreement. Specifically, while you were in an on-duty capacity, you used agency resources to include equipment, systems and time to send unauthorized email communications concerning Collective Bargaining Unit business. Your actions needlessly disrupted the organizational operations of the Sheriff's Office and caused unnecessary strife with other employees over an issue that was already being resolved.

You are a member of the Deputy Sheriffs, Field Training Officers and Corporals #1451 Collective Bargaining Unit.

As a result of your actions, the following policy violations were sustained: **400.04, Substandard Performance and CBA Section 5.05, Electronic Mail.**

As a corrective action you will receive a **Written Counseling.** You are forewarned that any subsequent violations could lead to progressive discipline up to, and including, termination.

cc: Investigative File 2017-CI-004



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: April 26, 2017
TO: Deputy Cletis Jones #389
FROM: Commander John Mellick
RE: Final Action
Administrative Investigation 2017-CI-004

A TRUE COPY	
TIME	5:10 P.M.
DATE	5-4-2017
BREVARD COUNTY SHERIFF'S OFFICE	
Received By: Cletis Jones	
Signature of Employee Served	
Served by:	
Signature of Agent/Deputy	

Administrative Investigation **2017-CI-004** is closed. The final action regarding this matter is the determination of sustained charges and the application of the appropriate corrective action.

After a review of the administrative investigation, it has been determined that your actions were in violation of the established rules and regulations of the Brevard County Sheriff's Office, as well as in direct violation of the provisions of the Collective Bargaining Agreement. Specifically, while you were in an on-duty capacity, you used agency resources to include equipment, systems and time to send unauthorized email communications concerning Collective Bargaining Unit business. Your actions needlessly disrupted the organizational operations of the Sheriff's Office and caused unnecessary strife with other employees over an issue that was already being resolved.

You are a member of the Deputy Sheriffs, Field Training Officers and Corporals #1451 Collective Bargaining Unit.

As a result of your actions, the following policy violations were sustained: **400.04, Substandard Performance and CBA Section 5.05, Electronic Mail.**

As a corrective action you will receive a **Written Counseling**. You are forewarned that any subsequent violations could lead to progressive discipline up to, and including, termination.

cc: Investigative File 2017-CI-004



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: April 26, 2017
TO: Deputy John Bradshaw #111
FROM: Commander John Mellick
RE: Final Action
Administrative Investigation 2017-CI-004

A TRUE COPY	
TIME	5:25 P.M.
DATE	5-4-2017
BREVARD COUNTY SHERIFF'S OFFICE	
Received By:	John Bradshaw #111
Signature of Employee Served	
Served by:	[Signature]
Signature of Agent/Deputy	

Administrative Investigation **2017-CI-004** is closed. The final action regarding this matter is the determination of sustained charges and the application of the appropriate corrective action.

After a review of the administrative investigation, it has been determined that your actions were in violation of the established rules and regulations of the Brevard County Sheriff's Office, as well as in direct violation of the provisions of the Collective Bargaining Agreement. Specifically, while you were in an on-duty capacity, you used agency resources to include equipment, systems and time to send unauthorized email communications concerning Collective Bargaining Unit business. Your actions needlessly disrupted the organizational operations of the Sheriff's Office and caused unnecessary strife with other employees over an issue that was already being resolved.

You are a member of the Deputy Sheriffs, Field Training Officers and Corporals #1451 Collective Bargaining Unit.

As a result of your actions, the following policy violations were sustained: **400.04, Substandard Performance** and **CBA Section 5.05, Electronic Mail.**

As a corrective action you will receive a **Written Counseling**. You are forewarned that any subsequent violations could lead to progressive discipline up to, and including, termination.

cc: Investigative File 2017-CI-004



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: April 20, 2017
TO: Corrections Lieutenant Robert Edwards
FROM: Chief Michael J. Lewis *MJL*
RE: Final Action
 Command Inquiry 2017-CI-004

TIME	7:20 P.M.
DATE	4/20/2017
BREVARD COUNTY SHERIFF'S OFFICE	
Received By: Robert Edwards	
<i>Robert Edwards</i>	
Signature of Employee Served	
Served by: <i>Asst. Charles La Roche</i>	
<i>Ch. #612</i>	
Signature of Agent/Deputy	

Command Inquiry 2017-CI-004 is now closed. The final action regarding this matter is the determination of sustained charges and the application of appropriate corrective action. This Administrative Investigation was initiated over concerns that your performance as a Corrections Lieutenant has been substandard.

Prior to making any final determinations in this matter I reviewed the investigative file and took into consideration the comments you made during your Pre-Deprivation hearing on April 19, 2017. Based on this review, I find that you failed to provide proper supervisory guidance to a subordinate employee who had a question about longevity pay. You then allowed the involved employee to spend the better part of two shifts trying to address this issue at the expense of his normal supervisory functions, to the extent that other supervisory personnel had to assume his responsibilities and duties. During the course of this event, your subordinate wrote and disseminated an email that was factually incorrect, as well as being highly inappropriate in both tone and language. You have stated that when you became aware of this email you recognized immediately how inappropriate it was, yet you failed to notify your supervisors of its existence. Your actions in this instance do not reflect the level of **basic competence** that I would expect from a Corrections Lieutenant with your level of tenure in the position. By failing to properly handle your subordinate's issue in a timely and professional manner, you allowed a situation to develop which created unnecessary strife amongst our employees. You should have notified your Command of the nature of the initial issue, and you certainly should have made them aware of the inflammatory email sent by the employee. By failing to make these notifications, you deprived them of the ability to address this issue in a timely manner without causing any disruption in the workplace or additional employee strife.

Based on my review of this incident, and in acknowledgment of your input during the Pre-Deprivation hearing, I find that your actions were in violation of the following BCSO policies:

- **Section 400.00, General Professional Responsibilities**
- **Section 400.01, Professional Duty Responsibilities**
- **Section 400.04, Substandard Performance**

The next step in this process is to determine an appropriate corrective action that is fair to the involved employee, and also addresses the needs of the Brevard County Sheriff's Office. Prior to deciding on an appropriate corrective action in this matter I reviewed your prior disciplinary history.

This review reflects that, since your promotion to the rank of Corrections Lieutenant on February 14, 2014, you have received five (5) **Letters of Reprimand** and one **Twelve Hour Suspension Without Pay**.

Your disciplinary record demonstrates a clear pattern of substandard conduct where you have failed to live up to the established standards of performance for a Corrections Lieutenant within the Brevard County Sheriff's Office, specifically:

1. On April 24, 2015, you received a **Letter of Reprimand** for failing follow direction given to you by Major Dodson, regarding a letter sent to a Corrections Deputy. Refer to **2015-A-048**.
2. On July 23, 2015, you received a **Letter of Reprimand** for failing to address inmate grievances in a timely manner. Refer to **2015-A-096**.
3. On August 4, 2015, you received a **Letter of Reprimand** for failing to ensure that mandatory training had been completed by the staff assigned to your shift. Refer to **2015-A-103**.
4. On October 5, 2015, you received a **Letter of Reprimand** for failing to secure your firearm prior to entering the secured area of the Brevard County Jail Complex. Refer to **2015-A-138**.
5. On November 19, 2015, you received a **Twelve hour Suspension Without Pay** for performance issues surrounding your ability to properly review and approve a response to resistance report. As part of the corrective action in this matter you were also placed on a *Performance Improvement Plan*. Refer to **2015-A-153**.
6. On April 11, 2017, you received a **Letter of Reprimand** for failing to properly address and document an internal security breach where an inmate used a

different inmate's name to gain additional recreation time. Refer to **2017-A-043**.

As I reviewed the prior corrective actions I could not help but notice a recurring theme in them, an inability on your part to pay attention to details or to follow up on assignments. This is unacceptable for someone holding a senior leadership position.

In addition to the review of your disciplinary history, I have also reviewed your daily job performance with your supervisors. The consensus of these reviews is that, in spite of all the efforts to improve your performance, you are simply not performing at an acceptable level for someone that holds the rank of Corrections Lieutenant. Corrective actions, up to and including a suspension from duty, have not been able to communicate the message that you need to improve your performance. At this time I am at a loss as to what type of action I could take that would improve your performance and allow you to stay in your current assignment. Therefore, effective immediately, you are being demoted and returned to your prior rank of Corrections Sergeant.

As provided by the Civil Service Act, Chapter 83-373, Laws of Florida and the Collective Bargaining Agreement between the Coastal Florida Police Benevolent Association and the Brevard County Sheriff's Office, you may appeal this proposed action to the Civil Service Board or file a disciplinary grievance to this disciplinary action. To appeal or grieve this action, you must file a petition for review within ten (10) 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 Human Resources Manager Lisa Gillis at the Personnel Office located at 700 Park Avenue, Titusville, FL 32780. A copy of any petition should also be directed to the attention of Chief Michael J. Lewis.

cc: Major Dodson / Major Tomblin
H.R. Manager Lisa Gillis
Case File 2017-CI-004



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: April 21, 2017
TO: Deputy Agent Timothy Anliker
FROM: Chief Deputy Douglas Waller
RE: Final Action
Administrative Investigation 2017-CI-004

A TRUE COPY	
TIME	2:50 P.M.
DATE	4/21/17
BREVARD COUNTY SHERIFF'S OFFICE	
Received By: Timothy Anliker	
<i>[Signature]</i>	
Signature of Employee Served	
Served by:	
<i>[Signature]</i>	
Signature of Agent/Deputy	

Administrative Investigation 2017-CI-004 is closed. The final action regarding this matter is the determination of sustained charges and the application of appropriate corrective action.

After a review of the administrative investigation, and in consideration of the input you provided during your pre-deprivation hearing, I have determined that your actions were in violation of the established rules and regulations of the Brevard County Sheriff's Office, as well as in direct violation of the provisions of the Collective Bargaining Agreement. Specifically, while you were in an on-duty capacity, you used agency resources to include equipment, systems and time to send unauthorized email communications concerning Collective Bargaining Unit business. Your actions needlessly disrupted the organizational operations of the Sheriff's Office and caused unnecessary strife with other employees over an issue that was already being resolved.

During your pre-deprivation hearing on April 19, 2017 you accepted complete responsibility for your actions, and you assured me this will not occur again. As a result of my review, I am sustaining the following policy violations: **400.04, Substandard Performance** and **CBA Section 5.05, Electronic Mail**.

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

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

cc: Commander Drinkwater
Human Resource Manager Gillis



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: April 21, 2017
TO: Corrections Sergeant Mark Shoar
FROM: Chief Michael J. Lewis *[Signature]*
RE: Administrative Investigation 2017-CI-004

A TRUE COPY	
TIME <u>5:05</u> M.	
DATE <u>4/25/17</u>	
BREVARD COUNTY SHERIFF'S OFFICE	
Received By: Mark Shoar	
<u>Mark Shoar #902</u>	
Signature of Employee Served	
Served by: <u>[Signature]</u> 6'2	

Command Inquiry 2017-CI-004 was initiated in response to allegations that you may have violated Brevard County Sheriff's Office policies and procedures. Based on the investigative report and overview, the following has been determined:

- The allegations that you violated General Orders **400.00 General Professional Responsibilities**, and **400.04 Substandard Performance** are being closed as "Not Sustained."

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

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

Attachment:

- 2017-CI-004 Investigative Report

c: Investigative File 2017-CI-004



Brevard County Sheriff's Office
Titusville, Florida

MEMORANDUM

DATE: April 21, 2017
TO: Deputy Michael Williams #398
FROM: Chief Deputy Douglas Waller
RE: Final Action
Administrative Investigation 2017-CI-004

A TRUE COPY
TIME 2:40 P.M.
DATE 4/21/17
BREVARD COUNTY SHERIFF'S OFFICE
Received By: Michael Williams
[Signature]
Signature of Employee Served
Served by:
[Signature]
Signature of Agent/Deputy

Administrative Investigation 2017-CI-004 is closed. The final action regarding this matter is the determination of sustained charges and the application of appropriate corrective action.

After a review of the administrative investigation, and in consideration of the input you provided during your pre-deprivation hearing, I have determined that your actions were in violation of the established rules and regulations of the Brevard County Sheriff's Office, as well as in direct violation of the provisions of the Collective Bargaining Agreement. Specifically, while you were in an on-duty capacity, you used agency resources to include equipment, systems and time to send unauthorized email communications concerning Collective Bargaining Unit business. Your actions needlessly disrupted the organizational operations of the Sheriff's Office and caused unnecessary strife with other employees over an issue that was already being resolved.

During your pre-deprivation hearing on April 19, 2017 you accepted complete responsibility for your actions, and you assured me this will not occur again. As a result of my review, I am sustaining the following policy violations: **400.04, Substandard Performance** and **CBA Section 5.05, Electronic Mail**.

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

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

cc: **Commander Mike DeMorat**
Major Linda Moros
Human Resource Manager Gillis
Investigative File 2017-CI-004