



Brevard County Sheriff's Office  
Titusville, Florida

**MEMORANDUM**

**DATE:** May 09, 2017  
**TO:** Chief Michael J. Lewis  
**FROM:** Agent Kraig Hupfer, Staff Services Unit  
**RE:** Command Inquiry 2017-CI-006

**I. Summary**

On March 17, 2017, deputies from the Brevard County Sheriff's Office responded to Corrections Deputy Jason Rogers' residence in reference to a domestic disturbance (Refer to BCSO case#2017-00093153). Upon their arrival at the residence, deputies made contact with Deputy Rogers who advised he had been involved in a domestic disturbance with his spouse. Additional deputies made contact with Rogers' wife at a different location. After the initial assessment of the incident, the responding deputies requested assistance from the Special Victims Unit. Agent Michalak and Sergeant Morrison were notified and they responded to the residence to assume the investigation.

During the investigation, agents learned that the domestic dispute was initiated with a telephone call from Deputy Rogers' supervisor requesting that he return a set of vehicle work keys to the jail complex. [REDACTED] did not believe the call was from his supervisor and she demanded that he place the call on speaker phone. When he refused to comply, [REDACTED] and Deputy Rogers both stated that she struck him in the head with a remote control for the television set. Deputy Rogers then went to their bedroom to separate himself from her and to search for the work keys.

After he located the work keys, Deputy Rogers returned to the kitchen area to prepare to leave the residence. Still upset with the prior situation, [REDACTED] re-engaged with her husband, she stated that she had a work receipt belonging to him that she tore in half in front of him, she admitted that she did this to "push his buttons." Deputy Rogers stated he "snatched" the receipt from her at which time his wife alleged that he accidentally pulled some of her hair. In response to her hair being pulled, [REDACTED] admitted that she hit her husband. Deputy Rogers stated that his wife was attacking him (scratching and hitting him) so he grabbed her and held her arms so she could not hit him. [REDACTED] advised that her husband did "restrain" her but that his hold on her hurt. Deputy Rogers

*Concord  
bindings  
mjd  
99*

and [REDACTED] both stated that they fell to the floor where they continued to physically struggle with each other. Deputy Rogers stated that as he was restraining his wife, he told her, in essence, to stop hitting him and he would let her go. In [REDACTED] interview she stated that her husband had said that but it was not something she agreed to. [REDACTED] stated that while still on the floor, she had struck her husband in the back with her knee in an attempt to break free from his hold. She advised that her husband had recent back surgery and she believed the strike would have caused him a considerable amount of pain. In Deputy Rogers' interview, he stated that his wife punched him in the head several times which caused excruciating pain to the back of his head.

Immediately after striking Deputy Rogers, [REDACTED] was struck in the eye. [REDACTED] stated that her husband immediately punched her in the facial area. Deputy Rogers said that in his attempt to get his wife off of his back, he immediately swung his elbow back towards his wife. He believes that he unintentionally struck her in the face at this point, he denies that his intent was to hit her in the eye. Both statements corroborated Deputy Rogers' strike as an immediate, spontaneous reaction to being struck in the back by [REDACTED]. Photographs taken at the scene documented that both parties sustained injuries that are consistent with their respective statements.

After completing their investigation, the Special Victims Unit determined that probable cause had been established to arrest Jason Rogers for a single count of "Battery-Domestic Violence." Based on this determination, an arrest of Deputy Rogers was made at the residence.

On March 18, 2017, Deputy Rogers was placed on Administrative Suspension and Chief Michael J. Lewis authorized an Administrative Investigation of this incident.

As the allegations made against Deputy Rogers were criminal in nature, the Administrative Investigation into this incident was "tolled" while BCSO completed their investigation and forwarded it to the SAO.

On April 10, 2017, the Staff Services Office received this case for further investigation.

On April 10, 2017, Deputy Rogers was served his notice of administrative investigation.

On April 11, 2017, Deputy Rogers was placed on modified duty assignment in the Records Unit.

The following is a summary of the interviews conducted by the Special Victims Unit:

**Corrections Deputy Jason Rogers  
Interview with Agent Michalak**

During Agent Michalak's post Miranda audio-recorded interview, Deputy Rogers stated that the incident started when he received a telephone call from work advising him that he

had to return a set of vehicle work keys. Deputy Rogers said that his wife became upset because she believed that he was speaking with another woman. When he refused to allow his wife to listen to his conversation, Deputy Rogers alleged that his wife struck him in the back of the head. He stated his wife then grabbed an important work receipt and threatened to rip it if he left the residence. When Deputy Rogers attempted to grab the receipt from her, a physical altercation ensued in the kitchen area. Deputy Rogers said his wife began to strike him several times with closed fists at which time he was able to grab ahold of her from the front in a "bear hug" type maneuver and he restrained her on the floor in an effort to prevent further physical violence. While on the floor, Deputy Rogers advised he hit his head on the tile and he remembered his wife biting him on the hand. *Agent Michalak did observe a minor laceration under his left eye and several red marks on his left arm, left hand and chest area.* When his wife said she would not hit him anymore, Deputy Rogers let go of her at which time she again began to strike him multiple times in the back of the head from behind as he attempted to get up. As Agent Michalak continued with his interview, Deputy Rogers hesitated and stated, "I don't want her to go to jail. I'd rather go to jail." Agent Michalak told him that deputies were speaking with her and checking her well-being. Deputy Rogers then continued stating that, during his struggle to get up, he thought he may have elbowed her in his attempt to get up off the floor. It was at this time that Deputy Rogers said that the physical altercation ended and she told him that she was going to call law enforcement. When she could not locate her telephone, Deputy Rogers provided his telephone in order for her to contact law enforcement. After speaking with the BCSO communications center, she left the residence with their child. Deputy Rogers waited at the residence until deputies arrived on scene.

Deputy Rogers told Agent Michalak that there has been several incidents in the past where his wife has physically hit him. He advised that he typically attempts to leave the residence when possible but there have been times she has blocked his vehicle or threatened him with divorce if he did leave the residence. When he did not leave the residence, Deputy Rogers advised that it was his attempt to save his marriage. He also advised there has also been times when he has had to physically restrain her to prevent her from hitting him. Deputy Rogers stated, "When she's swinging on me, I don't know what else to do."

██████████  
**Interview with Sergeant Morrison**

During her interview, ██████████ confirmed that the dispute started when her husband received a telephone call that he claimed was a work related call. She stated she did not believe him and she asked him to put the call on speaker phone. When Deputy Rogers refused, she admitted that she became upset and struck him in the head with a remote. ██████████ stated she hit him with "more than a tap" and she understood why he was "rightfully" upset with her. ██████████ stated that they temporarily separated while her husband went to the bedroom. When he returned to the kitchen to prepare to leave for work, she questioned him as to why he needed to go to work so late in the evening. ██████████

██████████ said she was upset with him and she still did not believe that he had to go to work. ██████████ then found a receipt that she knew he had to turn into work and she threatened to tear the receipt up in an attempt to "push his buttons." When she actually tore the receipt in half, ██████████ stated her husband became extremely upset with her to the point where he grabbed a bag of pretzels out of her hands and threw them. As he did this, ██████████ said that Deputy Rogers accidentally grabbed a portion of her hair. ██████████ then became extremely upset with her husband and she said that she did hit him and yell at him about pulling her hair. That is when ██████████ remembered being pushed up against the kitchen counter. She stated that Deputy Rogers was "holding her down" and she was "struggling against him" trying to break free of him. When Sergeant Morrison asked specifically how she was struggling against him, ██████████ could not remember exactly but she believed she was trying to "shove or scratch at him." During this struggle up against the counter, ██████████ advised that she was sure her husband's rational was that she attacked him so he believed he was "restraining" her. However, ██████████ said that it was not a gentle restrain and that it hurt her with the type of hold he had on her. ██████████ then recalled that Deputy Rogers brought her to the ground using a maneuver she believed was used on inmates at the jail. When they fell to the floor, ██████████ said that her husband ended up on top of her sideways where she continued to attempt to break free of him by clawing and slapping at him. ██████████ remembered Deputy Rogers yelling at her to stop fighting him but she said that his hold on her hurt so she continued to try and break free of him. At this point of the interview, ██████████ was having difficulty remembering the sequence of events. While still on the floor, ██████████ did recall kneeling her husband in the upper back where he has a lower back injury that had required surgery. According to ██████████ she was confident that he experienced an intense pain due to his back injury and that was when Deputy Rogers immediately "punched" her in the face. *Sergeant Morrison did observe swelling of ██████████ left eye and some bruising to her back and arms.* As soon as she was struck in the face, ██████████ said that the physical altercation ended and they both started crying. She believed that Deputy Rogers was crying because he was experiencing a great amount of pain in his back and/or he realized what he did to her and she was crying because of the intense pain she was experiencing due to being struck in the facial area.

After the physical altercation, ██████████ said she called law enforcement to report the incident. Once she did this, ██████████ began to have second thoughts about making the 911 call stating she was thinking about all the legal issues that would result from this incident and she did not want her husband to lose his job. ██████████ said that she took her child and she left the residence so she could go for a drive in an effort to calm down. A short time later, she advised Deputy Rogers called her and he asked her to speak with the responding deputies. ██████████ agreed to speak with the deputies at the Titusville Walmart where she then met with them to provide her initial statement.

██████████ stated there has been previous domestic disputes between her and her husband. She believed there has been approximately four or five disputes in the last year with most recent being a couple days prior to this incident. In the most recent dispute,

██████████ said she was struck in side of head by her husband but she did not report it. She said, that if she did contact law enforcement, her husband has told her in the past that he would lie and claim that she had hit him. ██████████ also believed that responding deputies would believe him because her husband had a "badge." ██████████ further stated that she "wipes her memory" and tends not to think about the previous disputes. She said that she did not why she did this but if she thought about the previous disputes she may be able to recall them at a later time.

## II. Possible Policy Violations:

- 400.00 *General Professional Responsibilities*
- 400.06 *Compliance with Law & Regulation*

## III. Witness Interview

██████████  
On May 03, 2017, Agent McLaughlin and I met with ██████████ at the Staff Services office in Titusville to conduct a sworn audio-recorded interview with her. The purpose of this interview was to clarify some differences in the statements provided by herself and Deputy Rogers. I asked her to describe the altercation at the point where she tore the work receipt. ██████████ stated she was extremely upset with her husband because he was not going to take her to work with him. She then observed an important work receipt that she knew Deputy Rogers had to turn into his supervisor so she grabbed it and threatened to rip it if he refused to take her with him. When she actually ripped the receipt in half, ██████████ advised her husband became extremely upset with her. ██████████ admitted to tearing the receipt in an attempt to "push his buttons." ██████████ recalled holding a bag of pretzels in her right arm when she ripped the receipt at which time Deputy Rogers reached out to her. She could not say for sure if he was attempting to knock the bag of pretzels from her hand, slap at her hand or just grab the receipt. ██████████ said that her hair got caught by Deputy Rogers hand as the bag of pretzels spilled onto the floor. ██████████ became more upset with her husband and she believed that she may have "slapped or pushed" him back after realizing her hair had been pulled. She then recalled being pushed up against the kitchen counter area by Deputy Rogers. ██████████ went on to say that she believed her husband did this based on the fact she hit him and that she did not think he would physically attack her just for tearing a receipt. She then corroborated Deputy Rogers' statement that she had pulled his shirt up during her struggle to back away from the kitchen counter.

██████████ then described the point of the altercation where she kned Deputy Rogers in the back. ██████████ remembered being on the floor where her husband was restraining her and he was yelling at her to stop attacking him. She described herself as being on her back with Deputy Rogers laying diagonally across her body as he held her upper arms. ██████████ disputed that Deputy Rogers "let her go" and that she struck him from

behind as he stood up. She stated that she was able to knee him in the back from the prone position as she continued to struggle to get away from him. As soon as she kneed him in the back, ██████████ said that her husband struck her in the facial area with a closed fist. She said that Deputy Rogers' response was an immediate reaction to being struck in the back. Immediately after striking her in the face, ██████████ said her husband collapsed on the floor and began to cry. When ██████████ showed him the injury to her face, she said that Deputy Rogers became even more upset. ██████████ was not thinking about it at the time but she later realized that she had struck him in the same area where he had recent back surgery. ██████████ believed her husband would not just punch her because he was mad but she thinks that her husband's reaction was a direct result of being struck in the back. She further stated that she believed that would have been the reaction of anyone in her husband's situation. After the physical altercation ended, ██████████ said that she called the police and she confirmed that her husband provided his telephone to make the call.

#### **IV. Subject Interview**

##### **Corrections Deputy Jason Rogers Detention Center Subject Interview**

On April 11, 2017, Agent LaRoche and I met with Corrections Deputy Rogers at the Brevard County Sheriff's Office Staff Services Office to conduct a sworn, audio-recorded interview with him. After Corrections Deputy Rogers reviewed the case file to his satisfaction, I conducted a sworn audio-recorded interview with him. Prior to asking Corrections Deputy Rogers any questions, he was read the "Administrative Investigation Warnings," which he acknowledged he understood and signed. Corrections Deputy Rogers also acknowledged he understood he could have a representative with him during the interview but chose not to. I explained to Corrections Deputy Rogers the nature of this investigation and asked him to explain what occurred with his spouse on March 17, 2017. The following is a summary of the interview:

Deputy Rogers advised that, on March 17, 2017, he was at his residence with his wife when he noticed that he had a voicemail on his telephone. As he listened to the voicemail, Deputy Rogers said that the message was from work requesting that he return a set of work vehicle keys to the jail complex. Deputy Rogers said that he listened to the message on speaker phone where his wife was also able to hear the message. When he returned the telephone call to his work, Deputy Rogers said his wife wanted him to again put the call on speaker. Deputy Rogers did not want to put a work related call on speaker phone so, when he refused, she hit him in the back of the head with enough force to "jar him" but not enough to leave a mark. Deputy Rogers said he was upset with her and he confronted her as to why she would do such a thing while he was on a telephone call with his supervisor. Due to him being upset with her, Deputy Rogers stated he went to the

bedroom to separate himself from her and to prepare to go to the jail complex to return the work keys.

When he returned to the kitchen area, Deputy Rogers stated his wife had an important work receipt that she threatened to rip if he did not allow her to go with him to the jail. They had a short verbal exchange at which time she began to rip the receipt in front of Deputy Rogers. Deputy Rogers said he did "snatch" the receipt from her hands but he disputed [REDACTED] statement that he pulled her hair, either accidentally or intentionally, prior to the physical confrontation. Once he grabbed the receipt, Deputy Rogers said his wife responded by pulling his shirt up over his head and she began "swinging" on him with closed fists. Deputy Rogers recalled being struck in the back of the head multiple times as he attempted to fend his wife away from him. Initially, Deputy Rogers advised that he attempted to block her punches but, as she continued to flail her arms, he attempted to grab ahold of her arms. Eventually, he stated he was able to grab ahold of her arms, place them in a crossed position and he began to press them up against her chest area. He stated he was still facing her and, as he was pressing her arms against her body, he believed his wife's statement that she may have been backed into the kitchen counter was accurate. Once he had her arms controlled, Deputy Rogers said he continued to hold the arms with one hand while he reached around her body with his other hand to grab her in a bear hug type hold. Still facing her, Deputy Rogers stated he completed the bear hug hold with both of his arms and he pulled her to the floor. He advised he did this with the intent not to hurt her but to prevent her from further striking him and attempt to calm her down. Throughout the process of pulling her to the floor, Deputy Rogers stated that his wife continued to actively attempt to punch and scratch him even while they laid on the floor. Deputy Rogers told his wife that, if she would calm down and not to hit him, he would let her go. After a brief time on the floor, Deputy Rogers said his wife agreed not to hit him so he released her from the bear hug hold. As soon as he let go of her, Deputy Rogers stated his wife immediately jumped on him as he tried to stand up and she began striking him multiple times. Deputy Rogers stated he fell back to the floor where his wife jumped on top of him and she forcibly struck his head on the tile floor. At this point, Deputy Rogers said he was doing whatever he could do to get his wife away from him. He said he attempted to "kick" or leverage his legs to push her away from him but he was unable to do so. He then began to swing his arms in effort to block her punches and push her away which he hoped would create some space between her. Deputy Rogers believed that his wife probably thought he might have been attempting to hit her and that is when she backed away from him creating enough space for him to try and stand up. As he made it back to his knees, Deputy Rogers stated his wife got behind him and she continued to strike him in the back and head area. Deputy Rogers then recalled one particular strike that struck him in the same spot where he had previously hit his head on the tile floor. Deputy Rogers said that was the third time being struck in the same spot and he immediately felt excruciating pain. Deputy Rogers said that was when he immediately reacted by flinging his elbow backwards towards his wife. He stated that he meant the strike to be a defensive countermeasure only to get his wife off of him and stop the physical assault. Deputy Rogers clarified that he meant to make contact with her to "stun her" but he never intended to strike her in the facial area. Once his wife was struck

with the elbow, the physical altercation stopped and Deputy Rogers went outside to get away from her. Deputy Rogers stated his wife told him that, if he left the residence, she was going to divorce him. Deputy Rogers then went into the master bathroom and he closed the door. Deputy Rogers stated his wife decided to contact law enforcement to report the incident at which time she was unable to locate her telephone. Deputy Rogers said he provided his telephone to her so that she could make the call to law enforcement. *An audit of the CAD report confirmed that the 911 call was originated from Deputy Rogers' personal telephone number.* Once she completed the call, Deputy Rogers said his wife took their child and she left the residence. Deputy Rogers advised the reason his wife left the residence was because she believed that she was going to be arrested for the physical altercation. He then waited for the deputies to arrive at his residence so that he could provide a statement. As to his statement to the responding deputies, Deputy Rogers advised that he did not report the incident as accurately as he should have because he did not want his wife to get arrested. He stated she would not have fared well in a jail setting and he did not want her to be separated from their two year child.

Deputy Rogers advised there has been a history of domestic disputes with his wife. He corroborated [REDACTED] statement of a domestic dispute approximately three days prior to this incident. Deputy Rogers could not remember what initiated that dispute but he did not hit or hurt his wife. When the dispute started, he advised that he locked himself in the master bedroom to separate himself from her. When he did this, Deputy Rogers said his wife broke the door open to continue the verbal dispute. He then went into the master bathroom to keep himself separated from her until she was able to calm down. *Crime scene photographs taken, on March 17, 2017, did document a broken bedroom door at the residence.*

Due to the previous domestic disputes, Deputy Rogers advised that he had filed for divorce from his wife in 2016. *Court records did confirm that Deputy Rogers was the petitioner for a dissolution of marriage on May 28, 2016.* When his wife agreed to go to counseling, Deputy Rogers attempted to reconcile their marriage. Deputy Rogers further stated that his wife had previously been attending counseling for approximately two years before she stopped her counseling sessions. He said that was the time when the domestic disputes became an issue. Deputy Rogers alleged that he has been the victim of previous domestic incidents but he did not report them because of her history of mental illness and the fact he did not sustain any injuries. During the previous domestic disputes, if his wife did become physical, he did not feel it was ever with the intent to hurt him and he would either retreat to the bedroom or he would hold her arms until she calmed down.

#### **V. Other Investigative Efforts**

I obtained a copy of the BCSO case report package (Case#2017-00093153) which included a case report, crime scene photographs and audio recorded interviews. A review of the BCSO case package revealed that Corrections Deputy Rogers had been involved in a physical domestic dispute with his wife, [REDACTED]. A review of the crime scene photographs documented physical injuries sustained by both parties.



I obtained the CAD report and 911 call made by [REDACTED] to the BCSO communications center. A review of the CAD report corroborated Deputy Rogers' statement that the 911 call was made from his personal telephone.

I obtained the Brevard County Clerk of Courts records as it pertained to Deputy Rogers' statement that he had filed for divorce in 2016. A review of the court records revealed that Deputy Rogers was the petitioner of a dissolution of marriage proceeding on May 28, 2016.

On April 24, 2017, I received information from the Brevard / Seminole State Attorney's office that they had decided NOT to prosecute this case. Refer to the attached notice reference case 05-2017MM019832AXXXX.

## **VI. Recommendation**

On March 17, 2017, BCSO deputies responded to Deputy Jason Rogers' residence in reference to a domestic disturbance with his wife, [REDACTED]. After completing their investigation, the BCSO Special Victims Unit determined that probable cause had been established for a domestic violence charge and an arrest of Deputy Rogers was made at the scene. To complete this investigation, I reviewed all the statements and evidence collected during the initial criminal investigation and I conducted additional interviews with Deputy Rogers and [REDACTED].

Based on my investigation, the following was determined:

- The initial disturbance started when Jason Rogers got a telephone call, [REDACTED] wanted to hear the call and Jason did not want to share it. [REDACTED] then became upset and struck him on the head with a remote control.
- Jason Rogers left that part of the house (living room / kitchen area) and went to the bedroom so he could get his things together and leave the residence.
- When he came out of the bedroom his wife confronted him in the kitchen area. Still upset over the phone call, she picked up a receipt that he needed for work and threatened to rip it up as she knew this would "push his buttons."
- When she ripped the receipt up, he attempted to grab it from her hands.
- She states that he accidentally grabbed her hair when he was going for the receipt, he denies that he grabbed her hair even by accident.
- They both agree that she immediately hit him and that this is when the second part of the disturbance occurred.
- She does not dispute that she struck him in response to her hair being pulled.
- Jason Rogers stated that she began to strike him multiple times which prompted him to attempt to restrain her.
- They both agree that Jason Rogers pulled her to the floor where he continued to restrain her.

- Jason Rogers stated that he told her that he would let her go if she stopped hitting him.
- [REDACTED] stated that she did not “let him go” but that she was able to break free of his hold.
- They both agree that when she was freed from the hold that she struck him in the back area.
- Jason Rogers stated that he was struck in the back of the head multiple times causing intense pain.
- [REDACTED] admitted that she kned him in the back where he had recent back surgery.
- Jason Rogers stated that he struck her accidentally in the facial area with an elbow as he attempted to get away from her. [REDACTED] stated that he struck her in the eye with a closed fist.
- Both stated that Jason Rogers’ response was an immediate, spontaneous response to being struck in the back.
- Both stated the physical confrontation ended with the strike to her facial area.
- Both stated that Jason Rogers provided his telephone to her so that she could contact law enforcement.

This administrative investigation revealed that Deputy Rogers and [REDACTED] were both involved in a domestic dispute that escalated to a mutual physical altercation. Both of their statements are very similar as to the detailed sequence of events during the altercation. It is also clear from both of their statements that [REDACTED] was the initial instigator of this incident and she is also the person responsible for keeping the confrontation going.

After the first act of physical aggression (being hit on the head with the remote) Deputy Rogers attempted to resolve the situation by removing himself from his wife’s presence. A few minutes later, as he prepared to leave the residence, [REDACTED] continued the altercation by initiating a confrontation in the kitchen over the work receipt. [REDACTED] stated that Deputy Rogers “accidentally” caught some of her hair in his hand as he grabbed the torn receipt from her hand. [REDACTED] stated that in response to this, she hit him. Deputy Rogers denied grabbing her hair even accidentally. They both agreed that once she hit him, Deputy Rogers grabbed her and attempted to restrain her so that she would not hit him again. During this part of the altercation, [REDACTED] stated that she gave Deputy Rogers a knee to the back where he recently had surgery. Deputy Rogers stated that he was attempting to get his wife off of him and he swung his arm backwards to get her off. He believes his elbow unintentionally struck her in the eye when this occurred. Although [REDACTED] is claiming that Deputy Rogers intentionally hit her in the eye, there is no evidence to support this allegation. It should be noted that [REDACTED] is approximately 5’06-07” and 160 lbs with a solid build, Deputy Rogers is approximately 6’01” and approximately 170 lbs with a slender build. As a result of this part of the altercation, [REDACTED] sustained a black eye and minor injuries to her arms and back. Deputy Rogers sustained minor injuries to include a scratch under his eye and minor injuries to the back of his head and back. Although he was initially charged with

“Battery” by the responding deputies, SAO Kimberly Kroflich, determined that there was not enough evidence to proceed with a criminal case against Deputy Rogers.

Based on the facts set forth in this administrative investigation, I recommend that no charges be sustained against Corrections Deputy Jason Rogers as it appears that he was attempting to do the right thing by leaving his residence and his wife prevented that from happening by physically accosting him. Although she suffered a black eye during this incident, it appears that this was more likely than not an accidental injury caused after she delivered a knee strike to her husband’s surgically repaired back. During the course of my investigation I met with [REDACTED] to clarify what occurred and to make sure that nothing else had happened. During this meeting, she confirmed that nothing had happened since this incident and she stated that she did not want her husband to suffer from any disciplinary action as a result of this incident.

That the allegation against Corrections Deputy Rogers that he violated **400.00 General Professional Responsibilities** be closed as **“Not Sustained.”**

That the allegation against Corrections Deputy Rogers that he violated **400.06 Compliance with Law & Regulation** be closed as **“Not Sustained.”**

#### VII. Enclosures

- Copy of BCSO case reports with audio interviews & photographs (C/R#2017-00093153)
- Memorandum from Chief Lewis to Corrections Deputy Jason Rogers titled “Administrative Suspension/Command Inquiry 2017-CI-006.”
- Copy of SAO “Notice of No Information as to an Arrest Case”
- Notice of Administrative Investigation
- Administrative Investigation Warning
- Memorandum from Chief Lewis to Corrections Deputy Jason Rogers titled “Administrative Investigation/Modified Duty Assignment 2017-CI-006”

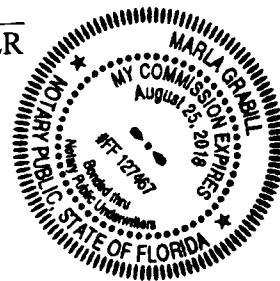
#### VIII. Oath

I, Agent Kraig Hupfer, 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   
Agent Kraig Hupfer, ID 210

Sworn to and subscribed before me, the undersigned authority, this 09<sup>th</sup> day of  
May, 2017.


Signature *A. Maresca*  
NOTARY PUBLIC/LAW ENFORCEMENT OFFICER  
IN PERFORMANCE OF OFFICIAL DUTIES

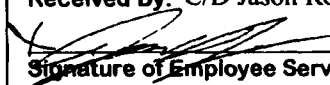
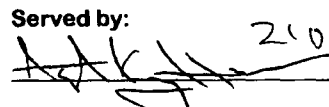




Brevard County Sheriff's Office  
Titusville, Florida

MEMORANDUM

**TO:** Corrections Deputy Jason Rogers  
**FROM:** Chief Michael J. Lewis   
**DATE:** May 10, 2017  
**RE:** Final Action  
Administrative Investigation 2017-CI-006

<b>A TRUE COPY</b>	
TIME <u>3:15 PM</u>	
DATE <u>5-11-17</u>	
<b>BREVARD COUNTY SHERIFF'S OFFICE</b>	
Received By: C/D Jason Rogers	
	
Signature of Employee Served	
Served by:  210	

Administrative Investigation 2017-CI-006 was initiated in response to allegations that your actions may have violated Brevard County Sheriff's Office policies and procedures.

Subsequent investigation of these allegations by the Staff Services Unit resulted in a recommendation that the allegations should be closed as "**Not Sustained.**" I have reviewed the investigative report and concur with this recommendation.

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 memorandum.

c: Major Ronald Tomblin, Jail Complex  
CFO Greg Pelham  
Investigative File 2017-CI-006