



Department of Public Protection

Report of Incident

TO: Joseph E. Pozzo, Director
Department of Public Protection

FROM: David Vanis, Captain
Public Protection Administration
Internal Affairs

DATE: August 15, 2019

SUBJECT: IA 2019-05, Officer Jessica Smith
Division of Corrections

References:

1. Request for IA (Dated July 9, 2019).
2. Sgt. Matthew Miller witness interview transcript (Dated July 9, 2019).
3. Sro. Deshika Mitchell witness interview transcript (Dated July 11, 2019).
4. Facebook post provided by Sro. Mitchell.
5. Original facebook post from "The REAL Talk" facebook page (Dated July 1, 2019).
6. Sro. Aisha Davis witness interview transcript (Dated July 11, 2019).
7. Sro. Sabrina Hawkins witness interview transcript (Dated July 11, 2019).
8. Officer Jessica Smith subject interview transcript (Dated July 23, 2019).
9. HR Bulletin 19 (Social Media Policy) signed by Ofc. Smith April 4, 2016.

Complaint:

On June 12, 2019, Director Joseph Pozzo directed me to conduct an investigation into an allegation that Corrections Officer Jessica Smith had made an "offensive and discriminatory" facebook post on July 2, 2019. A report submitted by Sergeant Matthew Miller on July 8, 2019 indicates two un-named officers reported to him that Ofc. Smith posted comments on facebook they considered discriminatory. Sgt. Smith obtained a copy of the facebook post and noted in his report he felt that Ofc. J. Smith violated VCDC policy and the county's social media policy due to the post including discriminatory remarks. Sgt. Miller attached a copy of the post which appeared to be a screen shots from the facebook application on a cell phone. The post was made by facebook user "Jes Smith" on July 2, 2019 at 1941 hours. It includes a comment from "Jes Smith" and an orange and yellow meme that states "Niggas hate to work normal jobs

but will go to jail and become a trustee.” The comment written above the meme states “And beg to work so they have something to do!!! Imagine that!!!!” Comment submitted about the post were also attached to the report. The following was written into the comments:

Sabrina Hawkins: I hate that word

Jes Smith: Sabrina Hawkins I dislike today's meaning of the word but the original meaning behind the description is accurate given our daily environment.

Sabrina Hawkins: Jes Smith, no...nigga is not a word for past history...Nigger is!...nigga is a slang term related to gangsta blacks...NIGGER is a term related to ignorant people of color.... Neither term should be used amongst people who aren't racist...and love human kind as equal!... Because I swear if you call me a NIGGA....Heads would fly and I'd lose my job!...

Sabrina Hawkins: And Jes Smith, if you disliked the meaning of the word....you would have never posted this... So it shows you don't care who it hurts as far as the meaning of the word! Clearly the word is used by you for you to post it.

Margaret Christopherson: Not necessarily. It was just a post which had to do with the jail.

Sabrina Hawkins: Margaret Christopherson hummm...so just niggas go to jail?

Margaret Christopherson: Sabrina Hawkins wow, you really are troubled

Sabrina Hawkins was identified as Senior Corrections Officer Sabrina Hawkins and Margaret Christopherson was not identified as a Volusia County employee. I was unable to locate the original post on “Jes Smith’s” facebook page because it appeared the page had already been deactivated.

Ofc. Smith was notified of this investigation and placed on administrative leave on July 9, 2019 at VCCF.

Sergeant Matthew Miller:

Inv. Stanley Manhart and I conducted an interview with Sgt. Miller on July 9, 2019 at VCBJ. Sgt. Miller told us he submitted the report regarding the facebook post on July 8, 2019 after it was reported to him on July 4, 2019 after he completed his shift. Once he returned to work on July 8, 2019, he submitted the report. Sgt. Miller told me Sro. Deshika Mitchell contacted him and provided him with a copy of the post. Sro. Aisha Davis also mentioned the post to Sgt. Miller when they were discussing another topic on the same date. Sgt. Miller believed Sro. Davis became aware of the post through Sro. Mitchell. Sgt. Miller confirmed the facebook post made by “Jes Smith” on July 2, 2019 was the same post and the copy I had was the same he attached to his report. Sgt. Miller told me he was not facebook friends with Ofc. Smith but he did make an attempt to locate the original post after it was reported to him. He wasn't sure if the post had already been taken down or if it was just visible to Ofc. Smith's facebook friends. When asked what his opinion of the post was, Sgt. Miller told me “I think the intention was to be a funny thing, but I think to some it can be considered offensive. I think it does violate the social media policy that we have

here (VCDC)." When asked if the post offended him, Sgt. Miller told me "Maybe not as much as others, but it is offensive." Sgt. Miller believed many other staff members were aware of the post but had not discussed it with anyone besides Sro. Mitchell and Sro. Davis.

This interview was transcribed and added to the case file as item 2.

Senior Corrections Officer Deshika Mitchell:

Inv. Stanley Manhart and I conducted an interview with Sro. Mitchell on July 10, 2019 at VCBJ. Sro. Mitchell told me she is facebook friends with Ofc. Smith and confirmed "Jes Smith" is Ofc. Jessica Smith. Sro. Mitchell believed she first saw the post on the evening of Wednesday, July 3, 2019 while she was off-duty. When she saw the meme and associated comment, she commented to the post "WHAT THE FUCK?????" Sro. Mitchell advised her comment was after those made by Sro. Sabrina Hawkins and another lady (Margaret Christopherson). Sro. Mitchell told me she had not discussed this post with Ofc. Smith but did advise Sro. Davis and Sgt. Miller of the post. Sro. Mitchell told me Ofc. Smith usually posts political issues on her page but never content like this before. When asked what prompted her response to the post, Sro. Mitchell told me:

I couldn't believe that she posted something like that because I didn't think she was ever racist or anything like that before. Nothing ever gave me that...indication that she was racist. So, it was like shocking for me to see that and that's why I put "What the fuck?" So she could see that I saw it, because I'm like what is this about? Why would you post something like this? Like did you even think it through?

Sro. Mitchell confirmed the post offended her and told me she wasn't necessarily reporting the post to Sgt. Miller, just asking if he had seen it. Sro. Mitchell wasn't sure why her comment wasn't on the copy of the post attached to the report but provided me with two screen shots from her cell phone. When asked if Ofc. Smith created the meme, Sro. Mitchell told me she didn't believe so because it appeared the post had been shared by Ofc. Smith from the "The REAL Talk" facebook page. The comment "And beg to work so they have something to do!!! Imagine that!!!!" was written by Ofc. Smith.

This interview was transcribed and added to the case file as item 3. The screenshots of the facebook post provided by Sro. Mitchell were added as item 4.

Senior Corrections Officer Aisha Davis:

Inv. Stanley Manhart and I conducted an interview with Sro. Davis on July 11, 2019 at VCBJ. Sro. Davis became aware of Ofc. Smith July 2, 2019 facebook post on July 3, 2019. She used Sro. Mitchell's facebook account to view the post and told me she does not have a facebook account. Sro. Davis told me she was "pissed" when she first saw the post. She told me "Well, this is someone I work with and I don't know, I just didn't feel like she felt that way because I've been here over 19 years. I've never had any problems with anybody. I've never even been in IA investigations, so I'm pissed that I didn't know that she felt that way. If that's her feeling? I was pissed about that."

This interview was transcribed and added to the case file as item 6.

Senior Corrections Officer Sabrina Hawkins:

Inv. Stanley Manhart and I conducted an interview with Sro. Hawkins on July 16, 2019 at VCBJ. Sro. Hawkins told me she has been friends with Ofc. Smith since she started working at VCDC approximately 3-4 years ago. She confirmed she was the person commenting on the July 2, 2019 facebook post and also confirmed the post was made by Ofc. Smith. Sro. Hawkins told me she first became aware of the post when Ofc. Smith's post showed up in her facebook "timeline." Ofc. Smith's posts show up in her "timeline" because they are facebook friends. Sro. Hawkins confirmed she made the comments regarding the meme posted by Ofc. Smith and associated comment on July 2, 2019. When asked for her opinion regarding the meme and comment made by Ofc. Smith, Sro. Hawkins told me "Just the word alone and then what she put behind it, it was...to me and it's just me...I feel it's racial. No matter how the word is spelled or said or what have you. I think it's not appropriate, especially in the field that we're in, to even post something like that." Sro. Hawkins added "When we're in the field, we should be professional all the time... inside and outside. And we're held to a higher standard. And that's just belittling to people, regardless (The word "niggers" or "nigga" or whatever)." Sro. Hawkins confirmed she is facebook friends with many VCDC staff members and told me she had never seen anyone, including Ofc. Smith, she is friends with use this type of language.

This interview was transcribed and added to the case file as item 7.

Officer Jessica Smith:

Inv. Manhart and I conducted an interview with Ofc. Smith on July 23, 2019 at Public Protection Administration. Attorney Richard Siwica and IUPA Business Agent Greg Cook were also present for this interview. Prior to the interview, Ofc. Smith and her representatives were given time to review the evidence and interviews associated with this case.

Ofc. Smith confirmed she shared the meme and wrote the comment "And beg to work so they have something to do!!! Imagine that!!!!" on July 2, 2019. She explained that she had "liked" The REAL Talk facebook page previously and this meme appeared in her facebook newsfeed. Once she saw the post was relating to corrections, she shared the post to her personal page and added the comment. She told me she decided to share the meme because it "was in reference to the inmates that we surround ourselves with at work on a daily basis." Ofc. Smith told me her facebook page was set to "private" and only people she accepted as friends could view the post. Ofc. Smith estimated she had approximately 100 friends. Her friends consisted of family and approximately 15-20 VCDC staff who would know she worked for VCDC. She told me that her facebook friends would have the ability to share her post but was unaware if that had occurred. The remainder of her facebook friends should not know she was a Corrections Officer at VCDC because her page did not indicate her employer or job. Ofc. Smith advised she deactivated her facebook page on July 7th or 8th, 2019. Ofc. Smith confirmed the comments made by Sro. Mitchell, Sro. Hawkins, Maragaret Christopherson, and she were the only comments made regarding this post. Ofc. Smith indicated Mrs. Christopherson was her mother.

When asked to explain the meme she shared on facebook, Ofc. Smith told me:

The meme itself was about individuals that get incarcerated or come to jail and cannot function out in the real world, but want to do any job that you ask them to do or come up with a job just so they have something to do outside of their normal housing unit.

When asked what group of people she referred to as “individuals,” Ofc. Smith replied inmates. Ofc. Smith told me she has heard inmates and “fellow staff members” used the term “nigga.” She explained that she does not use the word and if she had made the post, “It would have said inmates. It would have said individuals. It would even had said bitches.” She acknowledged how the post could be perceived to be racial or racist but that was not her intent. She told me she was “referring to inmates not being able to function in the real world, but want to come to jail and be a trustee.” Ofc. Smith reiterated she did not find the post offensive because the term is used at VCDC on a constant basis by inmates and staff.

When asked which staff member she has heard use this term, Ofc. Smith told me she has heard Sgt. Wallace Haynes and Sro. Simone Walters frequently use the term. Ofc. Smith told me she did not say anything to them about using the term because “They’re both senior officers. I just assumed it was an accepted norm.”

Ofc. Smith confirmed she had read HR Bulletin 19 and signed the acknowledgement on April 4, 2016. She did not believe her post was in violation of this HR Bulletin because her page did not identify her as a VCDC or Volusia County Government employee and her page was set to “private.”

At the conclusion of the interview, Ofc. Smith told me:

The only thing I have left to add is if I had been approached directly I would have removed it. I would have apologized. Had I known it had reached that level of misconception, I would have done something on a more private basis, a more person to person basis, instead of it reaching this level... But, because I was not approached, I was not confronted. Nobody ever said anything to me about it. There was nothing I could do. I am not a racist person.

When asked why she didn’t take the post down when Sro. Mitchell commented “What the fuck?” or when Sro. Hawkins commented “I hate that word,” Ofc. Smith told me she would have expected them to say something to her in person and not online.

This interview was transcribed and added to the case file as item 8.

Conclusion:

By her own admission, Ofc. Smith shared a meme on July 2, 2019 to her personal facebook page that stated “Niggas hate to work normal jobs but will go to jail and become a trustee.” She also wrote the comment above the meme that states “And beg to work so they have something to do!!! Imagine that!!!!” She explained this post was referring to all inmates and not a certain race or culture. She told me her facebook page was set to private and this post was only visible to her facebook friends that included 15-20 VCDC staff members. She added her facebook page did not indicate her employer but neither this, nor

her friends list, could be verified since her page was deactivated prior to Sgt. Miller notifying Dir. Flowers of the incident on July 8, 2019. Ofc. Smith told me she does not use the term "nigga" but is not offended by it because it is an "accepted norm" by both inmates and staff at VCDC. She understands how her post could be perceived as racial or racist but that was never her intent. Ofc. Smith told me if one of her friends had been offended by the post and confronted her in person and not in the post's comments, she would have taken the post down.

Findings:

This case was presented to Director Joseph Pozzo, Deputy Director Mark Swanson, and VCDC Director Mark Flower. Director Pozzo determined the following allegations are SUSTAINED:

Volusia County Merit Rules and Regulations. Sec. 86-453. Reasons for disciplinary action. Any of the following violations may be sufficient grounds for disciplinary action ranging from oral reprimand to dismissal, depending on the seriousness of the offense and other circumstances related to the situation. These offenses are illustrative and not all-inclusive.

(14) Any conduct, on or off duty, that reflects unfavorably on the county as an employer.

(22) Any other conduct or action of such seriousness that disciplinary action is considered warranted.

HR Bulletin 19. Social Media Policy


VCDC Policies and Procedures

102.09 (F) The use of violent, profane, provocative, or offensive language is prohibited.


Concluding Statement:

Unless otherwise directed, this investigation is considered closed, and is submitted for review and action as deemed appropriate. The original attachments of interviews and other documents pertaining to this investigation remain on file with the Internal Affairs Unit.

"I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss.112.532 and 112.533, Florida Statute."



Captain David Vanis 8/15/19
Date




Approved 8/15/2019
Date



Department of Public Protection

TO: Joseph E. Pozzo, Director
Department of Public Protection

FROM: David Vanis, Captain 
Public Protection Administration
Internal Affairs

DATE: August 15, 2019

SUBJECT: IA 2019-05 Supplement, Officer Jessica Smith
Division of Corrections

After reviewing the report of incident relating to this case, Dir. Pozzo instructed me to verify Ofc. Smith's allegation that the use of the word "nigga" is frequently used by Sro. Simone Walters and Sgt. Wallace Haynes.

On August 13, 2019 I conducted interviews with Ofc. James Pekala and Ofc. Christopher Keating who work with Sro. Walters in the Id and Receiving section of VCBJ. Ofc. Pekala has worked with Sro. Walters for approximately 1 year and Ofc. Keating for approximately 3 years. Both officers told me they have never heard Sro. Walters use any type of racially divisive language but may have heard her use the term "nigga" but could not remember the context. Both told me that if she had used the word, it was not in an offensive manner. Ofc. Keating believed she may have used the term while quoting someone else but was not positive. During an interview with Sro. Walters on the same date, she vehemently denied using the term "nigga" and told me Ofc. Smith is a "liar." Sro. Walters added that she rarely worked with Ofc. Smith due to their post and shift assignments. Sro. Walters would only work with Ofc. Smith when she worked overtime at VCCF during the time that Ofc. Smith has been employed with VCDC.

Sgt. Wallace Haynes is assigned as the Mental Health Sergeant. On August 13, 2019, I conducted interviews with Sro. William McMullen, Sro. Karen Scarborough, Sro. Jamie Bryant, and Ofc. Jacaara Patterson who all interact with Sgt. Haynes during the course of their assignments. None of the officers interviewed regarding Sgt. Haynes had ever heard him use any type of racially divisive language and had never heard him use the term "nigga" or any similar word. During an interview with Sgt. Haynes on the same date, he denied using the type of language alleged by Ofc. Smith, in the workplace, and did not know why she would make such an allegation. He added that he does not associate with Ofc. Smith outside of VCDC.

Based on interviews conducted with staff who works closely with Sgt. Haynes and Sro. Walters, and their own statements, I am unable to substantiate Ofc. Smith's allegation that she has heard them "frequently" use the term "nigga." All interviews conducted as part of this inquiry were recorded and will be retained in this case file.



INTER-OFFICE MEMORANDUM

Department of Public Protection
125 W. New York Ave., Suite 183
DeLand, Florida 32720
386-740-5120 - FAX 386-626-6618

TO: Jessica Smith, Corrections Officer
Division of Corrections

DATE: September 25, 2019

FROM: Joseph Pozzo, Director
Department of Public Protection

FILE NO: DPP19-084

SUBJECT: Notice of Suspension Without Pay

REFERENCE: DPP19-082 NOIS
Without Pay

Purpose: The purpose of this memorandum is to provide notice of suspension without pay for one (1) twelve (12) hour shift. The action is the result of your violation of Volusia County Policies and Procedures and Division of Corrections Policies and Procedures. The date of your suspension without pay will be **Thursday, September 26, 2019**. You will return to work on **Monday, September 30, 2019** at your scheduled time.

On Friday, August 23, 2019, you received and signed receipt of my notice of intent to suspend you without pay. Pursuant to section 86-455 (c)(4) of the Merit System Rules and Regulations, you had an opportunity to respond either orally or in writing to me regarding the notice of intent to suspend you without pay. The deadline for your response was August 27, 2019, at 1630 hours. You have not contacted my office to provide any further information, therefore I am proceeding with the intended action.

The suspension, one (1) twelve (12) hour shift, is to be served as stated above and you are advised that there shall be no voluntary overtime allowed in the pay period to make up the time lost due to your suspension without pay.

Information: On July 2, 2019, you posted on to your personal Facebook page an offensive meme and made comments regarding the content of the meme.

Background: On July 2, 2019, you posted on to your personal Facebook page an offensive meme and made comments regarding the content of the meme. This came to the attention of Director Flowers through a report filed by Sergeant Mathew Miller. Sergeant Miller's report included copies of the July 2, 2019 Facebook posting by you, to include the meme, as well as responses to your meme and your comments by other Division of Corrections personnel. The Facebook postings Sergeant Miller received are screen shots of your Facebook page on July 2, 2019 at 1941 hours and includes a comment from you (Jes Smith) and an orange and yellow meme that states "Niggas hate to work normal jobs but will go to jail and become a trustee." The comment written above the meme by you states "And beg to work so they have something to do!!! Imagine that!!!!"

Comment submitted about the post were also attached to the report. The following was written into the comments:

- *Sabrina Hawkins: I hate that word*
- *Jes Smith to Sabrina Hawkins: I dislike today's meaning of the word but the original*

(Continued)

- meaning behind the description is accurate given our daily environment.*
- **Sabrina Hawkins to Jes Smith**, no...nigga is not a word for past history...Nigger is!...nigga is a slang term related to gangsta blacks...NIGGER is a term related to ignorant people of color.... Neither term should be used amongst people who aren't racist...and love human kind as equal!... Because I swear if you call me a NIGGA....Heads would fly and I'd lose my job!...
 - **Sabrina Hawkins to Jes Smith**, if you disliked the meaning of the word....you would have never posted this... So it shows you don't care who it huris as far as the meaning of the word! Clearly the word is used by you for you to post it.
 - **Margaret Christopherson**: Not necessarily. It was just a post which had to do with the jail.
 - **Sabrina Hawkins responding to Margaret Christopherson**: hummm...so just niggas go to jail?
 - **Margaret Christopherson responding to Sabrina Hawkins** wow, you really are troubled

After receiving the information regarding these Facebook postings from Director Flowers, through the report filed by Sergeant Miller, I directed Captain David Vanis, Volusia County Public Protection Internal Investigator to conduct an investigation into an allegation that you (Corrections Officer Jessica Smith) had made an "offensive and discriminatory" Facebook post on July 2, 2019.

On July 23, 2019, Captain Vanis and Volusia County Public Protection Investigator Stan Manhart conducted an interview with you concerning the Facebook matter outlined in this memorandum. During this interview you confirmed that you shared the meme and wrote the comment "And beg to work so they have something to do!!! Imagine that!!!!" on your Facebook page on July 2, 2019. You also explained that you had "liked" The REAL Talk Facebook page previously, and this meme appeared in your Facebook newsfeed. Once you saw the post was relating to corrections, you shared the post to your personal page and added the comment. You further explained to Captain Vanis and Investigator Manhart that you decided to share the meme because it "was in reference to the inmates that we surround ourselves with at work on a daily basis." You also explained to Captain Vanis and Investigator Manhart your Facebook page was set to "private," and only people you accepted as friends could view the post. You stated that you estimate that you have approximately 100 friends. Further, you stated your Facebook friends consisted of family and approximately 15-20 VCDC staff who would know you worked for VCDC and that the remainder of your Facebook friends should not know you are a Corrections Officer at VCDC, because your Facebook page did not indicate who your employer is or what your job is. You also confirmed, during your interview on July 23, 2019, that the comments made by Sro. Mitchell, Sro. Hawkins, Margaret Christopherson were the only comments made regarding this post. You also indicated Mrs. Christopherson was your mother. When asked to explain the meme you shared on Facebook, you stated to Captain Vanis and Investigator Manhart:

The meme itself was about individuals that get incarcerated or come to jail and cannot function out in the real world, but want to do any job that you ask them to do or come up with a job just so they have something to do outside of their normal housing unit.

When asked by Captain Vanis and Investigator Manhart what group of people you referred to as "individuals," you replied "inmates." You then stated to Captain Vanis and Investigator Manhart that you have heard inmates and "fellow staff members" use the term "nigga." You further explained that you do not use the word and if you had made the post, "It would have said inmates". It would have said "individuals". It would even had said "bitches." Most importantly, you acknowledged to Captain Vanis and Investigator Manhart how the post could be perceived to be racial or racist, but that was not your intent.

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You then stated to Captain Vanis and Investigator Manhart that you were “referring to inmates not being able to function in the real world, but want to come to jail and be a trustee.” You reiterated to Captain Vanis and Investigator Manhart that you did not find the post offensive because the term is used at VCDC on a constant basis by inmates and staff.

When asked by Captain Vanis and Investigator Manhart which staff member you had heard use this term, you stated you have heard Sgt. Wallace Haynes and Sro. Simone Walters frequently use the term. When Captain Vanis asked you if you had said anything to these employees about the use of the term “nigga” you stated you have not as “they’re both senior officers. I just assumed it was an accepted norm.”

You did confirm to Captain Vanis and Investigator Manhart that you have read HR Bulletin 19 and signed the acknowledgement on April 4, 2016. You also stated to Captain Vanis and Investigator Manhart you do not believe your Facebook post on Jul 2, 2019, was in violation of this HR Bulletin because your page did not identify you as a VCDC or Volusia County Government employee and your page was set to “private.”

Based on your statement that two other VCDC staff members utilized the word “nigga,” I directed Captain Vanis to conduct a follow up fact finding to verify this information.

On August 13, 2019, Captain Vanis conducted interviews with Ofc. James Pekala and Ofc. Christopher Keating. Ofc. Pekala has worked with Sro. Walters for approximately 1 year and Ofc. Keating has worked with Sro. Walters for approximately 3 years. Captain Vanis also interviewed Sro. Walters on the same date.

On August 13, 2019, Captain Vanis conducted interviews with Sro. William McMullen, Sro. Karen Scarborough, Sro. Jamie Bryant, and Ofc. Jacaara Patterson who all interact with Sgt. Haynes during the course of their assignments. Captain Vanis also interviewed Sgt. Haynes on the same date.

Based on interviews conducted with staff who work closely with Sgt. Haynes and Sro. Walters, and after interviewing Sgt. Haynes and Sro Walters, Captain Vanis was unable to substantiate your allegation that you have heard Sgt. Haynes and Sro. Walters “frequently” use the term “nigga.”

Violations: Your actions from July 2, 2019, violated the Volusia County Merit System Rules and Regulations, Human Resources Bulletin #19, and the Division of Corrections Policies and Procedures.:

Volusia County Merit System Rules and Regulations—Division 13 Disciplinary Actions Sec. 86-453 Reasons for disciplinary action (14) and (22):

Sec. 86-453:

- (14) Any conduct, on or off duty that reflects unfavorably on the county as an employer;*
- (22) Any other conduct or action of such seriousness that disciplinary action is considered warranted.*

Human Resources Bulletin #19: Social Media Policy

Conclusion: Accordingly, and based on close review of the events surrounding your actions as documented in this memorandum, by you own admittance in your sworn interview, and consistent with the recommendations of the supervisors in your chain of command, I am issuing you this letter of suspension without pay for one (1) twelve (12) hour shift. The date of your suspension without pay will be **Thursday, September 26, 2019**. You will return to work on **Monday, September 30, 2019** at your scheduled time. The suspension is to be served as noted, and you are advised that there shall be no voluntary overtime allowed

(Continued)

in the pay period to make up the time lost due to your suspension without pay. You are also advised that any continued conduct or performance issues will result in further discipline in accordance with the Merit System Rules and Regulations up to and including dismissal.

Continuation of this behavior is detrimental to the standards of professionalism expected from Division of Corrections personnel. Your conduct is unacceptable, sets an extremely poor example, and unfavorably reflects on the Division of Corrections and Volusia County Government. You are advised that any continued adverse performance may result in more severe disciplinary actions to include dismissal. If there is anything that I or Division Director Flowers can do to assist you to improve performance, please let me know.

Action: In accordance with section 86-485 (c)(2) of the Merit System Rules and Regulations, you have ten (10) working days from receipt of this notification to appeal this action through the Volusia County Merit System Rules and Regulations. You must submit your written request for appeal to the County Human Resources Office, 230 N. Woodland Blvd. Suite 262, DeLand, FL 32720. Please see Section 86-485 of the Volusia County Merit System Rules and Regulations that outlines the appeal procedures.

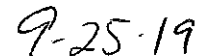
If you do not contact Human Resources by the time indicated, it will be assumed that you have waived this right.

Pursuant to Volusia County Merit System Rule Section 86-455, the Volusia County Legal Department and Human Resources Director have reviewed and concur with this action.

I certify that I have read this notification and acknowledge receipt of the original copy.



Employee Signature (Or Witness, if Employee Refuses to Sign)



(Date of Signature)

JEP/tab

cc: Mark Swanson, Public Protection Deputy Director
 Mark Flowers, Corrections Div. Director
 Tom Motes, Human Resources Director
 Tammy King, EEO Coordinator
 Charles Hargrove, Deputy County Attorney