




Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE

"An honor to serve, a duty to protect."

MEMORANDUM

DATE: 06/13/19
TO: Chief M. Strobridge
VIA: Chain of Command 
FROM: Deputy R. Petkovsek - General Assignment Detective
RE: Final disposition regarding criminal case 2019-00039114

On 04/24/19, I Detective Petkovsek was assigned to investigate correction response to resistance number 19-358 which occurred on 04/23/19 at the Flagler County Inmate Facility (FCIF). The two individuals involved in this incident were Deputy J. Tazewell and inmate Mark Duncanson.

After reviewing all of the evidence associated with the case I sustained that there was sufficient probable cause to charge inmate Duncanson with battery on law enforcement officer, at which time a charging affidavit was completed. In response to this battery, Deputy Tazewell struck inmate Duncanson in the face. It was determined through the investigation that the response to resistance did not rise to the level of criminal battery. To ensure that this determination was vetted and independently reviewed, I then sent the completed case file to State Attorney Jason Lewis, Chief of Operation North, for examination and analysis. Jason Lewis concluded that there were no criminal charges that rose to the level of beyond a reasonable doubt warranted against Deputy J. Tazewell. Jason Lewis also determined that based on Inmate Duncanson's competency and the fact that Inmate Duncanson had already been sent off to the state hospital for competency training, a criminal prosecution was not warranted.

My criminal investigation is completed at this time and any additional information can be found within the above case number. After conferring with Chief P. Bovino it is recommended that the Professional Standards Unit evaluate the entire event to ensure that all FCSO General Orders and protocols were followed and were in place at the time of this incident.