



Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE
"An honor to serve, a duty to protect."

Internal Investigation Report

Internal Inquiry Incident #2018-002

Sworn Employee

Sergeant John Bray
Deputy Jeffrey Puritis
Deputy John Freshcorn
Deputy Edwin Velazquez

Internal Inquiry Incident #: 2018-002

Subject Employee: Sergeant J. Bray

Division: Community Policing

Date of Hire: 09/16/1992

Probation Status (if any): N/A

Date of Most Recent Promotion: 04/02/2008

Previous Corrective Measures:

2016-15 Counseling form
2012-36 Oral Consultation
2009-117 Oral Consultation

Subject Employee: Deputy J. Freshcorn

Division: Court Services

Date of Hire: 09/26/2007

Probation Status (if any): N/A

Date of Most Recent Promotion: N/A

Previous Corrective Measures: N/A

Subject Employee: Deputy J. Puritus

Division: Community Policing

Date of Hire: 06/15/2011

Probation Status (if any): N/A

Date of Most Recent Promotion: N/A

Previous Corrective Measures:

2010-0033 Written Reprimand 06/09/2010 absent without leave
2017-0047 Written Reprimand December 15, 2017, Courtesy and Respect.
2017-0048 Suspension of Patrol Vehicle December 29, 2017 Speed Violation

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Linked To: General Order #019

FCSO # IA-004 (12/16)

Subject Employee: Deputy E. Velazquez

Division: Court Services

Date of Hire: 11/29/2000

Probation Status (if any): N/A

Date of Most Recent Promotion: N/A

Previous Corrective Measures: N/A

List of Witnesses:

- Ms. Nancy Birdsong
- Ms. Karen Long
- Ms. Teresa Shaw
- Corporal S. Wetherhold
- Corporal E. Allen
- Sergeant K. Davis
- Commander B. Pasquariello
- Mr. J. Burnett
- Deputy A. Marino
- Deputy B. Fleischmann
- Deputy J. Rodenborn
- Deputy B. Sheridan
- Deputy C. Howe
- Deputy D. Brock
- Deputy T. Jacob
- Deputy H. Underwood
- Deputy M. Moniz
- Deputy F. Barbagallo
- Ms. Nydia Torres

List of Exhibits:

1. Court administrator complaint memorandum and notes from Ms. Arcuri.
2. Interview and documents related to interview of Ms. Anne Landolfa and Mr. Mark Weinberg
3. Interview and documents related to interview of Ms. Antoinette Arcuri
4. Interview and documents related to interview declination of Ms. Kenly Matejka
5. Interview and documents related to interview of Ms. Nancy Birdsong
6. Interview and documents related to interview of Ms. Karen Long
7. Interview and documents related to interview of Ms. Teresa Shaw
8. Interview and documents related to interview of Corporal S. Wetherhold
9. Interview and documents related to interview of Corporal E. Allen
10. Interview and documents related to interview of Sergeant K. Davis
11. Interview and documents related to interview of Commander B. Pasquariello
12. Interview and documents related to interview of Civilian Mr. J. Burnett
13. Interview and documents related to interview of Deputy A. Marino
14. Interview and documents related to interview of Deputy B. Fleischmann
15. Interview and documents related to interview of Deputy J. Rodenborn
16. Interview and documents related to interview of Deputy B. Sheridan
17. Interview and documents related to interview of Deputy C. Howe
18. Interview and documents related to interview of Deputy D. Brock
19. Interview and documents related to interview of Deputy T. Jacob
20. Interview and documents related to interview of Deputy H. Underwood
21. Interview and documents related to interview of Deputy M. Moniz
22. Interview and documents related to interview of Deputy F. Barbagallo
23. Interview and documents related to interview of Ms. Nydia Torres

Incident and Complaint:

On Monday, January 22, 2018, Detective Randall Doyle met with Undersheriff J. Bisland in reference to an Investigative Inquiry involving Deputies Jeff Puritis and John Freshcorn. At this time both deputies were assigned to the Flagler County Courthouse.

Detective Randall Doyle was provided with a memorandum authored by Ms. Anne Landolfa, Administrative Services Director at 125 E. Orange Avenue Daytona Beach, Fl. 32114. The memorandum was dated December 22, 2017 and directed to Mr. Mark Weinberg, Court Administrator.

The aforesaid memorandum indicated that Ms. Landolfa was directed to meet with staff members headquartered at the Flagler County Courthouse in reference to inappropriate workplace behavior being identified and stating, **“Untenable work environment for the staff has developed.”** Ms. Landolfa asserts that the source of this behavior is isolated to Deputies Puritis and Freshcorn as well as Sergeant J. Bray.

Inquiry completed on February 15, 2018

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Linked To: General Order #019
FCSO # IA-004 (12/16)

Internal Investigation initiated on March 21, 2018

On March 19, 2018 Sheriff Rick Staly directed Undersheriff Jack Bisland to re-open the inquiry and conduct a thorough in depth internal investigation regarding all allegations against the named deputies and any other FCSO employee that may be implicated during the internal investigation.

Internal Investigation founded upon allegations of racial language and comments involving Sergeant J. Bray Deputy Puritis and Deputy Freshcorn along with allegations involving **“Child Porn”** on Deputy Velazquez’s cellular phone.

Ms. Antoinette Arcuri

On Friday January 26, 2018 at 1041 hours, Det. Randall Doyle met with Ms. Antoinette Arcuri Judicial Assistant for Judge Craig at the Flagler County Courthouse in Bunnell. Ms. Arcuri is the original source of this inquiry and was asked to begin at the beginning and to provide as much detail as possible.

Ms. Arcuri advised that sometime around June of last year Deputy Puritus purchased a new home and he and Deputy Freshcorn were in her office having coffee on a Monday morning talking about Deputy Velazquez having **“Child Porn”** on his phone. This was to have occurred while everyone was at Deputy Puritus’ house on the weekend prior. Ms. Arcuri explained that Deputy Velazquez told her that he could not get involved in this inquiry because he works with them every day. He did tell her that they have caused a lot of issues for him because they told others about this and it was all untrue. Ms. Arcuri advised that these guys are basically schemers and they will plot together against her just like they did with him.

Ms. Arcuri then brought up the text message regarding a photo of the woman wearing the see through negligée. Ms. Arcuri advised that she confronted Deputy Puritus about the photo in front of Deputies Freshcorn and Marino at which time; he laughed and proceeded to forward the same photo to Ms. Matejka which, she confirmed later. Ms. Arcuri advised that they both agreed at that time to ignore it and to move forward. Ms. Arcuri advised that she has been ignoring Deputy Puritus and his behavior for some time now while advising of the incident involving a picture of her daughter and her boyfriend. Puritus is alleged to have stated, **“Why doesn’t she get rid of that little boy and I can teach her what a real man is.”** Ms. Arcuri advised she was very angry and Deputy Puritus is her judge’s Bailiff. Ms. Arcuri then advised of the text messages Deputy Puritus sent her regarding a request for another **“boob shot.”**

During the week of November 13, Deputy Puritus entered into Ms. Arcuri’s office, he sat down and began bouncing a ball off of her wall while stating, **“You need to be friends with me.”** He began attempting to explain that they work together and they need to get along at which time; Ms. Arcuri asked him to leave. Deputy Puritus continued to bounce the ball and reiterated that they need to get along and basically refused to leave until he was ready. Ms. Arcuri advised she would not complain to Sergeant Bray because he is also rude and perverse. Deputy Puritus finally left and went into Ms. Matejka’s office and began doing the same thing with ball.

Ms. Arcuri advised that both she and Ms. Matejka tried to advise Deputy Puritus that they did not have a problem with him and he could he just leave them alone. Ms. Arcuri then advised of the

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day she was looking for a Bailiff for a visiting judge. Ms. Arcuri explained that a few minutes after she asked for a bailiff Sergeant Bray came to her and stated, **“Don’t tell us how to do our fucking jobs.”** When this occurred Ms. Arcuri requested Sergeant Bray to step out in the hallway and asked him if he had a problem with her. According to Ms. Arcuri, Sergeant Bray stated, **“Ya I have a problem with your fucking mouth, your always running your fucking mouth.”** Ms. Arcuri advised that this took place in front of Commander Pasquariello. According Ms. Arcuri, Sergeant Bray then looked at the commander and said, **“Do you wanna tell her what’s gonna happen to her?”** Ms. Arcuri advised that the commander did not say anything and actually “looked dumb founded.” Sergeant Bray then advised Ms. Arcuri that they were going to have a meeting about her and then go to Judge Craig about her.

Ms. Arcuri then explained that it was in fact her that informed the Flagler County Narcotics Unit that the named courthouse deputies were talking badly about them calling them names and making allegations about their behavior. Ms. Arcuri advised that she asked that they not report it because she would lose her job and then confirmed that she is in fact being replaced. Ms. Arcuri is of the belief that she is in fact losing her position because Sergeant Bray went to Judge Craig and informed him that her allegations initiated an investigation into the deputies. Ms. Arcuri advised that she was then questioned about this by Judge Craig at which time, she informed him that she was clear that she did not want to make a formal complaint but did verbalize that she thought what these courthouse deputies were doing was wrong.

Ms. Arcuri then informed me that she overheard Deputy Puritus on his personal cell phone telling someone and assuming it was a female from the drug court program that her Driver’s License was valid and she was safe to drive. Ms. Arcuri advised that she also knows of Deputy Puritus buying oil for another female from the drug court program and believed her name to be **“Trimoli”** or something close to that. Deputy Puritus had stated in front of Ms. Arcuri that he could lose his job and get divorced over this. Ms. Arcuri advised that she even cautioned Deputy Puritus about that type of activity and how it would be perceived.

Ms. Arcuri then advised of an incident where Deputies Puritus and Freshcorn ask her **“why do you listen to nigger music?”** Ms. Arcuri advised that she is the only one that witnessed this and other comments being made however’ she believes this to be the atmosphere surrounding the deputies since Sergeant Bray also makes racial comments openly. Sergeant Bray is said to have commented upon returning from his vacation in the mountains, **“The air is so fresh up there because there are no niggers.”** Ms. Arcuri advised that both Puritus and Freshcorn commonly make racial comments and both are extremely prejudice.

Ms. Arcuri advised that just prior to her meeting with Judge Craig, Deputy Velazquez came to her office and informed her that the whole group were conspiring against her just like they did to him. According to Ms. Arcuri, Deputy Velazquez informed her that there was a meeting involving Commander Pasquariello, Sergeant Bray, Deputy Puritus and Deputy Freshcorn.

Ms. Arcuri advised that shortly after this all took place Deputy Puritus did come to her and Ms. Matejka and apologized. She advised that he was actually in tears and asked why this had to go this way he meant no harm. Ms. Arcuri advised that she did not believe the apology to be sincere. Ms. Arcuri concluded by advising that she and Ms. Matejka no longer feel safe at work and they

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feel as though the deputies now look at them differently. Ms. Arcuri does not believe that these deputies have their best interest in mind and have created a very uncomfortable workplace for them both. Ms. Arcuri broke down and cried while advising that she has always been very pro law enforcement but the interaction she has had to endure with these officers has made her very concerned and hurt changing her overall outlook. The interview was concluded at 1116 hours.

Nancy Birdsong:

On Friday, March 23, 2018 at 0831 hours, Ms. Nancy Birdsong was interviewed at the Flagler County Sheriff's Office Judicial Fugitive Unit as a witness in Internal Investigation 2018-002.

Detective Doyle, **"Are you familiar with the ongoing investigation and reason you are being interviewed today?"** Ms. Birdsong, **"I am familiar from reading the articles."** Ms. Birdsong was then asked to advise what she actually knows independently regarding the allegations being made against the deputies involved. Ms. Birdsong advised that she only knows that there were issues involving a civilian employee known to her only as **"Annette."** Ms. Birdsong advised that she did not and would not have known this individual had it not been for this investigation. Ms. Birdsong explained that she does not interact with identified **"Ms. Antoinette Arcuri"** either at work or in a social setting.

Ms. Birdsong further explained that in her position she does not work or interact with the Bailiff's unless they come into her office for something and that is not very often. Ms. Birdsong advised that they do not have lunch together or take breaks together either. Ms. Birdsong advised, **"I had heard that there were some issues with her, to tell you what the issues were, I can't get into detail because, I don't remember honestly."** It was explained to Ms. Birdsong that this was not a criminal investigation and we were not working on a probable cause basis. Ms. Birdsong was informed that it would be appreciated if she could recall what kind of things she had heard. Ms. Birdsong, **"Just that she had started some issues, I don't remember a certain thing just that there were some things."** Detective Doyle, **"Do you remember how you heard it?"** Ms. Birdsong, **"I believe it was Sergeant Bray but he didn't say anything specific and it wasn't just myself. If he was in our office it was just a broad speaking with Corporal Wetherhold and whoever was in the office."** Ms. Birdsong described Sergeant Bray as **"Frustrated"** no swearing or anger and it occurred approximately four months prior to this interview. Ms. Birdsong could not remember who was present at the time of this conversation naming Corporal Wetherhold, Teresa Shaw and Karen Long and explained the layout of the office leaving uncertainty as to what each may or may not have heard.

Detective Doyle, **"How well do you know Sergeant Bray?"** Ms. Birdsong, **"I've worked with Sergeant Bray my whole career off and on."** (20 years) Ms. Birdsong advised that she has been working in the courthouse for approximately 6 years and has worked with him since he was assigned to that location. Ms. Birdsong further explained that although she has attended a few social functions with Sergeant Bray their personal relationship is limited to those types of activities.

At this point the allegations of foul and derogatory language against Sergeant Bray were brought into questioning. Detective Doyle, **"Have you ever heard Sergeant Bray be abrasive to**

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anybody to the point you would consider over the top?” Ms. Birdsong, “To me personally no, hearsay yes, witnessed it honestly no.” Detective Doyle, “what have you heard?” Ms. Birdsong, “that there had been an incident (Pause) you have to understand that I keep to myself, I don’t get involved with what’s going on in the courthouse. I have never had a person who has been a subject of any bad behavior come to me personally at all. Hearsay I have heard that there was an argument over a custodian.”

Ms. Birdsong explained that she did not witness this incident, did not hear it and does not have any independent knowledge of it. The incident was heard in the office where it was just generally brought up during conversation.

All Ms. Birdsong could advise is that the incident was alleged to be over windows not being cleaned. At this point the question regarding foul language derogatory comments and racial epithets was reiterated. Ms. Birdsong, **“I have never heard anything negative”** from Sergeant Bray. Ms. Birdsong again stated that she does not associate with a lot of the bailiff staff or civilian staff.

Ms. Birdsong was then asked the same questions regarding Deputy Puritis. Ms. Birdsong advised that she had very limited contact with Deputy Puritis and never heard any of the noted behavior or language nor has anyone ever brought this type behavior to her attention.

Ms. Birdsong was then asked the same questions regarding Deputy Freshcorn. Ms. Birdsong advised that she had very limited contact with Deputy Freshcorn and never heard any of the noted behavior or language nor has anyone ever brought this type behavior to her attention.

At this point Ms. Birdsong was asked about Deputy Edwin Valazquez and allegations that the previously named deputies had observed Child Pornography on his phone. Ms. Birdsong advised that she had not heard about these allegations until she heard about the investigation. Ms. Birdsong is familiar with Deputy Valazquez however; she again has very limited contact with him.

Ms. Birdsong was asked if there ever came a time in the recent past that she observed Deputy Valazquez to have a change in his behavior or demeanor. Ms. Birdsong echoed that she has very limited contact and does see him often enough to recognize a change.

Ms. Birdsong was asked what her current impression of the courthouse Deputies, their actions and the culture surrounding them is at this time. Ms. Birdsong explained that her interactions are basically simple and do not seem out of the ordinary however; the culture seems to have changed since the death of COP Ms. Gloria Lund. Ms. Birdsong explained that Ms. Lund seemed to keep everyone together as if a family and since she has passed that dynamic has dissipated.

Ms. Birdsong was asked if she knows or is familiar with Ms. Kenly Matejka and she advised that she does not know her at all nor is she familiar with Ms. Antoinette Arcuri. The interview was concluded by asking Ms. Birdsong if there was anything that she was aware of anything involving the courthouse or the Sheriff’s Office that the Sheriff needs to be made aware of. Ms. Birdsong advised that she is very happy with her position and that she has never felt intimidated or belittled in any way. Ms. Birdsong advised that she has no concerns regarding her work environment. The interview was concluded at 0856 hours.

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Karen Long:

On Monday, March 26, 2018 at 1301 hours, Ms. Karen Long was interviewed at the Flagler County Sheriff's Office Operations Center as a witness in Internal Investigation 2018-002. Ms. Long has been an employee of the Flagler County Sheriff's Office for 8 years and her current assignment is a Civil Clerk for Judicial Process. Detective Doyle, **"Are you familiar with the current investigation involving allegations against Courthouse Deputies regarding inappropriate language and behavior?"** Ms. Long, **"I'm aware by what I have read in the media."** I asked Ms. Long how long she has been assigned to her current duties to which she replied November 6th. Due to Ms. Long having minimal time working in the Courthouse environment I simply asked if she knows Sergeant Bray. Ms. Long advised that she does know Sergeant Bray through her employment with the Sheriff's Office but not in her assignment at the Courthouse.

Detective Doyle, **"During the entire 8 years that you have known Sergeant Bray have you ever heard him use any negative or derogatory language or phrases involving race or culture?"** Ms. Long, **"No sir, not in my presence."** Detective Doyle, **"Have you ever heard anyone else say that they heard him using this language or witnessed him in this manner?"** Ms. Long, **"Not that I can recollect but I haven't been there that long."** Ms. Long could only remember Sergeant Bray being in or around the office where she works a couple of times since she has been there. Ms. Long advised that she is not aware of any incidents or complaints against Sergeant Bray and therefore could not assist with knowledge of alleged incidents. Detective Doyle, **"What is your professional opinion of Sergeant Bay?"** Ms. Long advised, **"I respect Sergeant Bray, I don't have any reason to disrespect him and he has never been disrespectful to me."**

Detective Doyle, **"Are you familiar with Ms. Antoinette Arcuri, Judge Craig's Judicial Assistant?"** Ms. Long, **"I am not, I was introduced to everyone by Corporal Wetherhold when I started at the Courthouse but I would not know her if she walked in at this moment."** Detective Doyle, **"Do you know Ms. Kenly Matejka?"** Ms. Long, **"No."**

Detective Doyle, **"Do you know Deputy Puritis?"** Ms. Long, **"Yes I do, I have known him since he returned to the Sheriff's Office and I was assigned to Human Resources however; I have not ever really interacted with him."**

Ms. Long was asked if she has ever been witness to or overheard Deputy Puritis using foul, derogatory or racially motivated comments. Ms. Long advised that she had not nor has she ever been advised by others of this type of behavior.

Ms. Long then advised that shortly after she took her position at the Courthouse she had to sign a **"Sexual Harassment Policy"** and had heard there was an incident. Ms. Long further advised that it was approximately a week later she had heard that the policy was in reference to something involving Deputy Puritis but that she did not know details.

Ms. Long was then asked about Deputy Freshcorn and if she was familiar with him. Ms. Long confirmed that she does know Deputy Freshcorn. Ms. Long answered my questions regarding behavior, language and racial slurs the same as Sergeant Bray and Deputy Puritis. Ms. Long

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advised that she has never heard Deputy Freshcorn speak or act in any of the manners suggested nor has she ever been told that he has other than what she has read in the media.

Ms. Long was asked if she was familiar with Deputy Valazquez and if she was aware of comments being made about possible **“Child Porn”** being seen on his phone. Ms. Long advised that she was familiar with Deputy Valazquez however; she had not heard any such comments or allegations. Ms. Long explained that she would have never known anything about this investigation had someone not asked her if she read the article in news media. Ms. Long advised she doesn't read news media but did due to the topic being the Courthouse.

Ms. Long was asked if she has observed or become aware of anything since being assigned to the Courthouse that she believes the Sheriff needs to be made aware of. Ms. Long advised she does not interact with the Bailiff's and does not get involved in gossip.

Ms. Long has been fully welcomed by the Courthouse staff since taking the new position and has never been made to feel uncomfortable. This interview was concluded at 1322 hours.

Teresa Shaw:

On Monday, March 26, 2018 at 1520 hours, Ms. Teresa Shaw was interviewed at the Flagler County Sheriff's Office Operations Center as a witness in Internal Investigation 2018-002. Ms. Shaw has been an employee of the Flagler County Sheriff's Office for 11 years and her current assignment for the past year is a Civil Clerk for Judicial Process.

Ms. Shaw was asked if she was aware of why she was being interviewed and that the investigation involved allegations of misconduct on the part of Courthouse Deputies and Bailiff's. Ms. Shaw acknowledged that she was aware and understood. Ms. Shaw was asked to provide any information or knowledge she may have regarding the deputies involved. Ms. Shaw then advised that most of her knowledge comes from what she has been told and what is in the media.

Detective Doyle, **“Do you know who Antoinette Arcuri is?”** Ms. Shaw, **“Only from my time as a victim advocate, I believe she was working at the State Attorney's office at the time and due to work we crossed paths a few times.”**

Ms. Shaw advised that she does not really know Ms. Arcuri at all and her interaction was extremely limited. Detective Doyle, **“Do you know Ms. Kenly Matjka?”** Ms. Shaw, **“I do not.”** Ms. Shaw advised that her knowledge of Ms. Matejka is that she is one of the Judges Judicial Assistant's.

Detective Doyle, **“Do you know Sergeant Bray?”** Ms. Shaw, **“Yes, I have known him for the past 11 years.”** Detective Doyle, **“How do you know him?”** Ms. Shaw, **“In the beginning it would be via callouts and things like that, we have hung out a few times off duty just like with a bunch of other people. Most recently he was the next person in my command at the Courthouse.”** Ms. Shaw was asked if during the time that she has known Sergeant Bray if she has ever heard him use foul, inappropriate, derogatory or racially suggestive language either at work or socially. Ms. Shaw, **“Nothing racial, curse words yes.”** Ms. Shaw also advised that she has never heard anyone else suggest that he has spoken in that manner as well. Ms. Shaw was asked if she was aware of an incident involving Sergeant Bray and the cleaning crew. Ms. Shaw, **“Yes, it was third party information that the cleaning lady didn't put the barriers up for the security**

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area the correct way and he was yelling and screaming at her. He told me that he was forced to apologize to her.” **“He said that she complained to Pasco (Commander Pasquariello) so Pasco told him that he had to apologize to her.”** Detective Doyle, **“Did he describe the incident to you?”** Ms. Shaw, **“He said that he didn’t think it was that bad that aggressive towards her that it was loud and she got scared because she’s a lady.”** Ms. Shaw was asked if she was familiar with any other incidents of this nature involving Sergeant Bray and Courthouse Staff. Ms. Shaw, (long pause) **“I mean not really, like he’s always, he’s abrasive but other than that most of them are.”**

Ms. Shaw was asked if she was familiar with Deputy Puritis. Ms. Shaw confirmed that she has known Deputy Puritis since her employment and is aware of the previous incident involving the texted photograph. Ms. Shaw was asked if she has ever been witness to or overheard Deputy Puritis using foul, derogatory or racially motivated comments. Ms. Shaw advised that she had not nor has she ever been advised by others of this type of behavior. Ms. Shaw advised that her interaction with Deputy Puritis is very limited both professionally and socially.

Ms. Shaw was then asked about Deputy Freshcorn and if she was familiar with him. Ms. Shaw advised that she does know Deputy Freshcorn and has known him since he began his employment with the Sheriff’s Office. Ms. Shaw answered my questions regarding behavior, language and racial slurs the same Sergeant Bray and Deputy Puritis. Ms. Shaw advised that she has never heard Deputy Freshcorn speak or act in any of the manners suggested nor has she ever been told that he has other than what she has read in the media. Ms. Shaw advised that her interaction with Deputy Puritis is very limited both professionally and socially.

Ms. Shaw was asked if she was familiar with Deputy Valazquez and how well she knows him. Ms. Shaw indicated that she knows Deputy Velzquez the best of all the deputies due to them both being involved in the Injunction process. Detective Doyle, **“Was there a time when you noticed a change in Deputy Valazquez?”** Ms. Shaw, **“Um when I first started at the Courthouse, I remembered him being real quiet and not as bubbly as he usually is. This was the end of March last year.”** Ms. Shaw was asked to explain. Ms. Shaw, **“I knew that he was calling out sick and was out of work for a while and they said that he was having a mental breakdown.”** Detective Doyle, **“Who said that?”** Ms. Shaw, **“That would have been Bray that said oh he’s having a mental breakdown.”** Ms. Shaw was clear to say that she was unsure of the exact time this was said to her but believed it to be around March 2017. Detective Doyle, **“Do you remember how that conversation came up?”** Ms. Shaw, **“He said something that they were kinda short and that they were supposed to be posting another position but right now he was down Eddie because he’s been out sick because he was having a mental breakdown.”** Ms. Shaw was asked if there was any elaboration or reason given as to why this was happening to Deputy Valazquez. Ms. Shaw responded that she had not and she had not heard from anyone else what happened. Ms. Shaw then indicated that when she read the article regarding alleged **“Child Porn”** on Deputy Velazquez’s phone that this must have been somehow related. Ms. Shaw was asked if she has ever spoke with Deputy Valazquez regarding the story and how he was doing. Ms. Shaw advised that she had and he told her that he was doing ok.

Ms. Shaw was asked if there was anything going on in and around her work area that she believed the Sheriff needs to be made aware of or if there is anything going on that makes her

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uncomfortable. Ms. Shaw advised that there is nothing easily identified other than sincerely feeling for Deputy Velazquez and the allegations surrounding him. Detective Doyle, **“What do you think actually happen to Eddie?”** Ms. Shaw, **“I think that they’re ball busters and they will pick on they pick that’s typical Freshcorn and I think they said something in a joking manner in front of someone else that got blown way out of proportion.”** Ms. Shaw was asked if she ever heard any of the identified deputies actually say anything about the alleged **“Child Porn”** in person to which she replied **“No.”** Ms. Shaw advised she has worked long enough in this environment and that based on her experience **“they”** were probably messing with him (**Velazquez**) and sometimes **“they say stuff”** and if we didn’t work in this environment people would wonder what was wrong with all of us. Ms. Shaw explained that most everyone is used to that type of environment and then someone comes along that is not and it becomes uncomfortable. Ms. Shaw was asked at this point if she had anything to add or believes the Sheriff should be made aware of at this point. Ms. Shaw advised that the activities taking place basically happen everywhere however; somethings are taken to extreme and can hurt an individual’s image, their career, their self-esteem and that happens everywhere at least in her experience over the past 11 years. Ms. Shaw would like to see everyone be more cautious and realize this type of activity is not appropriate. Ms. Shaw then advised that as far as Deputy Velazquez is concerned **“I just hope that they do not make him work with Freshcorn, not to separate them but so that he does not have to come into contact with him because I know that he is upset about it.”** Ms. Shaw was asked if she knew who was responsible for initiating the allegations of **“Child Porn”** against Deputy Velazquez. Ms. Shaw advised that she did not.

Ms. Shaw advised that the thing that bothers her isolating individuals as a target for this type of behavior is not new and did not just start advising that others that have resigned and moved on were also **“Targets”** and this type of behavior needs to stop. The interview was concluded at 1550 hours.

Corporal S. Wetherhold:

On Tuesday, April 3, 2018 at 1024 hours, Corporal Scott. Wetherhold was interviewed at the Flagler County Sheriff’s Office Operations Center as a witness in Internal Investigation 2018-002. Cpl. Wetherhold has been an employee of the Flagler County Sheriff’s Office for 5 years and his current assignment is Supervisor of both the Judicial Unit and Fugitive Unit.

Corporal Wetherhold was asked, **“Are you familiar with the current investigation involving allegations against Courthouse Deputies regarding inappropriate language and behavior?”** Corporal Wetherhold advised that he was in fact aware of the investigation. Corporal Wetherhold was asked to advise what his knowledge of these allegations is and what information he can provide to assist in the investigation. Corporal Wetherhold advised that he was initially assigned to the Courthouse as a deputy and was later promoted to corporal. Corporal Wetherhold described the 4th floor back hallway area that is frequented by the Courthouse Deputies during the course of their duties. This included the **“Judges Chambers”** area and an informal office for the deputies to utilize their computers and work materials. Corporal Wetherhold described a considerable amount of **“face time”** and contact occurs between the deputies, the judges and civilian employees. Although Corporal Wetherhold’s duties limited his time in this area when he was present he observed a level of comfort and familiarity to the point that he felt uncomfortable. Corporal

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Wetherhold advised that when he was required to be in the described area he tried to remain pleasant and cordial but did everything he could to limit his time spent there and exited as quickly as possible. Corporal Wetherhold, **“On several occasions, I noticed some of the humor, joking around got to be a little bit excessive a little bit too relaxed.”** Corporal Wetherhold explained that at that time as a deputy he had no control over anyone since they were his equal. Corporal Wetherhold advised that a few times he mentioned to the other deputies that it was all good to joke around but that they all needed to maintain a level of professionalism and some disconnect as well to maintain the integrity and professionalism of their positions. Corporal Wetherhold advised once he was promoted to Corporal, his position demanded he spend considerable time with visiting judges. However; Corporal Wetherhold advised that when he was able to be in the described area he attempted to reiterate the factor of professionalism and integrity.

Corporal Wetherhold advised that he never observed or overheard allegations of racial remarks, comments or negativity on part of the identified deputies however; he did here innuendos of a sexual nature made by both the deputies and the civilians which **“fostered”** that level of familiarity and comfort because it was coming from both sides. Corporal Wetherhold was quick to point out that that in itself does not make it acceptable from the Office side.

Corporal Wetherhold advised that he had discussed this environment a couple of times with Sergeant Bray after he had been promoted to Corporal. Corporal Wetherhold advised that Sergeant Bray informed him **“he was dealing with it.”** Corporal Wetherhold, **“When the supervisor above you says he’s dealing with it he’s dealing with it.”**

Corporal Wetherhold then advised that he was aware of the allegations of **“Child Porn”** being observed on Deputy Velazquez’s cell phone. It was Corporal Wetherhold’s understanding that this was not and could not be confirmed and in fact was actually a joke or prank of sorts involving teasing and picking on Deputy Velazquez. Corporal Wetherhold advised that he is unaware of anyone actually seeing or witnessing any of these allegations. The allegations of the alleged **“Child Porn”** on Deputy Velazquez’s phone was never brought to him or even suggested to him by anyone or he would have taken immediate action to confirm or dispel the allegation. Corporal Wetherhold advised that he did have a conversation with Deputy Velazquez at the time, which was prior to his promotion. Deputy Velazquez explained to Corporal Wetherhold that he knew these guys were just joking around however; he did not find it funny and was actually very concerned should these allegations get out and become misconstrued while advising that Deputy Velazquez seemed very concerned. Within a few days Corporal Wetherhold claims to have heard Deputies Puritis and Freshcorn again talking about the alleged **“Child Porn.”** Corporal Wetherhold again informed the involved deputies that they should not be making comments such as these in chance that they can become misunderstood and rumors spread. Corporal Wetherhold advised that this **“Joking”** continued and Deputy Velazquez was upset over it.

Corporal Wetherhold advised that there came a point when Deputy Velazquez, Deputy Freshcorn and Sergeant Bray had a meeting in the sergeant’s office to discuss the concerns. According to Corporal Wetherhold, Deputy Velazquez informed that the outcome of the meeting was basically he and Deputy Freshcorn disagreeing on what took place and what was being said. It was his understanding that the two were basically going to stay away from each when possible and attempt to move forward. Corporal Wetherhold advised that Deputy Velazquez appeared to be comfortable and in a better place at this point.

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A short time went by when Corporal Wetherhold was informed by someone that he needed to read an online article which he advised he never does but was informed it involved the Courthouse. Upon reading the article he realized that the information contained in the article was not going to be comfortable for Deputy Velazquez so he immediately reached out to him to discuss.

Deputy Velazquez was not happy as expected and reiterated that his concerns about these false allegations being placed in the wrong hands and they would become his reality. Corporal Wetherhold advised that Deputy Velazquez seemed to calm after they discussed the exploited information in the article coming to the realization that it was still unsubstantiated allegations and that he would not have a job if any of it was reality.

Corporal Wetherhold was asked to further explain the environment in which the deputies and civilians interact. Corporal Wetherhold advised that it could be in the lunchroom or sometimes in the judge's individual areas. Corporal Wetherhold was asked to clarify where he has observed the described activity and interaction to have taken place and he explained that it would be in both of the areas described. Detective Doyle, **"Can you be specific about what type of comments have you heard in either of these areas."** Corporal Wetherhold, **"To come up with specifics at this point and time would be very difficult."** **"What I heard was more innuendo, casual play on word kind of stuff. Not smart, not professional but nothing specific."** Corporal Wetherhold confirmed that Sergeant Bray, Deputy Puritis and Deputy Freshcorn were all present and involved in these conversations. Not all were together each time and at times it could have been all three or maybe just one but Corporal Wetherhold did make it known that he was not comfortable with the conversations. Corporal Wetherhold advised that judges would have been in and out as were the civilians some of which he does not know at all. Detective Doyle, **"Were you ever around when Ms. Antoinette Arcuri and/or Ms. Kenly Matejka and the named deputies were in the breakroom together and the conversation was a uncomfortable to you but did not seem uncomfortable to them?"**

Corporal Wetherhold, **"Yes."** Corporal Wetherhold confirmed that these conversations were sexual based, not vulgar but nevertheless sexual based and not appropriate in the work place. Corporal Wetherhold, **"There was participation on all sides there was too much of a level of comfort."** Corporal Wetherhold advised that he has overheard these type conversations approximately **"a half dozen times."** Corporal Wetherhold advised that he did bring his concerns to Sergeant Bray on at least three occasions. Corporal Wetherhold confirmed that Sergeant Bray's standard response was that he was dealing with it. Corporal Wetherhold confirmed that Sergeant Bray was in fact his direct supervisor at the time. Corporal Wetherhold was asked if he brought his concerns to anyone other than Sergeant Bray within the chain of command and he replied that he had not.

Detective Doyle, **"Did you ever say anything directly to Deputy Freshcorn, Deputy Puritis about those conversations you overheard in the break room?"** Corporal Wetherhold, **"Yes."** Detective Doyle, **"Do you remember what you actually said, did you say it to them together or separately?"**

Corporal Wetherhold, **“It would depend, I think a couple times separately and probably together a few times, I would say between us it is what it is out of ear shot it is what it is and I’m happy to joke around or whatever but we gotta be careful, outside of this realm you have the badge other people don’t so out here with other people listening you have gotta watch.”**

Detective Doyle, **“Did Antoinette Arcuri or Kenly Matejka ever come to you specifically and make a complaint about these deputies?”** Corporal Wetherhold, **“No like I said it seemed to be part of the atmosphere.”** Corporal Wetherhold was asked if he has ever personally witnessed any of the named deputies in Antoinette Arcuri or Kenly Matejka’s office for what appeared to be other than work related business or **“Hanging out?”** Corporal Wetherhold advised **“Absolutely and frequently.”** He was asked how often this occurred.

Detective Doyle, **“Did you see Deputy Freshcorn and Deputy Puritis there together?”** Corporal Wetherhold advised these observations were more frequent prior to him being promoted and that from time to time he would also stay and join conversation but only for a few minutes at a time.

Detective Doyle, **“You discussed briefly hearing about the alleged “Child Porn” on Deputy Velazquez’s cell phone, can you tell me when you first heard about that?”**

Corporal Wetherhold, “I overheard something in the fourth floor area and there was some bantering and joking going on about it.” Detective Doyle, **“Who was involved?”** Corporal Wetherhold, **“I believe it was Deputy Freshcorn and Puritis.”** It was explained to him upon questioning what he had heard, he was informed that the group was at a party or something and Deputy Velazquez was having trouble with his phone. At this time something was alleged to have been said to Deputy Velazquez that he needed to be careful because the next thing you know and **“Kiddy Porn”** pops up on your phone. Corporal Wetherhold explained he then informed the two deputies that’s the way a bad joke gets overheard and becomes an issue. Corporal Wetherhold then advised them that he understood how they think it’s funny but it’s really not this could be a problem. Corporal Wetherhold advised that he heard the same comments a few days later and again made a comment to Deputy Freshcorn and Deputy Puritis about the continued comments. Corporal Wetherhold was asked if these comments were isolated to just these two deputies and he confirmed that they were.

Corporal Wetherhold advised there came a point when he realized that these comments, jokes and allegations were truly bothering Deputy Velazquez after speaking with him about it at which time, he informed Sergeant Bray what was happening and that it needed to stop. **“Sergeant Bray stepped in and handled the situation with those individuals.”** Corporal Wetherhold was asked how Sergeant Bray responded to the situation. Corporal Wetherhold, **“He spoke with Deputy Velazquez out of ear shot, then they had gone upstairs at that point presumably to address it. Even once promoted to Corporal he and I tended to have a disconnected relationship, I wasn’t particularly included or involved with most of what went on, I don’t know what went on beyond that.”** It was determined at this point that Corporal Wetherhold was in fact a corporal at the time he informed Sergeant Bray of the stress between the named deputies and Deputy Velazquez. Corporal Wetherhold advised that once he informed Sergeant Bray of his concerns and he advised he was taking care of it his responsibility to correct or discipline had been relinquished at that time. Corporal Wetherhold, **“We had a disconnected professional relationship there**

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were things that would go on that I had no clue, I would hear him talk about things and I was cut out.”

Corporal Wetherhold was asked if Deputy Velazquez, Deputy Freshcorn or Deputy Puritis ever clarified how the allegations of **“Child Porn”** on Deputy Velazquez’s cell phone ever came about. Corporal Wetherhold advised that at some point Deputies Freshcorn and Puritis told him they were just playing with him. Corporal Wetherhold was asked if Deputies Freshcorn or Puritis ever confirmed that they had seen **“Child Porn”** on Deputy Velazquez’s phone. Corporal Wetherhold advised that they did not and had they done so he would have taken action to address it immediately. Corporal Wetherhold stated, **“They made it abundantly clear that they were just fooling around with him.”** Corporal Wetherhold recapped that his understanding was that Sergeant Bray met with the three deputies involved and that it had been resolved.

Corporal Wetherhold was asked to characterize Deputy Velazquez prior to this experience and after. Corporal Wetherhold advised that Deputy Velazquez is definitely not the same and appears to be **“Hurt, Betrayed and Victimized”** by the entire thing and is not as relaxed and even keeled as he was prior. Corporal Wetherhold stated, **“In this agency, I see bullying as being pervasive and I’ve seen it in many different levels its part of the culture.”** Corporal Wetherhold clarified that this is carryover from the past and is currently isolated to just a few and in this case Deputy Freshcorn and Deputy Puritis. Corporal Wetherhold explained that in conversations with Deputy Velazquez he has expressed his concerns for his reputation and how this has all effected his family and friends. Corporal Wetherhold asked to reiterate the following, **“I did not then and do not now other than being shown a phone that belongs to Deputy Velazquez and saying here this is, there is nothing that I saw and nothing that I would believe in any way shape or form that Deputy Velazquez would do that. I would have taken immediate action if I had any doubt.”**

Corporal Wetherhold was asked if he was aware of an incident that took place between Sergeant Bray and the cleaning crew. Corporal Wetherhold advised that Sergeant Bray informed him he had missed an incident between himself and the cleaning crew stating that he would probably be in trouble. When asked what happened Sergeant Bray stated well **“CJB”** came out and I’m probably going to hear about this one. Corporal Wetherhold clarified that CJB stands for **“Crazy John Bray.”** Detective Doyle, **“Does everybody know CJB at the Courthouse?”** Corporal Wetherhold, **“Yes.”** Detective Doyle, **“I’m guessing that this term refers to when he becomes upset?”** Corporal Wetherhold, **“Yes.”** Corporal Wetherhold was asked if he considers Sergeant Bray to be a bully or portray a bully atmosphere to his deputies and Corporal Wetherhold replied that he did not. Corporal Wetherhold clarified that Sergeant Bray can be abrasive and loud but it is short term and he settles down. Corporal Wetherhold advised that he never takes this personal and does feel his actions are offensive to him.

The interview was conclude at 1120 hours.

Sergeant K. Davis:

On Thursday, April 19, 2018 at 1506 hours, Sergeant Kim Davis was interviewed at the Flagler County Sheriff’s Office Operations Center as a witness in Internal Investigation 2018-002.

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Sergeant Davis has been an employee of the Flagler County Sheriff's Office for 19 years and her current assignment is Sergeant at the Courthouse.

Sergeant Davis has been assigned to her current assignment since January 31, 2018. Sergeant Davis was asked to provide any and all information she has obtained or learned about this investigation since her assignment to the Courthouse.

Sergeant Davis began by explaining that she was aware of the allegations and personnel changes and as one of her first supervisory actions was to meet with the deputies under her command to discuss any and all issues they may be having or are aware of. During these meetings Sergeant found a common topic of discussion to be the incident involving the transfer of Deputy Puritis as well as Judicial Assistant Antoinette Arcuri. Sergeant Davis advised that the officers were describing that since Ms. Arcuri was assigned to this Courthouse it appeared as though "**Drama**" began consuming the building. It was during this time that Deputy Freshcorn asked her several times if he was in trouble and if there was an open Internal Affairs Investigation on him. Sergeant Davis advised him that she was not aware of anything at that time.

Sergeant Davis advised that once the previous investigation was posted in the media and the Sheriff informed the public that he was going to re-open the initial Internal Inquiry and make it an Internal Investigation, Deputy Velazquez came back to her to discuss how this was effecting his life both professionally and personally. He was very upset about the allegations and now the local media was broadcasting this to the public for everyone to see. Deputy Velazquez explained that this whole thing started with Corporal Allen and Deputy Marino getting ahold of his phone one day and making fun of some photos on his phone. He stated that this started off as a teasing thing, a bullying thing and now it's blown out of proportion. Sergeant Davis advised that Deputy Velazquez informed her that the guys involved were now all upstairs saying that they were all planning on having the same statements because it was only her word against their word. Deputy Velazquez then advised that Deputy Freshcorn advised him that he had to stay on board with them and they all had to have the same statements. Sergeant Davis advised that this occurred on April 21, 2018.

Sergeant Davis asked Deputy Velazquez if he was uncomfortable at which time, he replied that he would have to see how things go from here because they had reiterated to him that they all needed to stay together and told him he needed to basically hire the same attorney that they did. Deputy Velazquez advised that he was not going to do that believing it was a conflict. Deputy Velazquez advised that Deputy Freshcorn and Deputy Puritis seemed angry that he was not going to use the same attorney Ms. Sharon Feliciano.

Sergeant Davis explained that she made Commander Pasquariello aware of what she was told as well as this investigator.

Upon returning from operations that same day at approximately 1700 hours, Sergeant Davis made contact with Deputy Freshcorn and informed him that I've been hearing that you guys are going around trying to get everyone on the same page and that it's their word against hers and even though you have not been served yet, the Sheriff made a public announcement that he is going to re-open this investigation you can't be trying to coerce people to get on board and you guys all have the same statements.

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Sergeant Davis was asked if she was aware of Sergeant Bray's nickname "**CJB?**" Sergeant Davis advised that this nickname is old and didn't start in the Courthouse. Sergeant Davis advised she has known about that nickname for years and it refers to his demeanor.

Sergeant Davis was then asked if she could clarify the deputies' comments to her about Ms. Antoinette Arcuri and her introducing drama in the Courthouse. Sergeant Davis was advised that these remarks came from all of the deputies she spoke with and they remarked on her demeanor and sexually related comments and Deputy Freshcorn advised her that on Ms. Arcuri's first day she was upset and crying about something. Sergeant Davis advised that the deputies identified clearly that it was Deputy Puritis that had the issues with Ms. Arcuri and not the rest of them.

Sergeant Davis was asked if she had ever heard that Deputy Velazquez had a nervous breakdown. Sergeant Davis advised that she had heard this from Deputy Velazquez and it was the result of the allegations and repetitive teasing by the named deputies.

The interview was concluded at 1536 hours.

Deputy Edwin Velazquez:

On Tuesday, April 24, 2018 at 1259 hours, Deputy E. Velazquez was interviewed at the Flagler County Sheriff's Operation Center as a subject in Internal Affairs Investigation 2018-002 regarding Code of Conduct. Present for the interview and representing Deputy Velazquez was Attorney Greg Forhan of the Policeman's Benevolent Association. Deputy Velazquez has been employed by the Flagler County Sheriff's Office for 17 years and is currently assigned to as a Bailiff for Judge Smith at the Flagler County Courthouse. Deputy Velazquez has been assigned to Courthouse duties in excess of 10 years and his current direct supervisor is Sergeant K. Davis. Deputy Velazquez was asked to explain how and when the allegations of "**Child Porn**" being seen on his phone began. Deputy Velazquez advised that it started May or June of 2017 when he left his phone at the Courthouse and went home only to return to the Courthouse around 1700 hours and found the Deputy Marino and Corporal Allen playing with his phone. Deputy Velazquez advised that the doors were locked and they were playing with the phone and laughing at him refusing to let him in. Deputy Marino finally let him in and they were laughing and joking like little kids when they started saying "**Eddie has porn on his phone, Eddie has porn on his phone.**" Deputy Velazquez advised he called them a bunch of idiots took his phone and left the building. That all passed and then a couple weeks went by when Deputy Velazquez went to Deputy Puritis's house to assist installing a stove. Deputy Freshcorn was present and that's when everything really started. After being at the residence for a while Deputy Freshcorn said to Deputy Puritis and said under his breath that he Deputy Velazquez had "**porn**" on his phone but said it loud enough so he could hear it. Deputy Velazquez advised he never said anything but was upset enough to get his tools together and left. Within a few days Deputy Freshcorn began saying the same thing to Deputy Puritis at work over and over at different times but loud enough so he could hear it. Deputy Velazquez advised that Deputy Freshcorn could see that it was upsetting him and he was not handling it well however; this just seemed to make him continue to do it. Deputy Velazquez advised it surprised him how quickly this took over his thoughts and began to affect him both mentally and emotionally.

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At this point became very clear to this detective that Deputy Velazquez was clearly affected and emotional explaining the events. Deputy Velazquez was then asked why he never said anything about it. Deputy Velazquez then advised that he did and when he began to realize how badly this was affecting him he contacted Sergeant Bray and asked him if he was under investigation and informed him what Deputy Freshcorn and Deputy Puritis were doing to him. Deputy Velazquez advised that he did this in front of Deputy Freshcorn and Deputy Puritis at which time, Sergeant Bray became upset and angry when he warned the two named deputies to stop this behavior. Deputy Velazquez advised that it did not stop and it became relentless to the point he began questioning himself. Deputy Velazquez advised that he was not handling it well and before I knew I began questioning my thinking and my actions. Deputy Velazquez advised that before he knew it he was being sent home. Deputy Velazquez advised that prior to this happening he went to the

Deputy Velazquez advised that he was concerned that the stress this was causing made him concerned about having a heart attack. Deputy Velazquez advised that this seemed to go on and on week after week and he felt himself deteriorating mentally.

Deputy Velazquez advised that his day to day activities were not going very well. Deputy Velazquez advised that he tried to discuss the issue with his friend's family and wife at which time, his wife became very worried about him. Deputy Velazquez advised that this teasing was going on so frequently that he started to second guess himself and question if he did actually have something on his phone or that maybe he did something by accident and he didn't realize it he described himself as "a mess." Detective Doyle, **"I guess this is a good time to ask you is there any validity at all to you having Child Pornography on your phone?"** Deputy Velazquez immediately stated, **"No, that is not any of my interest at all."**

Deputy Velazquez advised basically that their shrewd way of letting him hear them talk about this took him right down the tubes with fear and worry that there was something on his phone. Deputy Velazquez, Deputy Velazquez,

Deputy Velazquez Deputy Velazquez explained that after taking some time off due to the stress shortly after he returned to work Deputy Freshcorn continued to tease and aggravate him. Deputy Velazquez advised that at one point he needed to leave a bit early from work and Deputy Freshcorn stated, **"I been on the job for so many years and I never"** This then forced Deputy Velazquez to rearrange his schedule for

Detective Doyle, **"How many times have you brought what was going on and what your describing to a supervisors attention?"** Deputy Velazquez, **"Several times the first time when I asked them upstairs and I believe once or twice more. I had to tell him another time because it was like an ongoing thing."** Deputy Velazquez advised that there were other issues so he didn't want to combine them. Deputy Velazquez reiterated that he had taken two weeks off due to the stress and that he was psychologically drained and he was a "mess." When he brought this to Sergeant Bray he was not happy and angry that it was going on. Deputy Velazquez then further explained that he has always been a very stable individual however; he has had a significant amount of tragedy in his life over recent years stating that he has lost two brothers and a sister along with his mother within the past two years and he is raising a son with a disability. Deputy

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Velazquez, **“I have had a lot of things on my shoulders that’s why when this came it’s like the straw that broke the camel’s back.”** Deputy Velazquez advised that had he not been dealing with all of the personal stress described he would have handled this much differently and would have probably gotten into it with them physically, made a big stink or been in the Sheriff’s office. Deputy Velazquez advised that he believes at the time he was not mentally strong enough to handle the teasing and it took its toll on him.

Deputy Velazquez was asked about a meeting that he had with Sergeant Bray and Deputy Freshcorn in his office. Deputy Velazquez advised that it was at this time Sergeant Bray told Deputy Freshcorn to **“cut the crap.”** Deputy Velazquez took a significant pause before stating that he was thinking because there were other issues that they met on and he did not want to confuse them. This was the second time Deputy Velazquez advised there were other issues. Deputy Velazquez reiterated that Sergeant Bray instructed Deputy Freshcorn to stop this activity. Deputy Velazquez advised that the behavior stopped for a short time and then started all over again with comments being made under the breath so that he Deputy Velazquez could hear them. Deputy Velazquez advised that this behavior was not daily but frequent enough to keep it active. Deputy Velazquez advised it was just repetitive and it was ridiculous.

At this point Deputy Velazquez advised that over the entire course of this activity he notified the Supervisor Sergeant Bray on three separate occasions. Deputy Velazquez was asked if he was aware of any disciplinary action being taken against Deputy Freshcorn or anyone else regarding his voiced complaint and concerns to Sergeant Bray. Deputy Velazquez advised that he had not. In explaining that he was uncertain if any formal disciplinary action had taken place Deputy Velazquez inferenced other issues for a third time. Deputy Velazquez was asked what the other issues were and he responded that they were not related to this. Deputy Velazquez was advised that it was important that I be made aware of all issues at this point. Deputy Velazquez took a long pause and began to describe an incident at the front entrance and **“John”** was making comments about people of color and he became upset. Deputy Velazquez was asked to advise what was said. Deputy Velazquez became a bit evasive and stated, **“Well I can’t remember the exact conversation but I know I wasn’t too happy about it, he was just saying something under his breath (long pause) just John.”** Detective Doyle, **“If it got you upset you remember what he said.”** Deputy Velazquez, **“He used the nigger word.”** Detective Doyle, **“Tell me exactly what you heard that upset you.”** Deputy Velazquez, **“He was saying something about black people I don’t remember the exact conversation, I brought it to John’s attention and John addressed it.”** Detective Doyle, **“When you say John you are talking about Sergeant Bray Correct?”** Deputy Velazquez, **“Ya.”** Detective Doyle, **“Let me ask you again what exactly did you hear John Freshcorn say?”** Deputy Velazquez continued to be evasive and appeared to be struggling with repeating the words while appearing visibly distressed. Deputy Velazquez, **“I think it was just overall comments about certain people.”** Detective Doyle, **“You need to stop about certain people.”** Deputy Velazquez, **“About African American people.”** Greg Forhan, **“Eddie tell him what you heard in the exact words that you remember.”** Deputy Velazquez, **“Some people were either entering or leaving the Courthouse saying something about niggers.”** Detective Doyle, **“How many times have you heard John Freshcorn use the term nigger?”** (Long pause) Deputy Velazquez, **“The first time and another time when I was standing close to him so I’ll say two times.”** Deputy Velazquez was asked if believes that Deputy John Freshcorn has a natural dislike for people of color. Deputy Velazquez advised that he is uncertain what his

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dislike is but this was discussed with Sergeant Bray in his office. Detective Doyle, **“So you had a conversation in the sergeants office about John Freshcorn using the term nigger?”** Deputy Velazquez, **“The first time I told John and I think John called him back without me. The second time we’re standing over by the front office (describes the area) it was me, John Freshcorn, Frank Barbagallo, John had his back against the wall he was facing east Barbagallo was facing him he was facing west, I was standing with back toward the camera facing out the doors and again he started with the crap.”** Greg Forhan, **“Eddie don’t say he started with the crap tell him what you heard.”** Deputy Velazquez, **“He was saying he used that word again niggers.”** Deputy Velazquez, **“Frankie was looking at him and looking at me he was just looking at me back and forth. At that point I was just like I’ve had enough and I went right back into the sergeants office and informed the sergeant. The sergeant then called him back.”** Deputy Velazquez confirmed that this was the second incident. Deputy Velazquez, **“Apparently Frank told him, I don’t know what he told him but apparently he didn’t agree with me. I don’t know what the conversation was because I wasn’t there but it wasn’t confirmed. So I looked like an idiot. After that I didn’t want to talk to him at all because between the other stuff and this and [REDACTED]”** Deputy Velazquez advised that he was extremely distraught over all of the issues feeling as though he could not get away from it. He explained that he was taking these emotions home and it was not good for his personal life.

Deputy Velazquez advised that he stopped talking to John Freshcorn altogether and there became **“a wall of silence”** between them. **“I would walk right past him and I wouldn’t say anything.”** Sergeant Bray then called them into the office and advised them that this situation between the two cannot continue to go on.

Detective Doyle, **“Have you ever heard Deputy Puritis use those terms and language either on duty or off duty?”** (Long pause) Deputy Velazquez, **“No, I know I left that office a lot of times so I can’t say I definitely heard him use that word.”** Detective Doyle, **“You never heard Jeff Puritis use the word nigger or any kind of racial epithet in the Courthouse or outside the Courthouse? If you’re saying no, I accept your answer.”** Deputy Velazquez, **“I’m trying to remember if I definitely heard him say something.”** (Long pause) No definitive answer was given. Detective Doyle, **“Have you ever heard any of the other deputies use that type of language inside or outside the Courthouse racially motivated conversation or racially motivated terms?”** Detective Doyle, **“Have you ever heard Sergeant Bray use language such as the word nigger? Deputy Velazquez, “No, I know he gets aggravated and he gets going on some topics I mean he’s easily aggravated.”** Deputy Velazquez was asked if he was familiar with the term **“CJB”** or **“Crazy John Bray”** and he advised that he was not.

Deputy Velazquez was asked if he was familiar with Ms. Antoinette Arcuri and he confirmed that he was. Deputy Velazquez also confirmed that he had been in conversation with Ms. Arcuri regarding his situation with Deputies Freshcorn and Puritis. Deputy Velazquez advised that she had brought his situation up to him indicating she was fully aware of what was going on. Deputy Velazquez advised that his contact with Ms. Arcuri regarding his issue was more towards the end of matter.

Deputy Velazquez explained his morning routine and advised that upon completing his routine he would find everyone gathered up in Ms. Arcuri's office when asked who he advised the Bailiff's and Ms. Arcuri. Deputy Velazquez named Deputy Freshcorn, Deputy Puritis, Deputy Marino, Deputy Barbagallo and on occasion Sergeant Bray as being in the office with Ms. Arcuri and Deputy Barbagallo would stand in the doorway looking for Deputy Velazquez to appear. When asked why they would be looking out for him Deputy Velazquez responded by stating, **"Who knows cause maybe they were talking about me, just part of my everyday mental anguish."** Deputy Velazquez was asked if he has ever heard any of the named deputies talking about Ms. Arcuri and trying to get her fired. Deputy Velazquez advised that towards the end before she left he would hear comments that she was leaving and they were happy and only a short time was left for her to be around. Deputy Velazquez was asked when the relationship between the deputies and Ms. Arcuri began to go bad. Deputy Velazquez advised that the relationship began to deteriorate when comments made about the detectives were passed along. Deputy Velazquez advised on many occasions the deputies are present when sensitive topics are being discussed regarding cases and phone calls are overheard and integrity is of utmost importance. Deputy Velazquez advised that some of this sensitive information was being shared around the Courthouse in a speedy manner and for some reason he Deputy Velazquez was labeled the **"Troll."** Deputy Velazquez then identified that Deputy Freshcorn and Sergeant Bray were the individuals suggesting this and thought he was the one spreading the information. Detective Doyle, **"Did you ever think about bringing this to the commanders attention?"** Deputy Velazquez, **"No."** Deputy Velazquez advised later in the interview that once the focus was off of him and onto Ms. Arcuri the group of named deputies may have started believing it was actually her that was spreading information around the Courthouse. This was clarified to be just his opinion.

Deputy Velazquez was asked if he was familiar with Ms. Kenly Matjka to which, he confirmed that he was. Deputy Velazquez was asked if he was familiar with distasteful conversations and behavior involving sexually oriented topics taking place in the lunch room between the deputies and a few civilian employees to include Ms. Matjka. Deputy Velazquez advised yes but that the conversations appeared to be acceptable to the group that was usually present. Deputy Velazquez was asked if there was ever a topic of conversation in the lunch room that he took offense to. Deputy Velazquez recalled Deputy Freshcorn coming back from the Health Clinic and complaining about the new Doctor and how the service was terrible and that she was of Philippine descent. Deputy Velazquez advised that he continued to go back and forth from the poor service to her being Asian to the point, he Deputy Velazquez threw his lunch in the trash and walked out. Deputy Velazquez advised that Deputy Puritis followed him and tried to clear things up. Deputy Velazquez advised that from this point he stopped eating in the lunch room and just took his lunch somewhere else. Deputy Velazquez advised that by this time he just didn't want to be anywhere around Deputy Freshcorn at all.

Deputy Velazquez was asked if he was happy with the way Sergeant Bray handled the situation between himself and Deputy Freshcorn. Deputy Velazquez advised that at first it appeared as though he was on top of things however; he eventually just gave up and was more concerned about his mental health than complaining about something that was going nowhere and that he was going to lose on. Deputy Velazquez advised that if this were to have started now since he's had time to reflect on all of this and speak to the counselor about everything he would be down the hallway meaning Human Resources and the Sheriff's Office.

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Deputy Velazquez described himself as the wounded animal that others prey on and that due to all that was going on in his life he lost his way to include fighting for himself. Deputy Velazquez described going to work and going home and repeating that daily while identifying that he was not sleeping well and getting no rest or resolve.

Deputy Velazquez was asked if he was aware of an incident involving Deputy Puritis and him turning over some chairs and trashing an office. Deputy Velazquez advised that this started in the courtroom when Deputy Puritis got into it with Commander Miceli.

Deputy Velazquez was present when Sergeant Bray had to physically grab Deputy Puritis by the arm and escort him out of Judge Craig's active courtroom because he refused to calm down.

Deputy Velazquez advised that Deputy Puritis's behavior continued outside the courtroom because he could hear it from inside. Deputy Velazquez advised the inmates were present as well as some Courtroom staff and he, Deputy Velazquez apologized to the individuals that were present.

This incident was later confirmed with Commander Miceli at which time, Commander Miceli advised that he chose to handle the incident directly advising it was a communication issue. Commander Miceli advised that he addressed Deputy Puritis directly in the presence of Sgt. Bray and explained that it was decision that the incident did not reach a level of formal discipline at the time.

It was at this point I informed Deputy Velazquez that I would probably be calling him again for another interview while explaining that I believed he was withholding some details while not with intent to deceive or stall the investigation but because of memory and or concerns he was not sharing. Greg Forhan asked that they be allowed to walk outside to have a discussion at which time, I excused myself and left them to the privacy of my office.

The recorder was stopped at 1401 hours.

The interview was reestablished at 1410 hours.

Counselor Greg Forhan asked to address Deputy Velazquez on tape, **"I asked you why it appeared as though you were holding back and you told me you were afraid of retribution is that correct?"** Deputy Velazquez, **"Yes."** Greg Forhan, **"What was Deputy Freshcorn actually saying as people were leaving the Courthouse?"** Deputy Velazquez, **"He was saying nigger, like over and over again like nigger, nigger, nigger like he was trying to bug me so I would go back and tell Sergeant Bray like I was making things up."** Deputy Velazquez advised that this is exactly what he did and when questioned it was said the he was crazy. Greg Forhan, **"There was a derogatory term used that you had not heard before?"** Deputy Velazquez, **"It was at lunch one time and John used some term that I never used before "blue gums" I didn't know what it meant."**

Deputy Velazquez then began talking about a conversation he was involved in shortly after the news media publicized the initial Internal Inquiry regarding the Courthouse. Deputy Velazquez named the following deputies as being present, Deputies Barbagallo, Marino, Freshcorn and Jacob and the conversation involved the Daytona News Journal picking the story up for their publication as well. Deputy Velazquez advised that Deputy Freshcorn commented that if he gets fired he's

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taking people with him. At this point Deputy Barbagallo was alleged to have said that if they all stick together they can't touch us and told everybody to calm down. It was around this same time that Attorney Sharon Feliciano came up and the comments were made that everyone should use the same attorney. Deputy Velazquez advised that he was approached by Corporal Allen and asked what position he was in in the investigation process. Deputy Velazquez advised that he did not respond and did not want to discuss this investigation with anyone but his attorney. Deputy Velazquez asked to take a quick break to speak with his attorney out of the room before we concluded the interview.

This break was granted at 21:09 of the second recording or approximately 1431 hours. The interview resumed at 23:15 of the second recording or 1433 hours. Attorney Forhan and Deputy Velazquez stepped outside of the office.

Counselor Forhan addressed Deputy Velazquez upon returning and addressed games that the few deputies continued to do to mess with his head. Deputy Velazquez advised that Deputy Puritis and Deputy Marino would act as though they were taking pictures of him covertly and manipulating their phones like a big game. Deputy Velazquez advised that all the actions in totality made him extremely paranoid and uncomfortable with himself. Deputy Velazquez advised that he is doing much better and has promised himself that he will no longer be the joke and will do whatever is necessary to address this moving forward.

Deputy Velazquez was asked if he has the same phone and phone service that he had during the time all of this had taken place. Deputy Velazquez advised that he has the same phone service but not the same phone. Deputy Velazquez has also advised that he will cooperate any way needed to provide access to his cell phone data should it be required.

The interview was concluded at 1444 hours.

Deputy Brian Sheridan:

On Thursday, April 26, 2018 at 1511 hours, Deputy B. Sheridan was interviewed at the Flagler County Sheriff's Operation Center as a subject in Internal Affairs Investigation 2018-002 regarding Code of Conduct. Deputy Sheridan has been employed by the Flagler County Sheriff's Office for 8 years and is currently assigned to Detention Transportation Court Services.

Deputy Sheridan was asked if he was aware of the investigation concerning Sergeant Bray, Deputy Puritis, Deputy Freshcorn and Deputy Velazquez. Deputy Sheridan advised that he was at which time; he was asked to provide any and all knowledge he may have regarding the investigation. Deputy Sheridan advised that there was a meeting involving himself, Commander Pasquariello, Sergeant Bray, Deputy Freshcorn, Deputy Puritis, Sergeant Woodward, Detective Rodriguez, Detective Finn and a couple other ISD members. In the meeting we were advised that they received information that allegations had been made by one of the Judge Assistants "**Antinette**" (Antoinette Arcuri) regarding racial slurs and different comments that had been made. The initial questions were directed to Deputy Freshcorn and Deputy Puritis. Deputy Sheridan advised that "**Antinette**"

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had come to him on a few occasions and asked him some questions regarding this topic and he declined to answer her while advising her that the commander was already looking into it. Deputy Sheridan advised that this all occurred during the initial investigation involving the texting of the photograph. Deputy Sheridan advised that the questions were more venting about what was going on between her and the named deputies. Deputy Sheridan advised that his day to day contact with Ms. Arcuri and Ms. Matejka was very minimal and he did not spend any time in either of these individuals' offices.

Deputy Sheridan was asked if he knows anything about the ongoing situation between Deputy Velazquez and a couple of the deputies at the Courthouse. Deputy Sheridan advised that until the story was made public by the news media he did not hear anything. Once this occurred he began hearing things around the building. Deputy Sheridan advised that he had heard it was all a joke and that his phone had a virus due to him watching "**porn**" on his phone then it became "**child porn**" which really upset Deputy Velazquez explaining that Deputy Velazquez does not have that type of personality and was not amused.

Deputy Sheridan advised that Deputy Velazquez can run a courtroom by himself that would normally take two deputies describing his efficiency and capability as a deputy. Deputy Velazquez is an exceptional Deputy and employee that is very good at his job. Deputy Sheridan was asked if he has observed a change in Deputy Velazquez's personality and demeanor over the past few months. Deputy Sheridan advised that he is down and out and since this investigation was made public he seems very down. Deputy Velazquez works civil court and dependency court with children so his concern for how he is viewed is obvious. Deputy Sheridan advised that he has never heard or witnessed any of the joking or teasing and only heard about how this all started after the news media release. Deputy Sheridan advised that he heard it all started at someone's house where everyone was helping someone move or a party or something similar. Deputy Sheridan advised that he has heard Deputy Marino, Freshcorn and Puritis have conversations "**Trying to explain themselves so they didn't look as bad in my opinion that's what they were trying to do.**"

Deputy Sheridan advised that usually before court starts in the morning there are friendly conversations taking place between all of the deputies some of it is work related and some just idle chatting. This is when he observed the conversations regarding the article and the joke involving Deputy Velazquez. Deputy Sheridan was clear and reiterated that what he heard was the named Deputies basically verifying that there was no "**Child Porn or Porn**" of any kind on Deputy Velazquez's phone.

Deputy Sheridan was asked if he ever heard or been told that any of the named deputies used racial slurs, comments or epithets' in the Courthouse. Deputy Sheridan advised that he has not at any time. Deputy Sheridan advised that he only remembers the topic coming up in the earlier described meeting at which those allegations were adamantly denied.

Deputy Sheridan advised that the Courthouse is very tense at this point and everyone is on edge due to this investigation. Deputy Sheridan described the atmosphere of the Courthouse in the past as very comfortable and relaxed and currently it is more structured. Deputy Sheridan advised that he is eager for the investigation to be completed so everyone can get back to normal and move forward.

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The interview was concluded at 1540 hours.

Deputy Cleo Howe:

On Monday, April 30, 2018 at 1101 hours, Deputy C. Howe was interviewed at the Flagler County Sheriff's Operation Center as a subject in Internal Affairs Investigation 2018-002 regarding Code of Conduct. Deputy Howe has been employed by the Flagler County Sheriff's Office for 3.5 years and is currently assigned as a Bailiff in the Courthouse part-time.

Deputy Howe was asked if he was aware of the investigation concerning Sergeant Bray, Deputy Puritis, Deputy Freshcorn and Deputy Velazquez.

Deputy Howe advised that he was, at which time he was asked to provide any and all knowledge he may have regarding the investigation. Deputy Howe advised that his knowledge comes strictly from what he has read in the news media.

Deputy Howe was asked if he was familiar with Ms. Antoinette Arcuri and Ms. Kenly Matejka and he advised that he was and his interaction both individuals was extremely limited. Deputy Howe was asked if either of these individuals ever voiced concerns or made any complaints to him regarding any of the named deputies or anyone else during the course of his duty. Deputy Howe advised that they had not.

Deputy Howe was asked to explain what his duties were on a day to day basis. Deputy Howe was advised that he could be assigned to several different duties to include the front conducting screening with security, security for a commission meeting, floating the Courthouse providing breaks to the other deputies or courtroom security for a visiting judge.

Deputy Howe was asked to describe the climate and atmosphere of the Courthouse and the deputies both past a present. Deputy Howe advised the past as very good with the deputies and everyone getting along and all were happy. Now you can tell a few of the deputies are miserable and unhappy and he believes this is due to the current ongoing investigation.

Deputy Howe was asked if he ever heard or been told that any of the named deputies used racial slurs, comments or epithets' in the Courthouse. Deputy Howe advised that he has not at any time. Deputy Howe advised that he is only on duty a few days a week and has limited interaction with each of the named deputies. Deputy Howe advised that he has not heard of any issue or complaints between any of the deputies and stated that he was shocked when he heard the allegations in the media. Deputy Howe advised that he had no prior knowledge of the allegations of the "**Child Porn**" on Deputy Velazquez's cell phone and that he has never heard anyone speak about it in the courthouse that everyone is quiet and keeps pretty much to themselves. When asked if he believe the atmosphere was ever relaxed or that the deputies have ever become lax in their duties. Deputy Howe advised "**No, I think everyone there does a good job they come to work and work hard and I don't think there is any problem.**"

The interview was concluded at 1113 hours.

Deputy Donald Brock:

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On Tuesday, May 1, 2018 at 1141 hours, Deputy D. Brock was interviewed at the Flagler County Sheriff's Operation Center as a witness in Internal Affairs Investigation 2018-002 regarding Code of Conduct. Deputy Brock has been employed by the Flagler County Sheriff's Office for 4.5 years and is currently assigned as a Bailiff in the Courthouse part-time.

Deputy Brock was asked if he was aware of the investigation concerning Sergeant Bray, Deputy Puritis, Deputy Freshcorn and Deputy Velazquez. Deputy Brock advised that he was at which time; he was asked to provide any and all knowledge he may have regarding the investigation. Deputy Brock advised that he does have knowledge of a complaint filed by Ms. Antoinette Arcuri against three of the named deputies.

Deputy Brock was asked how he knows Antoinette Arcuri. Deputy Brock advised that he has known Ms. Arcuri for years since he was employed by the City of Ormond Beach Police Office and Ms. Arcuri's ex-husband worked for the city as well with the Office of Public Works. Ms. Arcuri was also the witness coordinator for the Police Office when she worked for the State Attorney's Office. Deputy Brock advised that he has also worked on a few Judge Campaign's in the past with her as well. Deputy Brock was asked if he was aware of or had knowledge of the incident involving Deputy Puritis and the texted photograph to Ms. Kenly Matejka. Deputy Brock advised that he had rumors about this topic but understood that it had been handled by Deputy Puritis and resolved with Ms. Matejka.

Deputy Brock was asked if he has any first or second hand knowledge of casual conversations they may have taken place in or around Ms. Arcuri's office involving topics that were sexual in nature. Deputy Brock advised that if he had he would have excused himself however; he had not. Deputy Brock was asked if he ever takes breaks or lunch on the fourth floor of the courthouse to which he replied only one time for a birthday party. Deputy Brock has no knowledge of activities or conversations in the fourth floor break room.

Deputy Brock was asked if Ms. Arcuri has ever come to him and complained about any of the named Deputies in this investigation. Deputy Brock explained that she has just complained about **"A bunch of BS that's going on."** Deputy Brock advise that he gave her advice and told her to mind her own business and to stay out of it. Deputy Brock advised that this was approximately three to four months ago and it was after he talked to Ms. Arcuri that he discovered she was part of what was actually going. Deputy Brock could not provide anything specific but explained that she was mad and flustered.

Deputy Brock was asked if he had any idea what was going on involving the allegations and he advised he did not other than what was in the news media. Deputy Brock was asked if he was familiar with Ms. Kenly Matejka to which he advised he was. Deputy Brock explained that Ms. Matejka lived in Ormond when he worked there and he has had a decent professional relationship with her until Ms. Arcuri began working at the courthouse. Deputy Brock explained that when Ms. Arcuri began working at the Courthouse it was the second or third day she was there Ms. Arcuri asked him why people there don't like her. Deputy Brock then asked Ms. Arcuri if she wanted the truth at which time he explained that Ms. Matejka informed the other deputies **"You like to gossip and you like to run your mouth."** Deputy Brock advised her to stay out of everyone's business

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and for her to do her job and take care of the judge. Deputy Brock advised that he was not being mean natured but believe that they knew each other well enough to be honest. Deputy Brock advised that Ms. Arcuri advised that she could accept that, appeared fine however; **“the next day she blew up.”** Apparently Ms. Arcuri went to Ms. Matejka and they had a big fight which prompted Ms. Matejka to complain to Sergeant Bray and asked for Deputy Brock to be fired. Deputy Brock informed Sergeant Bray that this was not him spreading a rumor but what he had actually heard Ms. Matejka say to some of the deputies a few days prior to Ms. Arcuri starting her job here in Bunnell. Deputy Brock advised that this occurred one day prior to court beginning. According to Deputy Brock, Sergeant Bray confirmed that he too had heard Ms. Matejka say something similar regarding Ms. Arcuri. Deputy Brock advised that Ms. Matejka did not speak to him for several months but eventually things moved on and were back to normal. Deputy Brock advised he was not certain who was present when he overheard Ms. Matejka’s comments about Ms. Arcuri but he believes Deputy Freshcorn and Deputy Puritis were there at the time. Deputy Brock advised that there was in fact validity to what Ms. Matejka had informed the deputies of about Ms. Arcuri. When asked to elaborate Deputy Brock advised, **“When Antoinette was at the State Attorney’s Office she was always talking, gossiping that’s her nature.”**

Deputy Brock advised he has never been witness to any inappropriate conversations involving either Ms. Arcuri or Ms. Matejka and any of the named Deputies. Deputy Brock advised that neither Ms. Arcuri nor, Ms. Matejka have ever complained to him about any of the named deputies nor has he ever heard of any such complaints other than in the news media.

Deputy Brock was asked if he has ever had an occasion to be in Ms. Arcuri’s office, sat down and engaged in casual conversation with her and any of the other deputies.

Deputy Brock advised that he has been involved in that type of setting on occasion while everyone was waiting for court to begin for approximately 10 to 15 minutes. Deputy Brock was asked if anything ever took place that was out of line or disrespectful in nature and he replied there was not. Deputy Brock advised that he did not have the same relationship with Ms. Matejka and when he went to her office he was in and out much quicker and only for court related business.

Deputy Brock was asked if he was aware of or had knowledge of why the relationship between Ms. Arcuri and the deputies had become strained. Deputy Brock advised that he had heard Attorney Lambert had made a comment in open court referencing a narcotics investigator having a relationship with an informant. Deputy Brock advised that this information was taken from the Courtroom by an unknown source believed to be Deputies Puritis and Freshcorn and shared with an unknown individual believed to be Ms. Arcuri which was then shared with Deputies in the Narcotics Unit. This then caused significant dissention between the Courthouse Deputies and the Narcotics Unit Deputies.

Deputy Brock denied ever hearing or being witness to any of the named Deputies ever using racially motivated language or comments within the Courthouse or otherwise. Deputy Brock advised this was to include Sergeant Bray advising that he has been upset and angry but was a good supervisor and never acted unprofessionally in his presence.

Deputy Brock was asked if he felt as though some of the deputies working at the Courthouse have become too comfortable in their positions and maybe too close to the civilians. Deputy Brock

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advised that he is sure they have due to the amount of time they have spent with each other. Deputy Brock advised there is always a certain amount of complacency that comes with working in a specific position for any extended period of time. Deputy Brock advised that under the new supervision the Courthouse is running very professional and everyone appears to be on board with the direction they are headed.

Deputy Brock was then asked if he had any knowledge of the allegations made against Deputy Velazquez and there being **“Child Porn”** on his cell phone. Deputy Brock advised that he has heard that he received a spam message saying he was going to be arrested for having **“Child Porn”** on his phone. Deputy Brock was asked if he had ever heard that this was a joke started by Deputy Puritis and Deputy Freshcorn to which he replied he has never heard their names ever associated with this allegation.

The interview was concluded at 1221 hours.

Deputy Howard Underwood:

On Tuesday, May 1, 2018 at 1347 hours, Deputy Howard Underwood was interviewed at the Flagler County Sheriff's Operation Center as a witness in Internal Affairs Investigation 2018-002 regarding Code of Conduct. Deputy Underwood has been employed by the Flagler County Sheriff's Office for 15.4 years and is currently assigned to Judicial Process and is a civil process server handling evictions and property seizure and divorce papers type business.

Deputy Underwood was asked if he was aware of the basis for this investigation to which he replied he was. Deputy Underwood explained that he had read about it in the press and heard about it around the Courthouse. Deputy Underwood advised that he was aware there were a few deputies at the Courthouse being investigated for inappropriate text messages and possible racial slurs be used. Deputy Underwood named Sgt. Bray and Deputies Freshcorn and Puritis as the subjects.

Deputy Underwood was asked how much time he spends in the Courthouse on a daily basis. Deputy Underwood replied approximately 20-30 minutes a day. Deputy Underwood does not work in the courtrooms and only works the front door security on teen court night approximately once a month.

Deputy Underwood was asked if he knows and interacts with Ms. Antoinette Arcuri or Ms. Kenly Matejka. Deputy Underwood advised that he does know who they are but does not have any contact with them during the course of his duties.

Deputy Underwood confirmed that he was very familiar with the subject deputies and has worked with them for many years. Detective Doyle, **“In the course of your duties working alongside these three deputies have you ever heard them say anything racially motivated to someone or about someone?”** Deputy Underwood, **“Yes.”** Detective Doyle, **“Can you tell me which individual and what you actually heard?”** Deputy Underwood, **“I can't specify, I worked the road with Deputy Freshcorn we were zone partners, I can't recall any specific allegations but you know in talking, I may have heard some racial slurs.”**

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After some clarification and explanation Detective Doyle, **“Have you ever heard Deputy Freshcorn use the term Nigger?”** Deputy Underwood, **“Yes.”** Deputy Underwood was asked in what context he has heard this term used by Deputy Freshcorn. Deputy Underwood advised that he could not recall Deputy Freshcorn ever using the term **“Nigger”** while directing at someone or saying it to someone **“just in every day talking or whatever the word may have come out.”** At this time, Deputy Underwood was asked if he would mind sharing his nationality with me and he replied that he was is half Japanese. Deputy Underwood was asked if he would take offense to those type comments if directed at his culture and he replied that he would but stated, **“It would depend on the context.”** It was identified at this time that Deputy Underwood has heard Deputy Freshcorn use the term **“Nigger”** more than twice and was asked if he believed Deputy Freshcorn to be prejudiced towards African Americans. Deputy Underwood, **“No I don’t think he’s prejudiced towards African Americans knowing the guy, I’m not going to say everybody but a lot of people use racial slurs.”** Deputy Underwood clarified that sometimes it is meant negatively other times it’s just in talking. Deputy Underwood advised that he has never heard Deputy Freshcorn use the term during the course of his duties.

Detective Doyle, **“Have you ever used that term?”** Deputy Underwood, **“Yes.”** Deputy Underwood was asked how he has used the term. After a pause Deputy Underwood stated, **“I have never said to any African American to their face, I may have said it in talking with other people or if I’m angered at something I may have said the word.”** Deputy Underwood advised that he has never used the term discussed during the course of his duties.

Deputy Underwood was asked if he has ever witnessed or heard Deputy Puritis use the term **“Nigger?”** Deputy Underwood advised that he has not worked Deputy Puritis enough and advised that he had not heard him use the term. Deputy Underwood was asked the same question regarding Sgt. Bray. Deputy Underwood confirmed that he had heard Sgt. Bray use the term **“Nigger.”**

Deputy Underwood advised that the term was used in the same context as Deputy Freshcorn in conversation or overhearing him with other deputies however; he could not identify the other deputies. Deputy Underwood advised that he worked road patrol and is direct supervisor was Sgt. Bray confirming that this is when he heard Sgt. Bray use the term **“Nigger.”** Deputy Underwood was asked if he has heard Sgt. Bray use the term **“Nigger”** more than twice. Deputy Underwood replied, **“I’m sure yes.”** It was at this time that I verified that Deputy Underwood has worked for Sgt. Bray under two separate working conditions once on road patrol and again at the Courthouse. Deputy Underwood clarified that the context in which the term was utilized was during conversation only and he has never heard him use it in the course of his duty.

Deputy Underwood was asked if he was familiar with Deputy E. Velazquez and the allegations against him. Deputy Underwood advised that he does know Deputy Velazquez and only knows of the allegations based on the media attention. Deputy Underwood advised that he has absolutely no independent knowledge of the allegations.

Deputy Underwood was asked about the atmosphere of the Courthouse and he reiterated that he spends limited time in and around the building and to the best of his knowledge the working structure of the division is professional.