

The interview was concluded at 1406 hours.

Deputy M. Moniz:

On Tuesday, May 1, 2018 at 1443 hours, Deputy Mike Moniz was interviewed at the Flagler County Sheriff's Operation Center as a witness in Internal Affairs Investigation 2018-002 regarding Code of Conduct. Deputy Moniz has been employed by the Flagler County Sheriff's Office for 8 years and is currently assigned to Judicial Process and is a civil process server handling evictions and property seizure and divorce papers.

Deputy Moniz confirmed that he is familiar with the ongoing investigation involving deputies assigned to the Courthouse. Deputy Moniz advised that it is his understanding that the investigation involves inappropriate texting from deputies to a couple of Judges Assistants however; Deputy Moniz advised that he does not know Ms. Antoinette Arcuri nor does he know Ms. Kenly Matejka. Deputy Moniz advised that he spends limited time in and around the Courthouse and has very little interaction with the civilian employees and the Courthouse Deputies.

Deputy Moniz was asked if he is familiar with Deputy E. Velazquez and the allegations against him.

Deputy Moniz advised that he is and that it is his understanding that there were allegations of Deputy Velazquez having "**Child Porn**" on his phone and that it started as a joke and was blown way out of hand. Deputy Moniz advised that he would never suspect an allegation of this nature to be true about Deputy Velazquez and he has no knowledge how the joke was started.

Deputy Moniz was asked about the use of racial slangs, language and conversation by Sgt. Bray, Deputy Puritis and Deputy Freshcorn. Deputy Moniz advised that he has had limited contact with Deputies Puritis and Freshcorn therefore advised that he has never witnessed either of them ever use racial terms or language. Deputy Moniz also advised that he has never heard Sgt. Bray utilize any such language at any time.

Deputy Moniz was asked to describe the atmosphere at the Courthouse six months ago as to currently. Deputy Moniz advised that the Courthouse appeared to be running smoothly during that time however; he has observed a difference in procedures and structure since Sgt. Davis has arrived. Deputy Moniz indicated that he has observed several procedure changes and it is his understanding that these procedures were always in effect however; they were not being utilized. Deputy Moniz advised that he believes the changes that have been made are for the good and the operation has benefitted from these changes.

The interview was concluded at 1454 hours.

Deputy Bruce Fleischman:

On Tuesday, May 2, 2018 at 0918 hours, Deputy Bruce Fleischman was interviewed at the Flagler County Sheriff's Operation Center as a witness in Internal Affairs Investigation 2018-002 regarding Code of Conduct. Deputy Fleischman has been employed by the Flagler County Sheriff's Office for 1 year and is currently assigned to Courthouse Security part-time.

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Deputy Fleischman was asked to provide any and all knowledge he may have regarding the investigation involving the Courthouse Deputies. Deputy Fleischman advised that he knows very little about the investigation due to his limited time at the Courthouse and his assignment working the front door security.

Deputy Fleischman was made aware of the subject officers involved in the investigation and he acknowledged that he is familiar with the deputies. Deputy Fleischman was asked if he was familiar with Ms. Antoinette Arcuri to which he replied that he does know her.

Deputy Fleischman advised that the two of them worked at the Volusia County Sheriff's Office at the same time however; he only spoke with her on a few occasions over the entire time they worked together. Once Ms. Arcuri started work at this location they communicated on the many individuals they knew mutually.

Deputy Fleischman advised that occasionally he would go up to the fourth floor in the morning to obtain a cup of coffee at which time he would interact with her. Deputy Fleischman was asked if at any time did Ms. Arcuri ever complain to him about any of the deputies to which he replied no. Deputy Fleischman was asked if at any time did he sit in her office and have a casual conversation with her.

Deputy Fleischman advised that on occasion he and a couple of the deputies would stay with her and drink coffee for a few minutes prior to going down and opening the Courthouse. Deputy Fleischman advised that he has observed all three of the subject deputies present in Ms. Arcuri's office from time to time. Deputy Fleischman advised that at no time did the conversation ever become offense to him nor did it appear that the conversation was upsetting to anyone else.

Deputy Fleischman advised that he never heard any of the subject deputy's use any foul, vulgar or offense language in the presence of or directed at Ms. Arcuri. Deputy Fleischman advised that he does not know Ms. Kenly Matejka and has had no interaction with her. Deputy Fleischman advised that he has very little contact with the subject deputies and it is very rare that they would be assigned to work the front door with him.

Deputy Fleischman was asked if at any time he has heard any of the subject deputy's use racial slurs or language specifically the term "**nigger**" while working in the Courthouse. Deputy Fleischman advised "**Absolutely not.**"

Deputy Fleischman also advised that he is unaware of the allegation regarding Deputy Velazquez and "**Child Porn**" being observed on his phone. Deputy Fleischman was asked if he has observed any change or difference in Deputy Velazquez over the past year and he confirmed that he had. Deputy Fleischman advised that Deputy Velazquez about six months ago had a change in his demeanor and always seems depressed. Deputy Fleischman described Deputy Velazquez as always having things on his mind he's thinking all the time, very quiet does not really speak to anyone. Deputy Fleischman advised that he has no idea what the reason is for the change but he has noticed a change.

The interview was concluded with how Deputy Fleischman perceives the atmosphere of the courthouse currently as compared to six months prior. As like others Deputy Fleischman could not be specific but does feel the overall attitude and action is more professional currently.

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The interview was concluded at 0936 hours.

Deputy J. Rodenborn:

On Tuesday, May 3, 2018 at 1104 hours, Deputy J. Rodenborn was interviewed at the Flagler County Sheriff's Operation Center as a witness in Internal Affairs Investigation 2018-002 regarding Code of Conduct. Deputy Rodenborn has been employed by the Flagler County Sheriff's Office for 12 years and is currently assigned as a Civil Process Server.

Deputy Rodenborn was asked if he was familiar with the ongoing investigation involving Courthouse Deputies. Deputy Rodenborn advised that his knowledge is restricted to what he has read in the news media. Deputy Rodenborn was asked if he was familiar with Ms. Antoinette Arcuri or Ms. Kenly Matejka and he advised that he was not. Deputy Rodenborn is familiar with the subject deputies and was explained what the allegations are regarding each of them. Deputy Rodenborn was asked if he ever heard Sgt. Bray, Deputy Freshcorn or Deputy Puritis use any racially charged language during the course of their duties. Deputy Rodenborn advised that he had not nor had he ever heard of them using any such language from anyone else.

Deputy Rodenborn was also asked if he was aware of the allegations regarding Deputy Velazquez and alleged "**Child Porn**" being observed on his phone. Deputy Rodenborn acknowledged that he had but that he was advised that it was a joke that had gone bad and that Deputy Velazquez was very upset about the joke.

Deputy Rodenborn was asked about the past and present culture of the Courthouse however; Deputy Rodenborn advised that he really does not have an opinion due to his limited time in and around the building each day and the fact that he goes in to obtain paperwork to do his job and heads out for the day.

The interview was concluded at 1113 hours.

Deputy T. Jacob:

On Tuesday, May 3, 2018 at 1202 hours, Deputy T. Jacob was interviewed at the Flagler County Sheriff's Operation Center as a witness in Internal Affairs Investigation 2018-002 regarding Code of Conduct. Deputy Jacob has been employed by the Flagler County Sheriff's Office for 8 years and is currently assigned as a Court Bailiff for the Judicial Services Division.

Deputy Jacob was asked if he was aware of the investigation he is being questioned about and what it is in reference to. Deputy Jacob advised that he is aware and the investigation was brought to his attention through the news media. Deputy Jacob advised that he is aware that the investigation is concerning inappropriate language in the Courthouse and something about "Child Pornography." Deputy Jacobs advised that he has only been assigned to the Courthouse for approximately two months and is not aware of much detail regarding the investigation.

Deputy Jacob was asked if he is familiar with Ms. Antoinette Arcuri and he advised that he did work with her for a short period of time before she resigned. Deputy Jacobs advised that he had limited interaction with her and for only a short time. Deputy Jacobs also confirmed that he is

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familiar with Ms. Kenly Matejka as well. Deputy Jacob advised that he knows Ms. Matejka is Judge Smith's Judicial Assistant and he has had less interaction with her than Ms. Arcuri. Deputy Jacob was asked if Ms. Arcuri ever made any comments or complaints about any of the deputies or anything that was going on with them. Deputy Jacobs was also asked if anything was ever said to him by any of the deputies about Ms. Arcuri either negative or positive. Deputy Jacobs advised nothing had been said to him at all. Deputy Jacobs was asked several times if he had been warned, advised or cautioned about what was going on or about Ms. Arcuri however; Deputy Jacobs maintained that he had not. Deputy Jacobs was asked if he was familiar with Deputy Velazquez and the alleged "**Child Pornography**" on his phone and he acknowledged that he was.

Deputy Jacobs advised that he has no knowledge of this allegation or the dynamics surrounding it however; after the news media he heard some "**Chatter.**" Deputy Jacobs was asked to explain Chatter which he termed casual conversation after an article addressing the Sheriff's Office came out. Deputy Jacobs was asked to clarify the conversation and the context.

Deputy Jacobs advised it was just talk nothing he could be specific about. Deputy Jacobs was asked if the other explained what was going on and how it was started. Deputy Jacobs advised that they did not. Again Deputy Jacobs was asked if anyone discussed Ms. Arcuri with him and that she was the reason for the investigation and the article. There was a considerable pause before Deputy Jacobs responded. Deputy Jacobs advised that when he first started at the Courthouse he was told not to get too close to her. It was explained to Deputy Jacob that there had been no doubt the first time he was asked if he had been warned about what was going on or advised. It was explained that it would be natural for a supervisor or fellow officer to make a new officer aware especially when there was an active investigation. Deputy Jacob explained that when he first started he was learning so much and meeting so many new people it is difficult for him to remember who told him what or when. Deputy Jacob advised that he works in the same Courtroom as Deputy Freshcorn and works for the same judge however; for him to narrow down who actually advised him about Ms. Arcuri, he cannot be one hundred percent certain.

Deputy Jacob was asked if he takes his breaks and lunch on the fourth floor. Deputy Jacob advised that he does and advised that Deputies Marino, Freshcorn and Barbagallo along with the occasional judge and Judicial Assistant "**Nadine**" all attend lunch in this break room regularly. Deputy Jacob pointed out that Deputy Velazquez is never in attendance.

When asked about Deputy Velazquez, Deputy Jacobs advised that Deputy Velazquez is not very social and even the effort is made Deputy Velazquez is unreceptive. Deputy Jacobs advised that the other deputies advised that he has been acting in this way for some time now and is the same way with everyone. Deputy Jacobs was questioned again if he had ever been informed about the allegations of "**Child Porn**" on Deputy Velazquez phone. Deputy Jacobs advised that he is now recalling hearing about but he could not recall if he was advised that it was a joke but he did here that it started at someone's house and the installation of a stove at Deputy Puritis's house and Deputy Freshcorn was present as well. Deputy Jacob's could not recall any further detail or who he heard this information from.

Deputy Jacob advised that since this investigation has gone public there have been conversations regarding the article and how it was effecting the atmosphere of the Courthouse. In this context Deputy Jacob's was asked if he recalled being in or around a conversation regarding the article

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and the investigation when, Deputy Freshcorn stated that if he gets fired he would be taking people with him. Deputy Jacobs denied hearing that statement being made. Deputy Jacob was asked if he recalled Deputy Barbagallo making the statement during this same conversation that if they all stick together they can't touch us. Deputy Jacob advised that Deputy Barbagallo is somewhat of the mentor and guiding force at the Courthouse. Deputy Jacob recalls Deputy Barbagallo making a comment about everyone sticking together and not to let the media prevent them from having fun at work and doing their jobs properly but nothing was said about not being touched. When asked again about the alleged comment being made by Deputy Freshcorn, Deputy Jacob advised all he ever heard Deputy Freshcorn say was that he would be getting an attorney. Deputy Jacob advised he never heard Deputy Freshcorn make a negative statement regarding the investigation. Deputy Jacob also never heard the deputies discuss having the same attorney and that Counselor Sharon Feliciano should be used by everyone. Deputy Jacob advised that he does not remember specific comments and who made them because everything has happened so quickly and in such a short time.

Deputy Jacob was asked if he has ever heard Deputy Freshcorn use any racially motivated language in either conversation or directed at anyone since he has been assigned to the Courthouse. Deputy Jacob advised he had not and Sgt. Bray and Deputy Puritis had already been transferred prior to him being assigned.

The interview was concluded at 1232 hours.

Deputy Anthony Marino:

On Wednesday, May 4, 2018 at 1335 hours, Deputy A. Marino was interviewed at the Flagler County Sheriff's Operation Center as a witness in Internal Affairs Investigation 2018-002 regarding Code of Conduct. Deputy Marino has been employed by the Flagler County Sheriff's Office for 16 years and is currently assigned as a Court Bailiff for the Judicial Services Division.

Deputy Marino advised that he is familiar with the ongoing investigation at the Courthouse. Deputy Marino advised that things deteriorated rather quickly between Ms. Antoinette Arcuri and the Bailiff's not long after she began as Judge Craig's Judicial Assistant. Deputy Marino advised that it went from the deputies having coffee with her every morning to Judge Craig advising that Ms. Arcuri was going to be seeking employment elsewhere. Deputy Marino advised that he does not know what triggered the conflict but at some point he became aware of a dispute between Sgt. Bray and Ms. Arcuri however; he does not know details. Deputy Marino advised that shortly after the notice of Ms. Arcuri leaving, Sgt. Bray instructed everyone to keep their contact with Ms. Arcuri professional but not to be "**hanging out**" in her office. Deputy Marino advised that he has no firsthand knowledge of what took place with Ms. Arcuri and the deputies however; he has never had any issues with Ms. Arcuri.

Deputy Marino was asked about his interaction with Ms. Arcuri and time spent in and around her office. Deputy Marino advised that Sgt. Bray and Deputies Puritis, Freshcorn and himself would have coffee with Ms. Arcuri approximately (2) days a week and they would engage in normal day to day conversation involving both work and personal topics. Deputy Marino was asked if these conversations ever became too comfortable. Deputy Marino replied that they could however; he

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did not believe them to be unprofessional. At this point Deputy Marino was again asked if there were any sexually oriented conversations or comments made in his presence within Ms. Arcuri's office. Deputy Marino stated, **"Not in her office no, in the lunch room yes."** Deputy Marino, **"I would say yes, the fourth floor was very comfortable."** Detective Doyle, **"do you think it got too comfortable?"** Deputy Marino, **"It could have."** Detective Doyle, **"That's not what I asked you, did it get too comfortable."** Deputy Marino, **"for me yes."** Deputy Marino was asked if he believed that some of the conversations in the break room made any of the other deputies uncomfortable to which he identified Deputy Barbagallo. Deputy Marino advised that Ms. Arcuri was flirtatious in nature but not specifically with deputies or anyone individually but she was getting a little crazy with some of the things she would say. Deputy Marino advised that he believed Ms. Arcuri was bordering on being unprofessional at times and excluded anyone else in the room from unprofessional behavior. Deputy Marino isolated Ms. Arcuri as being the catalyst in these conversations and suggested that no one else in the room engaged in the suggestive nature of the conversation.

Detective Doyle, **"Deputy Marino are you trying tell me that no other deputies were involved in those conversations that only Ms. Arcuri was the only one in that whole break room that was making any conversation like that?"**

Deputy Marino, **"I've never heard other deputies make innuendos they would maybe, we, I'm sure we would entertain the conversation get into the conversation but I never heard any other innuendos to the point that it makes people uncomfortable."** It was clarified at this point that all of the named deputies were in fact present for these type conversations at one time or another and this was a normal comfortable atmosphere for the individuals involved. Deputy Marino was asked if the described conversations ever took a racially motivated turn or became subject matter. Deputy Marino advised that it never has.

Deputy Marino was asked if he was familiar with Deputy Velazquez at which time, Deputy Marino advised that he knows him very well. Deputy Marino was asked if he has noticed a change in Deputy Velazquez to which he immediately replied yes.

Deputy Marino was asked to explain. Deputy Marino advised that Deputy Velazquez was always very outgoing, down to earth and liked to talk and now he is very standoffish and now he doesn't talk to him very much. Deputy Marino described Deputy Velazquez by saying he does not really look at him when he speaks and appears to be looking right through him. Deputy Marino was asked if he was familiar with the allegations against Deputy Velazquez and **"Child Porn"** on his cellphone. Deputy Marino confirmed that he was. Deputy Marino was asked if he recalled a day when Deputy Velazquez left the Courthouse and returned shortly after and he tried to reenter the Courthouse and he and another deputy had Deputy Velazquez's cell phone. Deputy Marino denied remembering that incident and advised he has never touched his cell phone and that the incident described by Deputy Velazquez never happened. Deputy Marino was asked if he knew where the allegation of the **"Child Porn"** came from. Deputy Marino advised that he understands that Deputies Velazquez and Freshcorn helped Deputy Puritis put a stove in his new house. The next day he had heard that Deputy Velazquez went to Sgt. Bray and informed him that Deputies Puritis and Freshcorn were talking about **"Child Porn"** on his phone. Deputy Marino advised it was just a day or so later that Deputy Velazquez took vacation for approximately three weeks. Deputy Marino advised that he assumed at that point that Deputy Velazquez had some type of a

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breakdown. Deputy Velazquez a week or so prior was talking about an investigator watching him but he did not know what was going on. Deputy Marino advised that Deputy Velazquez was acting very strange during that period and he continues to be standoffish. Deputy Marino clarified that he has never heard anyone joking with or about Deputy Velazquez having “**Child Porn**” on his cell phone.

Deputy Marino was asked if he had any independent knowledge of the incident or argument between Ms. Arcuri and Sgt. Bray. Deputy Marino advised that he did not however that this incident started with Deputy Puritis and Ms. Arcuri questioning who was handling a visiting judge. No independent knowledge was provided.

Deputy Marino was then asked if anytime while working with or for Sgt. Bray has he heard him use any racially motivated language or been involved in any racially motivated conversations to which he replied that he had not. Deputy Marino was asked specifically if he has ever heard Sgt. Bray use the term “**Nigger?**” Deputy Marino advised he had not.

Deputy Marino was asked the same questions regarding Deputy Puritis and Deputy Freshcorn to which he replied no.

Deputy Marino was asked if he recalled being involved in a conversation with several Courthouse Deputies regarding the media articles and the fact that it was now going to end up in the Daytona News Journal as well. Deputy Marino advised he did not recall the comment at which time; Deputy Marino was asked if he recalled Deputy Freshcorn commenting that if he loses his job he was taking people with him. Deputy Marino advised he did not here that comment at any time. A third statement was brought to Deputy Marino’s attention regarding Deputy Barbagallo stating, “**If we all stay together they can’t touch us and everyone needs to calm down and stick together.**” Deputy Marino confirmed that Deputy Barbagallo did in fact make that statement however; he was not referring to the investigation or the article but he was trying to keep everyone together. Deputy Marino was reminded that this comment was alleged to have been said at the same time the previous two statements were alleged to have been said. Deputy Marino reiterated that he never heard the other two statements.

Deputy Marino was asked if he ever heard Deputy Freshcorn and others talking about everyone using the same attorney Ms. Sharon Feliciano. Deputy Marino advised that he knows Deputy Freshcorn is using Ms. Feliciano but he has never heard anyone talking about her.

The interview was concluded at 1425 hours.

Corporal Eric Allen:

On Friday, May 4, 2018 at 1519 hours, Corporal Eric Allen was interviewed at the Flagler County Sheriff’s Office Operations Center as a witness in Internal Investigation 2018-002. Cpl. Allen has been an employee of the Flagler County Sheriff’s Office for 16 years and his current assignment is Supervisor of Court Security and Bailiff’s.

Cpl. Allen was asked to advise what knowledge he has of the ongoing investigation. Cpl. Allen advised that he is aware of the allegations against Deputy Velazquez and “**Child Porn**” being

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observed on his phone. Cpl. Allen advised that he has known Deputy Velazquez for years and over the past few years he has had several life changing incidents occur in his personal life involving the death of immediate family members. Cpl. Allen advised that in reference to the “**Child Porn**” allegations he has noticed that he has been off, distant, preoccupied and even pacing at times. Cpl. Allen advised that based on his observations he asked Deputy Velazquez if he was ok and did he need to talk. Deputy Velazquez responded by saying I’m sure your aware of the investigation. Cpl. Allen assured him that he was not aware of any investigation. Deputy Velazquez seemed to be convinced that Cpl. Allen was aware however; Cpl. Allen tried to explain to Deputy Velazquez that if there was in fact an active investigation it was not likely that he would be made aware of it. Cpl. Allen went as far as to explain the procedure for an internal investigation and that he Deputy Velazquez would be notified if he were under investigation. Cpl. Allen advised that he did all he could to ease his mind however; Deputy Velazquez began mumbling and not making sense. Deputy Velazquez started talking about the “**Child Porn**” and then about someone watching him and his house from down the street regarding his homeowners insurance. Cpl. Allen advised that he brought the conversation to Sgt. Bray’s attention and several days later Sgt. Bray advised Cpl. Allen that Deputy Velazquez was going to take some time off [REDACTED]. Cpl. Allen was convinced that the “**Child Porn**” was due to a “**phishing virus**” Deputy Velazquez obtained on his phone. Cpl. Allen advised that he never heard or understood that the allegations against Deputy Velazquez were that of a joke made by Deputies Puritis and Freshcorn. Cpl. Allen advised that he attempted several times to talk with Deputy Velazquez and all he was able to determine is that Deputy Velazquez believes Deputy Freshcorn does not like him.

Cpl. Allen was asked if he was aware of or if Deputy Velazquez ever advised that he made a formal complaint against Deputy Freshcorn or Deputy Puritis for anything and he advised that he did not. Cpl. Allen was asked if he ever became aware of Sgt. Bray having a meeting with Deputies Freshcorn, Puritis and Velazquez about this or anything else. Cpl. Allen recalled that Sgt. Bray mentioned to him that he had spoken with the group. Cpl. Allen could not provide details or even what prompted the meeting. Cpl. Allen then stated, “**I just remember thinking to myself that it may could have been handled a little differently than it was a little not typical manner of handling whatever the complaint was.**” Cpl. Allen advised that Sgt. Bray basically advised that he yelled at them and it was handled.

Cpl. Allen was then asked if he has ever heard Deputy Freshcorn, Puritis or Sgt. Bray ever use racially motivated language or epithets in conversation or directed at anyone, specifically the term “**Nigger.**” Cpl. Allen advised that he had not.

Cpl. Allen was asked if he takes his breaks on the fourth floor in the common break room/lunchroom to which he advised that does not. Cpl. Allen did confirm when asked that he had been told that the atmosphere had become way too comfortable in that area. Cpl. Allen advised that Sgt. Bray had spent a considerable amount more time in that break than himself and it was very limited however, Sgt. Bray had often mentioned to Cpl. Allen that he felt that those guys were way to friendly and talkative and the subject matter probably should not be discussed around judges and mixed company. Cpl. Allen advised that he does not know the subject matter and does not assume that it was sexual in nature. Cpl. Allen was asked if he thought the matter should have been addressed differently by Sgt. Bray being that he had identified an issue existed. Cpl. Allen quickly responded by stating that Sgt. Bray had informed him that he Sgt. Bray consistently warned

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them to stop spending so much time on that floor and they should be downstairs addressing other matters.

Cpl. Allen was asked if he considered the matter handled appropriately and he responded by saying that he was certain that he did not have all of the information Sgt. Bray had on the subject nevertheless, he advised that if he had to warn someone more than once about a specific subject than something more should be done.

Cpl. Allen was made aware that Cpl. Wetherhold advised in his interview that it was very rare and almost nonexistent that Sgt. Bray would include him in decision making or issues concerning discipline. Cpl. Allen was asked if this was consistent with him as well.

Cpl. Allen advised that Sgt. Bray handled everything, he was very hands on and would not let anyone handle anything to include simple matters such as requesting facilities to fix something. Cpl. Allen could not identify the reason behind the control and never discussed this with him. Cpl. Allen advised that Sgt. Bray simply wanted control over everything.

Cpl. Allen was asked to discuss his interaction with Ms. Antoinette Arcuri. Cpl. Allen advised that he did on occasion need to obtain paperwork from her office and on occasion he would engage in casual conversation with her and other deputies in that area. Cpl. Allen advised that he never observed any inappropriate conversation in her office during those times by anyone involved. Cpl. Allen was asked if he was familiar with Ms. Kenly Matejka and he confirmed that he was but that her contact was very minimal.

Cpl. Allen advised that he is aware of the incident between Sgt. Bray and Ms. Arcuri outside the courtroom as well as the incident involving the cleaning crew however; he expressed that he has no independent knowledge of either one.

Cpl. Allen was then asked about an alleged conversation between a group of deputies discussing the investigation and the media coverage where Deputy Freshcorn and Deputy Barbagallo addressed the group. Cpl. Allen advised that he was not present and is unaware of the conversation.

Cpl. Allen was given an opportunity to provide any additional information or concerns he may have to the investigation. Cpl. Allen expressed a sincere concern for Deputy Velazquez and his wellbeing. Cpl. Allen advised that he is keeping a watchful eye on him and will keep his supervisors aware.

The interview was concluded at 1603 hours.

Civilian Employee J. Burnett:

On Monday, May 7, 2018 at 1404 hours, Mr. John Burnett was interviewed at the Flagler County Sheriff's Office Operations Center Division as a witness in Internal Investigation 2018-002. Mr. Burnett is currently assigned to the Civil Division and has been employed at FCSO for approximately 11 years.

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Mr. Burnett was asked if he was familiar with the investigation I am conducting and he replied that was not and only knew some from what he read in the paper. Mr. Burnett was asked if he was familiar with the subject deputies involved in the investigation at which time, he advised that he is only familiar with Sgt. Bray and only knows the others very limited. Mr. Burnett does not know Ms. Arcuri or Ms. Matejka and does not have interaction with anyone working on the fourth floor of the Courthouse. Mr. Burnett advised that he only enters the Courthouse to pick up paperwork and heads out for the day to do his job.

Mr. Burnett was asked if he has ever heard Sgt. Bray use any racially motivated language or be involved in racially motivated conversation to which he replied he has not. Mr. Burnett was asked if he has ever heard Sgt. Bray use the term “Nigger.”

Mr. Burnett advised that he has not. Mr. Burnett was very quick with his answers and was clear that he does not have any independent knowledge of anything to do with this investigation and he does not have anything constructive to add to the investigation.

The interview was concluded at 1414 hours.

Commander Brian Pasquariello:

On Monday, May 7, 2018 at 1441 hours, Commander Brian Pasquariello was interviewed at the Flagler County Sheriff’s Office Operations Center as a witness in Internal Investigation 2018-002. Commander Pasquariello has been an employee of the Flagler County Sheriff’s Office for 18 years and his current assignment is Commander of Detention and Court Services.

Commander Pasquariello is familiar with the ongoing investigation and was previously interviewed in this investigation during the inquiry phase. Commander Pasquariello was asked to explain how he knows Ms. Arcuri. Commander Pasquariello was asked to explain how he became involved in the investigation apart from his investigation of Deputy Puritis involving inappropriate texting of photographs. Commander Pasquariello advised that Ms. Arcuri had provided him with a document with several concerns regarding issues she had with Deputies Puritis and Freshcorn to include their behavior and treatment of Deputy Velazquez.

Commander Pasquariello advised that he wrote a memorandum to Chief Cole dated November 29, 2017, attached the document and forwarded it via the chain of command. Commander Pasquariello was asked if other than the incident involving the texted photograph to Ms. Matejka if he addressed any further issues or complaints directed from Ms. Matejka. Commander Pasquariello advised that he had not.

Commander Pasquariello was asked if Ms. Arcuri ever indicated to him that she witnessed Deputies Puritis and Freshcorn teasing Deputy Velazquez about the allegations of “**child porn**” on his phone. Commander Pasquariello advised that he recalls the document she provided indicated Deputy Velazquez told her of the teasing. Commander Pasquariello advised that Ms. Arcuri never indicated or reported to him that she had personal knowledge of how the allegations began or of the alleged excessive teasing.

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Commander Pasquariello was asked if Deputy Velazquez ever came to him directly to complain about Deputies Puritis or Freshcorn teasing him. Commander Pasquariello advised that he had not. Commander Pasquariello was asked if he ever observed **“Child Porn or any type of Pornography”** on Deputy Velazquez’s phone to which he replied he had not. Commander Pasquariello was asked if any of his deputies or deputy supervisors ever reported to him that they had seen those images on Deputy Velazquez’s phone to which he replied no they had not. Commander Pasquariello was asked if Sgt. Bray ever came to him and reported that Deputy Velazquez was complaining about Deputies Puritis and Freshcorn. Commander Pasquariello advised that Sgt. Bray did advise that **“the guys were messing with him”** but Sgt. Bray asked Commander Pasquariello if Deputy Velazquez was under investigation. Commander Pasquariello advised Sgt. Bray that he was unaware of any investigation involving Deputy Velazquez. Commander Pasquariello also advised that he was under the impression that Sgt. Bray was handling the situation between the named deputies.

Commander Pasquariello was asked if he ever had a one on one conversation with Deputy Puritis or Deputy Freshcorn regarding Eddie Velazquez. Commander Pasquariello, **“I don’t believe so.”** Commander Pasquariello advised that once Ms. Arcuri provided him with her memorandum and the information regarding Deputy Velazquez he met with and spoke with Deputy Velazquez one on one. It was at this time Commander Pasquariello advised that Deputy Velazquez stated, **“It is over and done with, they weren’t messing with him and he didn’t want anything done.”** Commander Pasquariello advised that he informed Deputy Velazquez that if he needed to speak with him that he could contact him at any time.

Commander Pasquariello was asked if he has ever been the direct supervisor of or worked alongside either Deputy Puritis or Deputy Freshcorn to which he advised he has not. Commander Pasquariello was asked if he has ever heard specifically those two deputies ever use any type of racial slur comments or remarks specifically the term **“Nigger.”** Commander Pasquariello advised that he had not. Commander Pasquariello was asked the same questions about Sgt. Bray and he replied no he had not. Commander Pasquariello was asked if he has ever had a complaint against any of these officers for that specific reason to which he replied he had not. Commander Pasquariello was asked if Corporal Wetherhold came to him to advise of complaints being made about Deputies Puritis and Freshcorn by Deputy Velazquez. Commander Pasquariello advised that he did not believe so. The same question was posed regarding Corporal Allen and he advised no he had not.

It was at this time the incident involving Sgt. Bray and Ms. Arcuri outside the courtroom was revisited. Commander Pasquariello was reminded of our first conversation and being asked about this incident. Commander Pasquariello was asked to explain once again what took place during that incident. Commander Pasquariello advised that he observed the two speaking with each other at which time, he observed them walking towards the door. Sgt. Bray then motioned to Commander Pasquariello with his head indicating for him to follow outside. Commander Pasquariello went out the back door into the hallway and he observed the two already involved in a conversation and were going back and forth. During that conversation Sgt. Bray looked to Commander Pasquariello and said something to the effect of do you want to tell her or should I? Detective Doyle, **“Did you hear Ms. Arcuri say do you have a problem with me and Sgt. Bray responding, ya I have a problem with your fucking mouth.”** Commander Pasquariello, **“I don’t remember that and**

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like I say could of it been said yes, I don't remember so it's not fair to either party to say whether it happened or not." Detective Doyle, "When you exited the courtroom these two individuals were already engaged in conversation and it appeared to be heated is that correct?" Commander Pasquariello, "yes." Detective Doyle, "Is it safe to say again that you only heard the back end of the conversation regarding the comment about do you want to tell her or should I." Commander Pasquariello, "Yes sir, that was that the last thing that was said and she walked away." Detective Doyle, "What I'm trying to clarify here is because it's the word remember, is it that you don't remember hearing him say ya it's your fucking mouth or you didn't hear it?" Commander Pasquariello, "I don't remember word for word what happens in conversations so I can't say specifically for either party."

Commander Pasquariello was asked to describe Sgt. Bray and if he fits the nickname of "**cranky or crusty John Bray.**" Commander Pasquariello, "**John's got a very strong personality he's been employed by this** agency for a long time, John knows his job very well." Commander Pasquariello advised that John Bray had a good relationship and rapport with everyone and there has never been a problem.

Commander Pasquariello was asked if he takes his breaks and lunch in the fourth floor break room to which he replied that he did not. Commander Pasquariello was asked if anyone ever identified to him that the environment and atmosphere in the breakroom had become too comfortable and inappropriate conversations were taking place. Commander Pasquariello advised they had not.

Commander Pasquariello advised that much of the dissention that had taken place in the Courthouse stemmed from Ms. Arcuri speaking to a few of the undercover Narcotics Detectives and informed them that Deputy Puritis and Deputy Freshcorn made some negative comments about them which caused them to become upset. This prompted a meeting with everyone involved and everyone denied that the comments were made. This then prompted Deputy Freshcorn to notify Judge Craig that Ms. Arcuri was the catalyst for the dissention. Shortly after this took place Judge Craig informed Commander Pasquariello that Ms. Arcuri would be leaving this location in January. Commander Pasquariello clarified that everything he knew of at the time and currently was hearsay and there has never been anyone to come forward and corroborate any of the allegations suggested.

The interview was concluded at 1507 hours.

Deputy J. Puritis:

On Wednesday, May 9, 2018 at 1534 hours Deputy J. Puritis was interviewed at the Flagler County Sheriff's Office, Operations Center as a subject in Internal Affairs case# 2018-002. Also present for the interview was Attorney, Ms. Sharon Feliciano representing Deputy Puritis. Ms. Feliciano was instructed not to interrupt or comment during the interview however; she was advised that she could request a break at any time for the purpose of consulting with Deputy Puritis. Deputy Puritis had previously been supplied a copy of the Garrity Warning as well as it being read to him on tape prior to interview. Deputy Puritis has also been provided a copy of the Police Officer Bill of Rights. Deputy Puritis was supplied a copy of the complaint as well as a copy of all evidence and

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interviews and was provided ample time to review along with his attorney. Deputy Puritis has been employed by the Flagler County Sheriff's Office for 9 years and is currently assigned to Community Policing.

Deputy Puritis was asked to explain his understanding and involvement in the incident being investigated. Deputy Puritis advised that the majority of his knowledge comes from the news media and articles written regarding this case. Deputy Puritis reiterated that his knowledge is news media based at which time, he was presented with questions.

Deputy Puritis was asked to explain his relationship with Ms. Antoinette Arcuri. Deputy Puritis responded, **"A friendly, professional relationship."** Deputy Puritis was asked if he had occasion to sit and have casual conversation in Ms. Arcuri's office. Deputy Puritis responded that he had. Deputy Puritis advised that there were occasions when he would be alone but the majority of the time at least Deputy Freshcorn was present because they were both assigned to Judge Craig. Deputy Puritis was asked specific questions based on allegations made by Ms. Arcuri in her complaint. Deputy Puritis was asked if he ever told Ms. Arcuri that she should tell her daughter to break up with the guy she is dating so he can take her out and show her what a real man is like. Deputy Puritis, **"I never said that in my life, that never happened."** Deputy Puritis advised that he has never met Ms. Arcuri's daughter and has never made a comment regarding her daughter whatsoever. Deputy Puritis was advised that the complaint indicates that he has made several comments regarding race and even advised her that she should never consider dating an African American man. Deputy Puritis, **"Totally false sir, never made any of those comments."** Deputy Puritis was asked if he remembered making a comment to Ms. Arcuri regarding him assisting a female from Drug Court and how he could get divorced or lose his job for the assistance you gave a specific female. Deputy Puritis again denied the allegation saying that the conversation never took place. Deputy Puritis was asked if he ever ran anyone's driver's license outside the scope of his duty at the Courthouse. Deputy Puritis advised that he had not. Deputy Puritis advised that the entire time he worked as Judge Craig's Bailiff he never ran a drug court participant's driver's license. **An investigative inquiry was conducted by this agency regarding the Florida (DAVID) program "Driver and Vehicle Information Database" in relation to Deputy Puritis's use of the program between the months of September 2017 and February 2018 with negative results for any usage of the program at all.** Deputy Puritis was asked about the allegation that he purchased **"Motor Oil"** for a drug court participant. Deputy Puritis advised that he did in fact purchase oil for one of the participants while he was assigned to the **"Drug Court Team."** Deputy Puritis explained that one of the participants **"Elizabeth Trimoli"** had been assisted in obtaining a vehicle by Detective Liz Williams of Flagler Beach for her to use for court, work and probation. One day Trimoli advised Detective Williams that the vehicle was 4 quarts low on oil and she was worried something was going to happen to the car.

Deputy Puritis advised that on his way back from lunch he stopped and purchased a quart of oil and when I got back I told everyone what I had done. **"I was actually praised for my efforts."** Deputy Puritis advised that it was no secret that everyone knew about it to include his wife and Judge Craig and all he was doing was trying to help her out.

Deputy Puritis was asked about the allegations made about him calling one of the narcotics investigators gay because he had long hair and that he called them dirty cops. Deputy Puritis, **"Absolutely false sir, I'm friends with all those guys, I would never say that."** Deputy Puritis

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was asked about himself and other Bailiff's repeating things discussed in open court outside the court room and in particular a defense attorney claiming that one of the narcotics detectives had an inappropriate relationship with a confidential informant. Deputy Puritis, **"At one hearing I was I know it took place a couple of times."** Deputy Puritis was asked what he meant by a couple of times and was it regarding the same detective.

Deputy Puritis responded by stating he understood it to be detective's plural but he is unaware of what detectives were being referenced. It was explained to Deputy Puritis that the allegations made by Ms. Arcuri involved he and Deputy Freshcorn sharing courtroom information with her and then it being shared with the Narcotics Deputies involved. Deputy Puritis adamantly denied these allegations as well.

Deputy Puritis was then asked about a meeting arranged by Commander Pasquariello. Deputy Puritis advised he understood that Ms. Arcuri went to the Detectives first saying that the Bailiff's were spreading rumors about them however; Deputy Puritis then stated, **"On the other side of it there were times when Antoinette advised us that the narcotic's guys were spreading rumors about us."** It was at this time that Sgt. Bray and Commander Pasquariello became involved and a meeting was called between the Court Deputies and the Narcotic's Detectives as verified by Commander Pasquariello. Deputy Puritis explained that the meeting was tense to begin with however after everything was talked about openly **"It boiled down to Antoinette starting a bunch of rumors."** Shortly after Commander Pasquariello and Sgt. Bray had a meeting with Judge Craig regarding the meeting. Deputy Puritis was asked what he knows about that meeting and who it came from. Deputy Puritis, **"I'm not sure who, it might have been Judge Craig, I'm not a hundred percent positive but I believe Judge Craig called Antoinette into his office and was not happy about the rumors she was spreading and was looking to fire her."** Deputy Puritis advised that it was his understanding that Ms. Arcuri was given 30 days to find a job and was later extended.

Detective Doyle, **"There was a whole lot more that happened after that so tell me what happened after that?"** Deputy Puritis, **"After that the mood changed, Antoinette became very cold, there were a bunch of scheduling conflicts for the judge, for us and there were dockets that were not prepared I think all out of spite from Antoinette because she had been exposed for putting cops against cops."** Deputy Puritis advised that the relationship was then kept at a professional level. Deputy Puritis advised that since Sgt. Bray took over as supervisor of the Courthouse, **"That guy just turned this place around, it's such a well-oiled machine up there right now."** Deputy Puritis advised, **"We had that place so squared away and I think after that the morale kinda went down."** Deputy Puritis advised, **"A bunch of us were angry but we stayed professional but when someone is trying to spread rumors around about you it's not a good scene but we remained professional, I think Antoinette did not."** Deputy Puritis was asked if he ever tried to talk with Ms. Arcuri and smooth things over. Deputy Puritis advised again that Ms. Arcuri had not given the deputies what they needed as far as paperwork so they were not really prepared, **"So I did a little soul searching saying this is no way to work."**

Deputy Puritis, **"So I remember one day I went in and I said, I'm sorry for everything that happened between everybody but we have to be able to communicate, we still have jobs to do."** Deputy Puritis advised that she was not very receptive to it. Deputy Puritis was asked if he was bouncing a ball off the wall when he went to see her that day as alleged in the complaint.

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Deputy Puritis, **“That day no I wasn’t.”** Detective Doyle, **“So you said that day was there a day when you were bouncing a ball off the wall?”**

Deputy Puritis, **“No, no but there was this ball it was an office ball, it was a squeeze ball anyone that came into that office would grab that ball, I don’t know where that came from.”**

Deputy Puritis was asked to explain Ms. Arcuri’s response to his attempt to clear the air at which time, he advised that she remarked that everyone was against her now and that the judge hated her and she is out of the Courthouse as soon as she can.

At this time Attorney Ms. Sharon Feliciano asked to take a break at 1556 hours however; the recorder was kept running as they stepped out of the room. The interview continued at 1557 hours.

Deputy Puritis, **“Just to clarify the bouncing of the ball, I don’t know where that came from, I was not trying to intimidate her bouncing a ball off the wall, it was a ball that fifty people grabbed all day long, it was an office toy and I was just walking around with it and that’s all it was.”**

Deputy Puritis was asked if the allegations regarding the racial comments were brought to Commander Pasquariello’s attention and he replied that they were. Deputy Puritis was asked if Commander Pasquariello ever discussed or questioned him about the alleged racial comments. Deputy Puritis advised that he did not. Upon clarifying an additional time that Commander Pasquariello was made aware of the allegations of racial comments and remarks being utilized in and around Ms. Arcuri and her office Deputy Puritis was asked if he was counseled by any supervisor regarding these allegations. Deputy Puritis advised that he was not.

Deputy Puritis was asked if he ever remarked about the music Ms. Arcuri listened to and specifically that she listens to **“Nigger music and that she shouldn’t listen to nigger music.”** Deputy Puritis, **“No sir never happened, absolutely not sir the only time I’ve heard that word is out of her mouth.”** Deputy Puritis was asked in what context she used the word **“nigger.”** Deputy Puritis explained that a time after her ex-husband passed away and after fighting with family over his belongings, Ms. Arcuri advised him that she was able to get her ex-husbands truck from his family but **“They left it in niggerville in Daytona.”** Deputy Puritis again denied ever using any racial language or racially motivated comments in the presence of Ms. Arcuri. Deputy Puritis was asked if he has ever heard Sgt. Bray or Deputy Freshcorn use the term **“Nigger”** before. Deputy Puritis advised that he had not.

Deputy Puritis was advised that a significant portion of the complaint advised that the bailiffs’ often ignore and rarely acknowledge or greet Courthouse staff in the hallways and they have become intimidating. Deputy Puritis adamantly denied that to be factual and advised that they were as professional as could be. Deputy Puritis had stated earlier that things changed after the allegations from Ms. Arcuri were brought out and was asked if he thought the distance brought on by these allegations could be being misconstrued. Deputy Puritis, **“No, no, no we remained professional, intimidation that’s just a horrible word to use it was never like that the thing that changed was our interaction with them** and only because of the rumors that had started.

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Deputy Puritis was informed that Ms. Arcuri advised that on one Monday morning he and Deputy Freshcorn were in her office and discussing alleged **“Child Pornography”** on Deputy E. Velazquez’s cell phone. Deputy Puritis, **“Um that was I don’t, I don’t, I don’t, I know nothing about that that was brought up to me a Deputy Freshcorn while we were in court.”** Deputy Puritis advised that Sgt. Bray came up to them and advised that Deputy Velazquez informed him that he overheard he and Deputy Freshcorn discussing the **“Fed’s”** were investigating Deputy Velazquez for **“Child Porn”** on his phone. Deputy Puritis advised that they informed Sgt. Bray that they knew nothing about it. Deputy Puritis then brought up the day that Deputies Freshcorn and Velazquez came to his house to help him install a new oven. Deputy Puritis advised nothing was ever said or came up while they were all together at his residence. Deputy Puritis was asked for the record if he ever spoke to or with Ms. Arcuri regarding Deputy Velazquez and alleged **“Child Porn”** being observed on his phone to which he adamantly denied. Deputy Puritis suggests that Ms. Arcuri could have possibly overheard him and Deputy Freshcorn talking about their conversation with Sgt. Bray while they were in the break room getting coffee but they never spoke directly about any such thing. Deputy Puritis was asked if he was ever made aware that Deputy Velazquez complained to Sgt. Bray about him and Deputy Freshcorn teasing him about the alleged **“Child Porn.”** Deputy Puritis advised that he was never informed that Deputy Velazquez ever made a complaint against them by anyone. Deputy Puritis was asked if he was ever spoken to a second time by Sgt. Bray regarding this issue with Deputy Velazquez. Deputy Puritis advised that he had however; he volunteered that he and Deputy Velazquez are good friends however; he is not sure what’s going on. Deputy Puritis advised that he has never teased Deputy Velazquez about anything and stated that his whole family knows and likes him. Deputy Puritis advised that Deputy Velazquez used to be friendlier and more outgoing however; over the past year he has significantly distanced himself from everyone. Deputy Puritis advised that Deputy Velazquez is just not the same and he believes there is something mentally going on with him. Deputy Puritis advised that Deputy Velazquez advised that he is very concerned for Deputy Velazquez and he is aware that [REDACTED] It was brought to Deputy Puritis’s attention that Deputy Velazquez in his interview essentially blames him and Deputy Freshcorn for his current mental state of mind claiming that they bullied him and teased him yet Deputy Puritis adamantly denies ever picking on Deputy Velazquez and stated that he cares about and even stated that he loved Deputy Velazquez.

Deputy Puritis was asked if he was so aware that there was something wrong with Deputy Velazquez and he was concerned about him if he ever brought these concerns to a supervisor’s attention or anyone for that matter. Deputy Puritis advised that he had not at which time, he was asked why he hadn’t. Deputy Puritis, **“Well Eddy has always been a little bit of an individual, when this all began it was when he lost his house, lost his brother, lost his sister and he was having medical issues, I kinda put it to that and everyone knew he wasn’t dealing well. Right about that time he come to me and said he was seeing somebody, I went to the doctor, I got blood pressure, I got cholesterol so he kinda had it under control.”** Deputy Puritis was asked if he ever considered bringing his thoughts on Deputy Velazquez’s mental health to a supervisor’s attention. Deputy Puritis advised he had not stating that Sgt. Bray and Commander Pasquariello were involved. Deputy Puritis was asked if either of the named supervisor ever informed anyone that they were dealing with it. Deputy Puritis advised they had not.

Break taken by Detective Doyle 1625 hours.

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Returned from break 1631 hours.

Deputy Puritis was directed to Cpl. Wetherholds interview in which, Cpl. Wetherhold advises that he did in fact overhear Deputies Puritis and Freshcorn discussing **“Child Porn”** and Deputy Velazquez and did in fact address them in regards to comments and conversation being mistaken or overheard by individuals. Deputy Puritis was advised of Cpl. Wetherholds statement regarding a meeting between Sgt. Bray, Deputy Velazquez and Deputy Freshcorn. Deputy Puritis acknowledged that the meeting between those three did in fact take place. Deputy Puritis was asked why he did not acknowledge this meeting when asked earlier even though the meeting did not involve him. At this time Attorney Feliciano asked for a moment to speak with Deputy Puritis.

Break time 1635 hours.

Return time 1637 hours.

Deputy Puritis reiterated that the only time he was ever told about the **“Child Porn”** allegations was in the courtroom by Sgt. Bray as he advised earlier. Deputy Puritis advised that Deputy Freshcorn at a later time advised that he was going to a meeting with Deputy Velazquez in Sgt. Brays office. Deputy Puritis, **“What happened in that meeting I have no idea.”** No further explanation given. Detective Doyle, **“You work side by side with Deputy Freshcorn every day in the courtroom, these are allegations being about the two of you and you have no idea what took place in that conversation?”** Deputy Puritis, **“I do not, I do not.”** Deputy Puritis also advised that Cpl. Wetherhold never addressed him regarding these allegations and that he was nowhere around and none of that had to do with him when Cpl. Wetherhold made those comments.

Deputy Puritis was asked to describe the break/lunchroom room and the atmosphere. Deputy Puritis was asked if the atmosphere and conversation became comfortable over time. It was clarified that the conversation had become adult oriented and at times involved sexual innuendos. Deputy Puritis advised he didn't recall it to be like that but, **“There's a few times I can remember when Antoinette would get a little colorful.”** Deputy Puritis then advised, **“It was a little loose at times.”** Deputy Puritis was asked if everyone was involved in the conversations. Deputy Puritis advised that it depends on what the topic was but to a point yes. Deputy Puritis was asked if in his mind some of those conversations ever became too comfortable. Deputy Puritis, **“I would say yes.”** Deputy Puritis was asked if any of the conversations ever make him uncomfortable. Deputy Puritis, **“Yes.”** Deputy Puritis was asked to explain. Deputy Puritis, **“There's a couple times I can tell you what Antoinette liked to talk about.”** Deputy Puritis advised that Ms. Arcuri would frequently discuss dating websites that she was active on and she would show pictures sent to her from men. These pictures would be naked pictures and penis pictures, lots of them making lunch uncomfortable. Deputy Puritis advised that he would actually get up and leave the lunchroom when Ms. Arcuri would start showing those pictures. Deputy Puritis, **“I guess we're guilty of it we tend to roll and go with the flow and she was a friend and we were all friends so If I'm uncomfortable I finish my sandwich and leave.”**

Deputy Puritis was asked if Cpl. Weatherhold ever discussed the atmosphere or conversations going on in the lunch room with him and Deputy Freshcorn. Deputy Puritis advised that he did

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not. When asked specifically if Cpl. Wetherhold ever warned that they needed to be careful since they wear a badge they need to watch with others listening. Deputy Puritis simply stated, **“I don’t remember anything like that sir.”**

Deputy Puritis was asked if there was anything he would like to add at this time. Deputy Puritis stated, **“Between Eddie and Antoinette there one hundred percent lies and I am appalled to even be in this situation, I’ve worked hard at my career, I didn’t get here by chance this stuff is deceitful it’s hurtful it’s not only hurting me it’s hurting my family my friends and my relatives you name it. I was moved from that side of the building and then put on the road which is a huge life changer and everything was just ripped from me from a bunch of false allegations which I don’t know how this lady can sleep at night and I think it’s absolutely terrible what she did what she’s trying to do. She was a giant problem here.**

To be in this position is just shocking to me.”

The interview was concluded at 1658 hours.

Deputy J. Freshcorn:

On Wednesday, May 9, 2018 at 1717 hours Deputy J. Freshcorn was interviewed at the Flagler County Sheriff’s Office, Operations Center as a subject in Internal Affairs case# 2018-002. Also present for the interview was Attorney, Ms. Sharon Feliciano representing Deputy Freshcorn. Ms. Feliciano was instructed not to interrupt or comment during the interview however; she was advised that she could request a break at any time for the purpose of consulting with Deputy Puritis. Deputy Freshcorn had previously been supplied a copy of the Garrity Warning as well as it being read to him on tape prior to interview. Deputy Freshcorn has also been provided a copy of the Police Officer Bill of Rights. Deputy Freshcorn was supplied a copy of the complaint as well as a copy of all evidence and interviews and was provided ample time to review along with his attorney. Deputy Freshcorn has been employed by the Flagler County Sheriff’s Office for 10 years and is currently assigned to Court Services as a Bailiff.

Deputy Freshcorn was asked to explain his knowledge of this investigation and his involvement. Deputy Freshcorn appeared very quiet and reserved and stated, **“I was told that Ms. Antoinette filed a complaint about something that happened at the Courthouse and that’s about it.”** Deputy Freshcorn was asked who Antoinette is and what his relationship was with her. Deputy Freshcorn advised that she was Judge Craig’s J.A. and that he just gets his dockets from her every morning. It was then confirmed that he had daily contact and interaction with Ms. Arcuri. Deputy Freshcorn was asked what he thought about the allegations made by Ms. Arcuri. Deputy Freshcorn’ **“I think they’re mostly false.”** Deputy Freshcorn was reminded of the allegation regarding him and Deputy Puritis discussing Deputy Velazquez and alleged **“Child Porn”** being observed on his cell phone in her office.

Deputy Freshcorn was asked if that was correct. Deputy Freshcorn, **“Not entirely no.”** Deputy Freshcorn, **“We were in our office, she came in there to ask us for something or looking for something. At the time I was telling Jeff what I was told by Sgt. Bray.”** Deputy Freshcorn

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advised that she must have overheard that conversation but they never discussed this topic with her directly. Deputy Freshcorn was read Ms. Arcuri's allegation that he and Deputy Puritis were in her office and specifically discussing Deputy Velazquez and the allegation of "**Child Porn**" and how it started while at Deputy Puritis's house while they were all together. Deputy Freshcorn, "**First off, I never had that conversation with Jeff in her office. Second that's not what I was told how that went down. Sgt. Bray came to me Jeff and I in the hallway and said what the hell did you all do to Eddie?**" Deputy Freshcorn then explained in detail what took place the day he Deputy Puritis and Deputy Velazquez were at Deputy Puritis's home installing an oven. Deputy Freshcorn advised that there was never anything said or discussed by any of the three named individuals regarding "**Child Porn**" at all. Deputy Freshcorn advised that he thought about it for a day or two and it made him upset enough to ask Sgt. Bray for the three of them to have a meeting. Deputy Freshcorn advised it was at that time that he confronted Deputy Velazquez about the allegation at which time, Deputy Velazquez stated, "**You don't know where I'm from and I don't know where you're from but we're cool.**" Deputy Freshcorn advised that he was confused by the comment and asked Deputy Velazquez what the comment meant however; Deputy Velazquez would not elaborate. Deputy Freshcorn advised he then said he was sorry to Deputy Velazquez and stated that he knew nothing about his phone repeating it a second time stating we work together and he needed to know they were alright. Deputy Freshcorn advised that from that point on everything seemed to be alright. Deputy Freshcorn was asked if there was ever a second meeting between them regarding the allegation of "**Child Porn**" and teasing. Deputy Freshcorn reiterated that the only meeting was the one he requested and there was only one. Deputy Freshcorn was asked if there was ever a time he ever teased or messed with Deputy Velazquez about "**Child Porn**" on his phone. Deputy Freshcorn, "**Listen, no way that's not even funny there's no humor in that whatsoever.**" Deputy Freshcorn was reminded that Deputy Velazquez stated under oath that he and Deputy Puritis teased and bullied him repeatedly and almost on a daily basis. Deputy Freshcorn advised that it never happened and it is totally false. Deputy Freshcorn described a friendly relationship with Deputy Velazquez both inside and outside of work involving social activities and working on a vehicle with him.

Deputy Freshcorn was asked if he noticed a difference in Deputy Velazquez from past to present to which he quickly replied yes. Deputy Freshcorn described a story Deputy Velazquez shared with him recently regarding an insurance agent investigating him and spying on him from down the street near his home. Deputy Freshcorn advised that he is very distant but seemed to be dealing with something personal. Deputy Freshcorn advised that he has always had a good relationship with him but he seems to be acting very weird. Deputy Freshcorn advised that Deputy Velazquez does not talk to anyone any more, he does not eat lunch with anyone and is very distant and withdrawn. Deputy Freshcorn advised that when Deputy Velazquez accused him of spreading the rumors of "**Child Porn**" on his phone he knew something was wrong with him. Deputy Freshcorn was asked if he ever thought to bring his concerns to a supervisor to which he replied no. Deputy Freshcorn was asked if he thought everyone was equally concerned about Deputy Velazquez to which he replied, "**Oh ya.**" Deputy Freshcorn was asked if he believed Deputy Velazquez was capable of doing his job.

Deputy Freshcorn advised that he appeared to function normally in the courtroom but I don't know. Deputy Freshcorn was asked if his observations indicated that Deputy Velazquez is acting paranoid. Deputy Freshcorn advised that would be a good word to describe him. Deputy Freshcorn was asked if there was a time that Sgt. Bray came to him and Deputy Velazquez because he was

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not speaking to him or even looking at him. This was based on comments made by Deputy Velazquez in his interview. Deputy Freshcorn, **“That never happened, nor has he ever not spoken to me.”**

Deputy Freshcorn was reminded that Ms. Arcuri has alleged that Deputy Puritis has used racial language and made racial comments in her office while he was present and was asked if he could confirm these allegations and specifically if he ever heard him use the term **“Nigger”** in her office. Deputy Freshcorn, **“No I have not.”** Deputy Freshcorn also advised that he has never heard Deputy Puritis use that term at any other time.

Deputy Freshcorn was asked if there were times that he would be involved in casual conversation with Ms. Arcuri. Deputy Freshcorn advised that he is always the first one into work and he would turn on the first appearance machine for Judge Stens and get everyone’s coffee pot started. Deputy Freshcorn advised it was normal to have coffee and conversation in Ms. Arcuri’s office. Deputy Freshcorn advised that on any given day there would be three to four other officers in and out of the office as well. Deputy Freshcorn was asked to describe the content of the conversation. Deputy Freshcorn advised that Ms. Arcuri was on several different dating sites and would discuss what some individuals said to her or sent her namely pictures of their penis. Deputy Freshcorn advised that it became an everyday thing with her and at one point he cautioned her about not knowing the people on these sites and what they might be capable of. Deputy Freshcorn advised that Ms. Arcuri seemed to agree with him and he didn’t remember her bringing them up again.

Deputy Freshcorn advised that he worked with Ms. Arcuri for approximately three months and it was natural for them to discuss family, children and weekend activities.

Deputy Freshcorn was asked if he ever witnessed anyone and specifically Deputy Puritis making any type of negative comments to her about her or relationships and racial choices. Deputy Freshcorn advised that he did not.

Deputy Freshcorn was then asked about the comments made by Deputy Velazquez regarding him Deputy Freshcorn using racial language and making racial comments. Deputy Freshcorn was asked if he ever used the term **“Nigger”** in Deputy Velazquez’s presence as civilians exited the Courthouse. Deputy Freshcorn, **“That is a lie that never happened.”** Deputy Freshcorn was asked if he was ever addressed or counseled by Sgt. Bray using racial language or due to complaints made by Deputy Velazquez. Deputy Freshcorn advised that it never happened.

Deputy Freshcorn was advised that Cpl. Wetherhold advised in his interview that he has heard Deputy Freshcorn and Deputy Puritis discussing the **“Child Porn”** and that he has heard them on more than one occasion.

Deputy Freshcorn was advised that Cpl. Wetherhold advised that he has addressed both of them prior to being promoted and after being promoted advising them that they need to stop talking about it because it can be misconstrued. Deputy Freshcorn stated, **“He has never addressed me about anything.”** Deputy Freshcorn advised that Cpl. Wetherhold may have been present for a conversation in which it came up. Deputy Freshcorn passionately stated, **“I was blown away by the you gotta understand I’m being accused of something that I have no clue how that happened nor did I do it so I’m a little taken back by that. I have brought it up a couple of**

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times because I was trying to figure this out. It was crazy talk that's why I finally had to go to sarge and say we need to have a conversation the three of us." Deputy Freshcorn was not denying that he talked about these allegations whatsoever with others because he was upset as well and wanted to understand why this was even going on. Deputy Freshcorn repeatedly denied ever being addressed by Cpl. Wetherhold.

Deputy Freshcorn was asked to describe the breakroom/lunchroom. Deputy Freshcorn advised lunch. Deputy Freshcorn was advised to be more specific such atmosphere, discussions, conversation etc. Deputy Freshcorn advised normal people having lunch talking about the weekend and kids that kind of thing. Again it was clarified and now explained that the inquiry is regarding specific conversations, sexual innuendos and things of that nature. Deputy Freshcorn advised the only thing he remembers is Antoinette a couple times **"Man she's obnoxious."** Deputy Freshcorn advised that she said a couple of things that he did not want to be part of and he would get up and leave. Deputy Freshcorn advised for the most part her comments were overlooked and they would move on. Deputy Freshcorn went back to just people having lunch. At this point Detective Doyle became more pointed and direct and Deputy Freshcorn was advised that based on his comments and that of others interviewed of everyone that was present for these conversations and rude remarks made by Ms. Arcuri she would be the only individual left in the room because everyone would have left. Detective Doyle, **"When you get a room full of adults and the conversation becomes mature some people become offended others are ok with it did you ever hear conversations like that up there where a couple of people may have been offended or maybe not at all and everybody is participating in the conversation."** Deputy Freshcorn, **"Ya there's normal lunch talk going on." I'm talking about adult conversation not what kinda sandwich you got today.**" Deputy Freshcorn, **"Ya."** Deputy Freshcorn was asked if he observed conversations such as described where he believed others in the room were offended.

Deputy Freshcorn, **"I can remember one time Anthony got up and left, I got up and left a couple of times, I've stayed when those** conversations were going on. Deputy Freshcorn advised there is no way of him really knowing who was offended or not.

Deputy Freshcorn was asked if Cpl. Wetherhold ever addressed him and any of the others regarding the conversations and comfortable nature of the breakroom. Deputy Freshcorn advised that he had not and that Cpl. Wetherhold was not in that area very frequently. Deputy Freshcorn advised that Cpl. Wetherhold never addressed him about anything. Deputy Freshcorn was given several opportunities provide details about incidents and actions of others in the breakroom/lunchroom however; he failed to identify anything specific and or anyone specific involved.

Deputy Freshcorn was asked if he recalled how this investigation began and what prompted the whole thing. Deputy Freshcorn advised he had no clue how it was started. Deputy Freshcorn was reminded of a meeting that took place between the Courthouse Deputies and the Narcotics Detectives. Deputy Freshcorn advised yes he was called downstairs for a meeting with the commander and sergeant and the meeting involved concerns about Ms. Arcuri telling the Narcotic's Detectives that the Bailiff's were calling them names. Deputy Freshcorn stated, **"I didn't get any particulars in the meeting so I just sat there and listened to it and said, I don't**

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know what you're talking about." Deputy Freshcorn advised that they all bust on each other suggesting it all in fun.

Deputy Freshcorn was reminded of information learned in the courtroom when an attorney suggested that our Narcotics Detectives were involved in an inappropriate relationship with a confidential informant. It was suggested that this information was being spread outside the courtroom by himself and Deputy Puritis were the individuals spreading this information. Deputy Freshcorn was asked if this was discussed in the meeting with the Narcotics Detectives. Deputy Freshcorn advised that it was not.

Deputy Freshcorn was asked if he was familiar with Deputy Underwood. Deputy Freshcorn was advised that during an interview of Deputy Underwood he advised that he has heard Deputy Freshcorn use the term **"Nigger"** in a casual conversation while on duty on more than two occasions. Deputy Freshcorn was asked if that was true. Deputy Freshcorn, **"Not to my knowledge, no."** Deputy Freshcorn was advised that Deputy Underwood advised that he has also heard Sgt. Bray use the term and even advised that he has used the term himself in the same context on more than two occasions. Deputy Freshcorn, **"I don't know anything about that."** Detective Doyle, **"You're saying you have never use the term?"** Deputy Freshcorn, **"Absolutely not."**

Deputy Freshcorn was asked if he remembered being involved in a group conversation with other Courthouse Deputies where the conversation involved the investigation and what was going on around the Courthouse and he was alleged to have said, **"If I get fired I'm taking people with me."** Deputy Freshcorn chuckled and stated, **"I've never said that, I have no reason to get fired nor do I have any reason to take anyone with me."** Deputy Freshcorn was asked if he heard Deputy Barbagallo in the same conversation state, **"You all need to calm down and everybody needs to just stick together and they can't touch anybody,"** Deputy Freshcorn, **"This is what I remember, Deputy Barbagallo did make the comment that everybody needs to calm down, stick together and everything is going to be fine. That is the extent of my knowledge of that statement."**

The interview was concluded at 1824 hours.

Sergeant J. Bray:

On Thursday, May 10, 2018 at 1336 hours, Sergeant John Bray was interviewed at the Flagler County Sheriff's Office, Operations Center as a subject in Internal Affairs case# 2018-002. Sgt. Bray had previously been supplied a copy of the Garrity Warning as well as it being read to him on tape prior to interview. Sgt. Bray has also been provided a copy of the Police Officer Bill of Rights. Sgt. Bray was supplied a copy of the complaint as well as a copy of all evidence and interviews and was provided ample time to review. Sgt. Bray was not represented by counsel or by a union representative. Sgt. Bray has been employed by the Flagler County Sheriff's Office for 26 years and is currently assigned as the Palm Coast District II Sergeant.

Sgt. Bray was asked to explain his knowledge and involvement in this investigation as it relates to him. Sgt. Bray began by discussing an incident that occurred between himself and Ms. Arcuri regarding courtroom preparation. Sgt. Bray advised that Ms. Arcuri made a comment that there

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was never a bailiff around when needed. Sgt. Bray advised that he informed Ms. Arcuri that the courtroom was not ready and that the bailiff was in fact with the judge in his chambers. Sgt. Bray advised that it was at this time that Ms. Arcuri motioned for him to step out of the courtroom with her. Sgt. Bray advised, **“Commander Pasquariello was also in the courtroom and I asked him to come with me as a witness.”** Sgt. Bray advised that when they stepped into the back hallway Ms. Arcuri asked him if he had a problem. Sgt. Bray advised that he informed her that he did not. According to Sgt. Bray, Ms. Arcuri then asked **“Whats your deal?”** Sgt. Bray advised that he then informed Ms. Arcuri that they know what her game is and they’re not playing it. **“I told her you’re always running your mouth.”**

Sgt. Bray advised that it was at this point he asked Commander Pasquariello if he wanted to tell her or if he wanted him to tell her. Sgt. Bray advised that at no time was there ever a threat of anything going to happen to her. Sgt. Bray stated, **“What we were going to confront her with was what did she expect to gain when she started talking about the detectives and the Bailiff’s and pitting us against each other?”** Sgt. Bray then advised that he never cursed at Ms. Arcuri during the courtroom incident he didn’t raise his voice but spoke to her firmly but never spoke to her the way she said he did.

Sgt. Bray advised that approximately two months prior to this incident he and Commander Pasquariello had a meeting with Judge Craig to advise what Ms. Arcuri had started between the Bailiff’s and the Deputies. Approximately one week later Judge Craig informed Commander Pasquariello and himself that he informed Ms. Arcuri that she needed to find employment elsewhere. Sgt. Bray advised that this took place in early December and he believes Ms. Arcuri was given until the end of January. Sgt. Bray advised that the next two months were tense and uncomfortable with very little interaction and communication taking place with the Bailiff’s and Ms. Arcuri.

Sgt. Bray advised in reference to Ms. Arcuri saying that he used the racial term **“Nigger”** upon returning from his vacation out west never happened. Ms. Arcuri alleged that Sgt. Bray advised that the air is clearer out there because there are no **“Niggers.”** Sgt. Bray advised those words were never said however; he advised that he has heard Ms. Arcuri use the term **“Nigger”** before. When asked to explain Sgt. Bray advised that he watched her slam the phone down one day and she said, **“If a teller ever talked to her liked that while she was in the bank she would crawl over the counter and punch that nigger in the face.”**

Sgt. Bray then moved on to the topic of Deputy Velazquez. Sgt. Bray advised that upon reviewing Deputy Velazquez’s statement he recalled one Monday morning calling Deputy Velazquez on the phone because he was late for work. Shortly after he advised he was at the front entrance and observed Deputy Velazquez entering the building in plain clothes. Sgt. Bray inquired whether he was coming to work that day. Sgt. Bray advised it was at this time, Deputy Velazquez informed him that he thought he was under investigation for having **“Child Porn”** on his phone and that Deputies Puritis and Freshcorn were talking about it on the weekend while they were all at Deputy Puritis’s new home working. Sgt. Bray then asked if he did have this on his phone and asked him if he had his phone with him at which time, Deputy Velazquez informed him that he lost his phone. Sgt. Bray advised that Deputy Velazquez had other personal issues going on like health issues then stated, **“Eddie seems a little paranoid and he said he needed to talk to somebody. I told him**

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to take the day off get ahold of EAP and let me know what's going on. I immediately informed Commander Pasquariello what was going on." Sgt. Bray advised that Deputy Velazquez went to HR and was then off for approximately two and half weeks and during that time he was sent to EAP and the Care Here for an examination.

Sgt. Bray then advised that this was the only time that Deputy Velazquez ever came to him about anything and Deputy Velazquez never advised him that there were issues between him Deputy Freshcorn and Deputy Puritis. Sgt. Bray advised that Deputy Velazquez never came to him and asked for any type of assistance and denies ever sitting down in his office and talking with Deputy Velazquez as suggested By Deputy Velazquez in his interview stating that it never happened. Sgt. Bray advised that a meeting and conversation did however take place at Deputy Freshcorn's request. Sgt. Bray advised that after Deputy Velazquez advised him of the allegation he addressed Deputies Freshcorn and Puritis about it and they both acted as if they did not know what he was talking about. Sgt. Bray advised that both Deputy Freshcorn and Deputy Puritis denied ever saying anything to Deputy Velazquez or to each other at all about **"Child Porn"** on Deputy Velazquez's phone.

At this point Sgt. Bray was then asked pertinent questions based on the initial complaint as well as information obtained during the interview process. Sgt. Bray was asked about himself and the Courthouse Deputies hanging out in Ms. Arcuri's office for conversation and coffee. Sgt. Bray advised that he would be in her office occasional for five or ten minutes pointing out that he is normally at the front door in the morning when the Courthouse is being opened. Sgt. Bray stated, **"There were conversations, loose conversations everybody was familiar and everybody was on a friendly basis. There was a lot of joking around going on, there was a lot of cursing, from her."** Detective Doyle, **"Not from any of you guys?"** Sgt. Bray, **"Not to the level of her I don't recall, I don't remember any specific conversations or any particular topics."** Sgt. Bray was asked if he believed the conversations were uncomfortable and sexual in nature. Sgt. Bray advised that he does not recall any such conversations. Sgt. Bray was then asked about the break room/lunch room and if the conversations in that location became comfortable and involved mature adult content. Sgt. Bray, **"There were occasions I would probably say yes."** Sgt. Bray was asked if everyone present for those type conversations appeared to be comfortable with the conversation regardless of what it was. Sgt. Bray, **"No one had ever reported to me that they were offended by anything or uncomfortable with any particular situation."** Sgt. Bray was asked if he was ever offended by anything said in that breakroom to the point where he had to get up and leave. Sgt. Bray was asked if he ever observed any of the other Deputies be so uncomfortable that they needed to get up and leave. Sgt. Bray advised that he had not. Sgt. Bray was asked how often he ate his lunch in the described breakroom. Sgt. Bray advised at least one day a week. Sgt. Bray was asked if Cpl. Wetherhold ever came to him about the conversations taking place in the breakroom. Sgt. Bray denied ever being approached by Cpl. Wetherhold and advised they had very little contact with each other.

Sgt. Bray then advised that upon reviewing Cpl. Wetherhold's interview he discussed discipline. Sgt. Bray advised that Cpl. Wetherhold was involved in a couple of incidents where discipline was issued to employees so his statement that discipline was rarely given is false naming at least three separate cases involving written discipline of officers and civilians. Sgt. Bray advised that should

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someone come to him with a problem or an issue he would address it. Sgt. Bray was advised that we would become more involved in Cpl. Wetherold's interview a little later.

Sgt. Bray was then asked if Ms. Arcuri ever discussed with him that Deputy Freshcorn and Deputy Puritis were in her office discussing alleged "**Child Porn**" on Deputy Velazquez's phone. Sgt. Bray reiterated that the first and only time he heard about this allegation was when Deputy Velazquez informed him of it. Sgt. Bray was asked again if Deputy Velazquez ever came to him about Deputy Freshcorn and on two occasions as stated in his interview and again Sgt. Bray advised that he did not. Sgt. Bray was then asked if Deputy Velazquez ever came to him regarding Deputy Freshcorn using the term "**Nigger**" at the front of the Courthouse as civilians left the building. Sgt. Bray, "**No complaint has ever been brought to my attention about anybody using that language.**" Sgt. Bray reiterated that he has never fielded a complaint against any of his deputies regarding any racial language or comments being at all.

Sgt. Bray advised that Deputy Velazquez did come to him and not remembering exact verbiage advised that he was staying away from Deputy Freshcorn and Deputy Puritis because he didn't feel comfortable. Sgt. Bray advised that he didn't take as though Deputy Velazquez was alarming him because there was something going on but he just stayed away from them because he didn't feel comfortable. Sgt. Bray advised that Deputy Velazquez declined to elaborate and that he never asked Deputy Freshcorn or Deputy Puritis about it. Sgt. Bray was asked if there was ever another meeting as suggested in Deputy Velazquez's Interview regarding Deputy Velazquez and Deputy Freshcorn not speaking to each other. Sgt. Bray advised that he does not recall any other meeting.

Sgt. Bray was asked how long he has known Deputy Velazquez and if he has observed a change in his demeanor and his behavior over the past six months to a year.

Sgt. Bray advised that he trained Deputy Velazquez and stated, "**No Eddie just seems weird himself and just having a normal conversation with him he will throw something in there not related to what you're talking about and sometimes he just rambles on.**"

Sgt. Bray was asked to explain what makes him think Deputy Velazquez suffers from Paranoia. Sgt. Bray advised that Deputy Velazquez informed him one day that he believed he was being investigated by Workers Comp and that he actually went down and confronted somebody that was sitting in a car down the road from his house. This along with the alleged investigation involving alleged "**Child Porn.**" Sgt. Bray advised that he believes his thinking is off a little bit. Sgt. Bray was then advised that this investigation has revealed that nearly everyone talked to throughout the investigation is concerned about Deputy Velazquez and all seem to think there have been significant changes in his demeanor and behavior over the past six months to a year and it is concerning that he does not see it. Sgt. Bray was asked how everyone else is seeing something that he is not. Sgt. Bray advised, "**There's a little bit of a change, I've always known Eddie to be a little weird, strange I don't want to say it was more because he had a lot going on. Health issues were really bothering him as well as family issues.**" Sgt. Bray advised that he was basically the same as he has always been until this "**Porn**" thing came up and it just rattled him. Sgt. Bray identified the fact that it was him that instructed Deputy Velazquez to seek out EAP and to contact HR while he notified his supervisor of what was going on. Sgt. Bray advised that Deputy Velazquez was cleared to return to work and it has not been discussed since.

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Sgt. Bray was asked if he remembered having a conversation with Teresa Shaw and advising her that Deputy Velazquez was out of work because he had a mental breakdown. Sgt. Bray denied ever having the conversation stating he did not recall. Sgt. Bray was asked about Deputy Velazquez once again and his statement regarding complaints to Sgt. Bray about Deputy Freshcorn using racial slurs. Sgt. Bray clarified that at no time did he entertain a complaint from Deputy Velazquez regarding racial slurs and at no time has he ever spoken to Deputy Freshcorn regarding a complaint from anyone regarding his use of racial slurs. It was explained to Sgt. Bray that the questioning was repetitive however; it was necessary to be certain that nothing was missed and nothing was overlooked.

Sgt. Bray was advised Cpl. Wetherhold advised that he brought his observations of the break room and the environment to Sgt. Bray's attention a couple of times and that he, Sgt. Bray informed him that he was handling it. Sgt. Bray, **"Cpl. Wetherhold has never brought any issue to my attention that I can remember."**

Sgt. Bray was asked a follow-up question regarding Ms. Arcuri and her claims of foul and racial language being used in her presence and office. Sgt. Bray was asked if Ms. Arcuri ever complained to him about any of the deputies and their language and or behavior. Sgt. Bray advised that she did not. Sgt. Bray was asked if once the original investigation was initiated regarding the issues between the deputies, did Ms. Arcuri or Ms. Matejka ever complained to him that they deputies were treating them poorly, Sgt. Bray advised that they had not. Sgt. Bray was asked if he treated them differently or poorly and he advised that he did not.

Sgt. Bray advised that he stopped going into Ms. Arcuri's office and he recommended that Deputy Freshcorn and Deputy Puritis keep their contacts with Ms. Arcuri professional and encouraged them not to hang out in her office any longer.

Sgt. Bray was asked if he had knowledge of Deputy Puritis buying motor oil for one of the female drug court participants. Sgt. Bray, **"No, I did not know he did that."** Detective Doyle, **"He says you did he says he told you about it."** Sgt. Bray, **"I heard about it later on but no one came to me and told me that he did that."** Sgt. Bray was asked what he would think about it if he had. Sgt. Bray advised that he just thinks Deputy Puritis is a good guy and was probably just trying to help out.

Sgt. Bray declined to add any additional comments at this time.

The interview was concluded at 1443 hours.

Interview re-established 1451

Sgt. Bray was asked an additional question regarding the interview of Deputy Howard Underwood. Deputy Underwood advised in his interview that he had heard Sgt. Bray use the term **"Nigger"** on more than two occasions during casual conversation while in uniform however; however he never heard him direct said term or any other racial slur at anyone directly or during the course of his duty. Sgt. Bray was asked if this was true. Sgt. Bray, **"No, I treat everyone with respect."** Sgt. Bray denies ever using a racial slur at any time during the course of his duty.

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The interview was concluded at 1454 hours.

Sergeant J. Bray:

On Monday, July 16, 2018 at 0905 hours, Sergeant Bray was interviewed regarding a follow-up interview conducted with former county employee Ms. Nydia Torres. Ms. Torres was the former supervisor of the custodian crew for the Flagler County Courthouse and during the course of this investigation Detective Doyle was made aware of an incident that took place between Sgt. Bray and Ms. Torres at the entrance of the Courthouse.

Upon interviewing Sgt. Bray he acknowledged the incident and accepted full responsibility for his actions. Sgt. Bray confirmed the use of the word **“Fuck”** while addressing and chastising Ms. Torres stating that it was unprofessional and uncalled for. Sgt. Bray advised that he did apologize a day or two later and received a written Counseling Form from Commander Pasquariello on July 13, 2017 regarding Behavior and Language.

Ms. Nydia Torres:

On June 26, 2018 at 1542 hours, I met with Ms. Nydia Torres at her home 89 Rae Drive Palm Coast, Fl. 32164 for the purpose of taking a sworn statement. Ms. Torres is the former Custodial Supervisor for the Flagler County Courthouse and had been employed in this capacity since 2007. During the course of this investigation Detective Doyle was informed of an incident that occurred between Ms. Torres and Sgt. Bray.

Ms. Torres was asked to describe the incident in as much detail as she could remember. Ms. Torres advised that it was a Friday and she was scheduled to clean and polish floors at the front of the Courthouse. This task required that she move the security posts designed to direct visitors to the correct entrance for access to the Courthouse. Ms. Torres explained that the floors could not be done properly without moving the post however, Ms. Torres decided to take pictures of how the posts were placed so she could return them to the correct positions when finished.

On the following Monday two Security Guards Frank and Vinnie advised her that the posts had been replaced improperly at which time, Ms. Torres advised them that she did the best they could and asked if they could assist her in placing them properly. The security officers advised they did not know the proper placement either warning her that Sgt. Bray was going to be very upset. A few minutes passed and Sgt. Bray arrived and Ms. Torres explained that she cleaned the floors and took a picture before she moved the posts putting them back the best she could. Ms. Torres advised that Sgt. Bray responded by shouting, **“Fuck!”** Ms. Torres advised that Sgt. Bray repeated the word fuck and her name Nydia approximately six times shouting at her in front of the named security officers. Ms. Torres advised that Sgt. Bray was furious and while attempting to relocate the posts to their proper positions. Ms. Torres advised that she said several times to Sgt. Bray that this was not a big deal and it was simple to fix and could not understand why Sgt. Bray was so upset. Ms. Torres advised that Sgt. Bray stated, **“Fuck you Nydia.”** It was at this time, Ms. Torres responded to Sgt. Bray by stating, **“What the heck you think you are to talk to me like that? I confront him I say, your nothing, you’re not supposed to talk to me like that and that is not respect, you know what see you and I turned around and I left.”** Ms. Torres advised that she

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felt bad and could not understand after so many years around each other and he/Sgt. Bray talked to her like that. Ms. Torres was asked if she has ever had an incident with Sgt. Bray like this prior and she advised “**Never.**” Ms. Torres advised that Sgt. Bray always seemed to be “**Crunchy**” meaning cranky but that he has never disrespected her before.

Ms. Torres advised that she was not going to respond to Sgt. Bray and his anger but she was not going to tolerate being addressed in that manner in front of other employees. Ms. Torres filed a formal complaint with her boss at the time Mr. Michael Dixon. Mr. Dixon informed Ms. Torres that he would take care it and seemed very upset about the incident. Ms. Torres advised that four days to a week passed when Sgt. Bray asked to speak with her. Sgt, Bray then advised her “**I want to say I’m sorry for happened the other day.**” Ms. Torres then told Sgt. Bray that she never expected him to treat her that way in front of everybody. At this point Ms. Torres informed Sgt. Bray that she accepts her apology and told him that she forgives him. Detective Doyle then observed Ms. Torres to be emotional and beginning to cry making the pain and disrespect she felt to still be present when recalled. Ms. Torres advised that at the time of the incident she also became emotional and began to cry as she walked away. Ms. Torres advised that she did contact her boss and inform him that Sgt. Bray verbally apologized to her.

Ms. Torres advised that other than the two security officers being present during this incident was an employee that worked for her named Annette or Jaunette. Ms. Torres was asked to make an attempt to contact the individual she believed may have been present at the time of this incident and she agreed to do so. On July 10, 2018 Ms. Torres advised that she was unable to determine who the individual was and is now uncertain that anyone other than the named security officers were present.

The interview was concluded at 1557 hours.

Detective Doyle made contact with the two security officers employed by Universal Security Services, Mr. Frank DeVico and Vinnie Musso in an attempt to obtain a sworn statement from them regarding their account of the incident. Both officers have declined to be interviewed.

Discussion:

In response to re-opening this investigation Detective Randall Doyle called upon eighteen potential witnesses and four subject officers. A list of the individuals interviewed is included in this report. This investigation is again based on allegations and a sworn statement provided by Judge Craig’s former Judicial Assistant, Ms. Antoinette Arcuri. Ms. Kenly Matejka Judge Smith’s former Judicial Assistant was named in the original inquiry as well however; Ms. Matejka declined to be interviewed. On Tuesday, April 17, 2018, an email was sent to Ms. Kenly Matejka requesting she contact me regarding this investigation. On Monday, April 23, 2018, Ms. Matejka responded to the email and advised “**I will not be participating in any further investigations being conducted by the Flagler County Sheriff’s Office.**” Ms. Matejka also requested that she not be contacted by this agency any further regarding this matter.

This investigation was defined when Flagler County Narcotics Detectives were advised that Flagler County Court Bailiff’s were making comments and talking about the detectives behind

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their backs. This prompted a meeting of the two divisions which resulted in Judge Craig being made aware of the meeting and the catalyst for the meeting.

It has been said that this turmoil is the reason Ms. Arcuri was notified a short time later that she needed to seek employment elsewhere. In the next few months to come tension developed between the Courthouse Deputies and Ms. Arcuri and specifically with Deputies Puritis and Freshcorn.

Upon investigation Detective Doyle met with three Flagler County Sheriff's Office civilian employees assigned to the Civil Division at the Courthouse.

Ms. Birdsong, Ms. Shaw and Ms. Long all advised that they are familiar with the ongoing investigation however; the vast majority of their knowledge comes from media and articles that they have read with the remainder coming from information being discussed around the Courthouse.

All three of these employees advised that they have never witnessed or been advised of any of these individuals using racially motivated language or comments in any capacity and only Ms. Shaw had some indirect knowledge of the allegations against Deputy Velazquez and the "**Child Porn**" on his phone.

Ms. Shaw advised that she has had conversations with Deputy Velazquez and had noticed that he just didn't seem to be himself and a short time later she read the article regarding the "**Child Porn**" at which time, Ms. Shaw realized that this must have something to do with his demeanor. Ms. Shaw advised that she asked Deputy Velazquez if he was alright and Deputy Velazquez informed her that he was. Ms. Shaw also advised that it was Sergeant Bray that informed her that Deputy Velazquez was out of work do to a "**Mental Breakdown.**" Ms. Shaw advised that the work environment for the deputies routinely involves "**Ball Busting**" and they will pick on each other relentlessly. Ms. Shaw advised that this is not a new trend and that this has been going on for years and most everyone is used to it but then there are individuals that are not so comfortable such as Deputy Velazquez.

Interviews were then conducted of the sworn deputies and supervisors. In regard to any of the subject officers engaging in language involving racial epithets and overtones everyone interviewed ardently denies ever hearing any of these officers use any of the suggested language in any capacity with the exception of Deputy Velazquez, Deputy Howard and Ms. Arcuri.

Deputy Velazquez advised that he has heard Deputy Freshcorn use the term "**Nigger**" on at least two occasions in uniform at the front exit of the courthouse as civilians exit the building. Deputy Velazquez advised that Deputy Freshcorn has never directed this term or any other racial slur at anyone specifically and he/ Deputy Velazquez advised that he has reported it to Sergeant Bray. Sergeant Bray adamantly denies these allegations as does Deputy Freshcorn. There are no corroborating witnesses to this allegation.

Deputy Underwood advised during his interview that he has heard both Sergeant Bray and Deputy Freshcorn use the term "**Nigger**" on more than two occasions while on duty and in uniform. Deputy Underwood clarifies that this term is never used directly at someone but in casual conversation among each other. Deputy Underwood also claims that he has used the term in the

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same context while on duty and in uniform. When questioned both Sergeant Bray and Deputy Freshcorn deny ever using said term or any other racially charged term at all.

When questioned about the fourth floor breakroom/lunchroom and the environment/culture all of the deputies questioned advised to some degree that it had become **“too comfortable”** at times and some topics of conversation could in fact reach a point of discomfort for some and at times cause certain individuals to leave the room. It was made clear however; that both Ms. Arcuri and Ms. Matejka were present during much of the time as this was the normal location for everyone to share lunch time and birthday parties. Neither the deputies interviewed nor Ms. Arcuri ever indicated that Ms. Arcuri or Ms. Matejka ever appeared to be uncomfortable and the deputies indicated that Ms. Arcuri was in fact the driving force in the majority of those topics of conversation.

Upon questioning Commander Pasquariello, Sgt. Bray, Corporal Allen and Corporal Wetherhold about the lunch room/breakroom, none recalled ever receiving a complaint from anyone regarding the topics of discussion or any other matter concerning that location. However; Corporal Wetherhold did advise that he brought the break room and the comfortable environment to Sgt. Bray’s attention a couple of times and was advised each time by Sergeant Bray that he was dealing with it. Corporal Wetherhold described what he heard while in the breakroom was more innuendo, casual play on word kind of stuff. Not smart, not professional but nothing specific.

In regard to the behavior and activity that took place in and around Ms. Arcuri’s office it was much of the same being advised by all of the deputies questioned. The environment was comfortable and playful with everyone acting as friends and adults. Sgt. Bray and Deputy Puritis adamantly denied ever using off color or racially charged language in and around Ms. Arcuri or her office. In fact Deputy Puritis and Deputy Freshcorn have indicated that they have both heard Ms. Arcuri use racially motivated language to include the term **“Nigger.”** There is no corroboration or independent witnesses regarding these allegations made by Ms. Arcuri and each Deputy Puritis and Deputy Freshcorn advise they were not both present when hearing Ms. Arcuri use said language.

Upon revisiting the incident involving Sergeant Bray and Ms. Arcuri outside the courtroom and the allegations that Sgt. Bray yelled and cursed at Ms. Arcuri, Sergeant Bray again denies ever using foul language towards Ms. Arcuri and advised that he did not yell at her. Commander Pasquariello again advised that he recalled the incident and he was able to clearly describe it however; Commander Pasquariello advised that he did not recall hearing Sergeant Bray curse at Ms. Arcuri and when asked to clarify whether he heard it or did not hear it, he again advised he did not recall hearing it. Commander Pasquariello confirmed that the conversation appeared heated.

As this investigation pertains to Deputy Velazquez and the allegation regarding **“Child Porn”** being observed on his cellular phone, there has been no confirmation or clear indication that it ever existed. It is also unclear how the allegation came to fruition and although suggested that it began at Deputy Puritis’s home as a joke gone bad both Deputy Puritis and Deputy Freshcorn deny it ever happened. Upon interviewing all deputies currently assigned to the Courthouse there was an

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overwhelming belief that Deputy Velazquez was not himself and was giving the appearance of being paranoid and anxious.

During the interview of Deputy Velazquez it was obvious that Deputy Velazquez was very uncomfortable and extremely uneasy. Deputy Velazquez made comments and suggestions that implied a conspiracy to manipulate and cause distress to him with malicious intent. Deputy Velazquez had to be repeatedly encouraged by myself and his attorney to provide clear understanding and direction for his concerns and involved incidents however; he continually lost focus. Deputy Velazquez was very difficult to follow and at times did not make sense. The only allegations or information provided by Deputy Velazquez that has been supported independently by another is Deputy Freshcorn using the term **“Nigger”** while in uniform (Deputy Howard) (Ms. Arcuri). Any of the additional allegations appear to only have been supported by individuals that Deputy Velazquez had conversations with over time. It was made clear that Deputy Velazquez had suffered significant tragedy in his life during the recent past with the death of loved ones, the loss of his home and significant financial distress. Coupling those anxieties with the allegation of **“Child Porn”** on his phone whether factual or fictitious could easily explain unusual or confused behaviors. Whether the allegation was a joke, prank or misconception it is clear that it is all in the past at this point due to the attention and focus brought to the individuals involved. There is no evidence to conclude Deputy Velazquez ever had child porn on his phone.

Much of the information provided by the witnesses interviewed had been obtained either through media attention or via hearsay at the Courthouse. There have been no documented complaints in relation to any of the allegations made prior to the information provided in the initial inquiry. In regards to the allegations levied by Ms. Arcuri there has been no previous documentation, there are no third party witnesses and no corroboration of facts.

Sergeant Bray acknowledged being aware of issues pertaining to Deputy Velazquez and allegations regarding **“Child Pornography”** on his phone coupled with Deputy Velazquez’s allegations of being repeatedly teased and harassed however, Sergeant Bray neglected to take appropriate action through documentation and discipline of these matters allowing for them to go unchecked. Sergeant Bray as the supervisor of the Courthouse Deputies had also become admittedly aware that a disreputable atmosphere was present among his subordinates and the Courthouse staff. Sergeant Bray enabled this environment to flourish into allegations against the Flagler County Sheriff’s Office and its members which lead to infighting of the deputies. This investigation has identified two individuals that confirm the use of the term **“Nigger”** by Sergeant Bray and several accounts of foul language being used and directed at individuals within the workplace and while on duty as a Sergeant for the Flagler County Sheriff’s Office. Although humble in his acknowledgement Sergeant Bray apologized for these actions emphasizing it was never his intent discredit himself or the Flagler County Sheriff’s Office.

Allegations levied against Deputy Freshcorn for using the term **“Nigger”** while in uniform and working in his official capacity as a Flagler County Deputy Sheriff have been corroborated by two sworn Deputy Sheriff’s. Deputy E. Velazquez has stated under oath that he has made complaints against Deputy Freshcorn for using the term **“Nigger”** while performing the course of his duties in the Courthouse. Deputy H. Underwood has also provided a sworn statement confirming that he has been witness to both Sergeant Bray and Deputy Freshcorn utilizing the term **“Nigger”** while

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has been witness to both Sergeant Bray and Deputy Freshcorn utilizing the term “Nigger” while in uniform and on duty as a Flagler County Deputy Sheriff.

Allegations levied against Deputy Puritis have gone unsubstantiated through investigative interviews as well as review of evidence. Deputy Puritis had been investigated previously for allegations involving Ms. Arcuri and Ms. Matejka that were sustained and disciplinary action taken. As of this date Sergeant Bray and Deputy Puritis have been transferred from Courthouse Duty and Ms. Arcuri has been replaced as Judge Craig’s Judicial Assistant. Ms. Matejka has been relocated to Volusia County Court Services.

Findings:

Sergeant J. Bray: Sustained

- (A) 2. a. Unsatisfactory or Incompetent Performance.
- (A) 2. f. Unbecoming Conduct.
- (A) 3. c. Moral Character
- (A) 9. a. Behavior and Language.
- (A) 10. c. Courtesy and Respect.

Deputy J. Freshcorn: Sustained

- (A) 1. a. Truthfulness
- (B) 2. f. Unbecoming Conduct
- (A) 3. c. Moral Character

Deputy J. Puritis: Not Sustained

Deputy E. Velazquez: Unfounded

To be Completed by the Investigating Supervisor or Official:

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



Signature

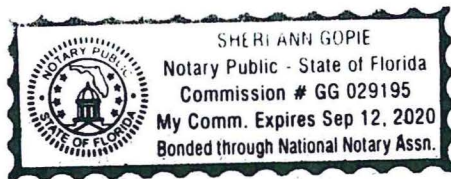
9/4/18

Date

Sworn to and subscribed before me, the undersigned, this 4 day, Sept month, 2018 year.

Sheri A. Goipe

Notary



W/S Jack Bisland

Reviewing Supervisor Printed Name

09/04/18

Date

W/S [Signature]

Signature of Reviewing Supervisor