

**VOLUSIA SHERIFF'S OFFICE
INTERNAL AFFAIRS**

REPORT OF INVESTIGATION

REPORT NUMBER: IA 20-009

PERIOD COVERED: July 4, 2020
DATE REPORTED: July 13, 2020
SUBJECT(S) NAME: Sergeant Theodore Seaman #7444
INVESTIGATING OFFICERS: Detective Heather Welch #6871

BASIS FOR INVESTIGATION:

On July 4, 2020, Sergeant Theodore Seaman was working overtime as 1A20 when a single vehicle crashed into a residential fence located at 1110 South Delaware Avenue, Deland. In the CAD call it stated there were no injuries as a result of the crash and all units were unassigned with no active calls at the time the call came out. Sergeant Seaman advised Central to assign the call to the Florida Highway Patrol (FHP) and close it. Lieutenant Ihnken called Sergeant Seaman on the phone and advised him of the standing order and previous emailed direction from Chief Gallagher stating Deputies will handle long form crash reports in unincorporated Volusia County under these circumstances. Lieutenant Ihnken advised Sergeant Seaman to cancel FHP and send a patrol unit to investigate the crash. Sergeant Seaman arrived on the scene of the crash and approximately two minutes later advised Central to request FHP, as the crash would require a long form, ignoring the direction given by Lieutenant Ihnken. While on scene, Sergeant Seaman mimicked Lieutenant Ihnken in front of the Deputies on his shift. Sergeant Seaman failed to activate his Body Worn Camera (BWC) while on scene.

OFFENSES:

This investigation is relevant to an alleged violation of Department Standards Directives and Volusia County Merit Rules and Regulations:

Volusia County Merit System Rules and Regulations – Division 13 Disciplinary Actions 86-453 Reasons for disciplinary action (1), (2), (5), (9), (12), (14) and (22):

Any of the following violations may be sufficient grounds for disciplinary action ranging from oral reprimand to dismissal, depending on the seriousness of the offense and other circumstances related to the situation.

- (1) Willful neglect in the performance of the duties of the position to which the employee is assigned.*
- (2) Disregard for or frequent violations of Federal Laws, State laws, County ordinances, VSO Standard Directives and safety rules.*
- (5) Violation of any reasonable or official order, refusal to carry out lawful and reasonable directions given by a proper supervisor, or other acts of insubordination.*
- (9) Any conduct, on or off duty, that interferes with effective job performance or has an adverse effect on the county*
- (12) Incompetent or unsatisfactory performance of duties.*
- (14) Any conduct, on or off duty, that reflects unfavorably on the County as an employer.*
- (22) Any other conduct or action of such seriousness that discipline action is considered warranted.*

Volusia Sheriff's Office Standards and Directives:

26.2.132 Job Knowledge and Performance- Failure to maintain required skills, knowledge and abilities within acceptable levels shall result in counseling, instruction or training. *(Violation subject up to a written reprimand.)*

26.2.155 Use of Equipment: BWC - Employees shall ensure proper maintenance and utilization of the VSO BWC (body-worn cameras) for its intended purpose and in accordance with *Directive 41.20 Body-Worn Cameras*.
(Violation subject to up to 1 day suspension)

26.2.124 Compliance With Direct Order of a Superior or Competent Authority - Employees shall comply with the direct orders or instructions given by a supervisor or superior officer and shall not refuse to comply when such orders or instructions are lawful and proper.
(Violation subject up to dismissal.)

On July 20, 2020, Chief Joseph Gallagher assigned the above incident to the Internal Affairs Unit. Detective Welch reviewed the Memorandum authored by Lieutenant Anthony Shank, Sheriff's Office reports, along with Body Worn Camera (BWC) video of the Deputies and Sergeant involved. *(See Tab – C for Memorandum)*

On Saturday July 4, 2020, Lieutenant Matthew Ihnken contacted Lieutenant Shank in reference to a traffic crash District Two Deputies were dispatched to at 1701 hours (Case number 20-12017) at 1110 South Delaware Avenue, Deland. Sergeant Seaman was working overtime as 1A20 as the dayshift Sergeant. At 1706 hours, Sergeant Seaman advised Central Dispatch to assign the crash investigation to the Florida Highway Patrol (FHP) and to close the call. The CAD call advised there were no injuries as a result of the crash and all units were unassigned with no active calls at the time the call was dispatched.

Lieutenant Ihnken reported he personally called Sergeant Seaman on the phone and asked him why the call was being closed, which was in violation of standing orders per General Order 61-8 and previous direction from Chief Gallagher. The order states:

2) *"The Volusia Sheriff's Office will investigate and document the following crashes in the unincorporated areas of Volusia County, excluding interstates and interstate ramps:*

- a) All crashes that will be documented on a Short Form Crash Report (HSMV 90010S)*
- b) Crashed with no injuries, where one or more of the involved vehicles requires a wrecker, requiring a Long Form Crash Report (HSMV90010S).*

3) *In the event a Deputy is not available to respond to a crash within a reasonable amount of time, FHP will be requested to investigate a crash in the unincorporated area, at the discretion of a supervisor”.*

Sergeant Seaman reportedly initially stated he was unaware Deputies responded to crashes in county jurisdiction, then advised when he works in District Three South, he routinely closes crash calls due to manpower issues. Lieutenant Ihnken advised he requested Sergeant Seaman send a patrol Deputy to conduct the crash investigation and to cancel FHP.

The first patrol unit arrived on the scene of the crash at 1719 hours. Sergeant Seaman arrived on scene at 1739 hours. Two minutes later, Sergeant Seaman advised Central Dispatch to once again request FHP, as the crash would require a long form crash report for property damage.

Detective Welch reviewed BWC from the Deputies who were on scene with Sergeant Seaman, Deputy Megan Potosky, Deputy Tyler Lawrence, and Deputy Micah Stoltz. Detective Welch observed Sergeant Seaman’s behavior while on scene was unprofessional, as he began mimicking Lieutenant Ihnken in front of the Deputies by exaggeratingly stating *“So the Lieutenant calls me and goes well we still do them”*, followed by *“No we don’t”*. Sergeant Seaman then stated *“Your Lieutenant calls me to tell me, ah, well we’ve been doing them”*, followed by *“Well eastside we don’t so good luck”*. Sergeant Seaman then advised:

“No, it’s, he’s right”, “No, we don’t do long form”, “We do, we’re supposed to do them, but like on the eastside we don’t usually do them because most of ours are major over there. Usually all of ours are on I-95 so I just didn’t think of it and just told them to give it to FHP, but in this case with all of this yea”.

Deputy Potosky ultimately volunteered to conduct the crash investigation, as FHP was very busy and would be delayed. Deputy Potosky completed the long form crash report without any issues.

(See Tab – J for Digital Media)

On July 22, 2020, Sergeant Seaman was served with a Notification of Internal Investigation along with a copy of his Officer Bill of Rights. This report details the internal investigation conducted by Detective Welch. *(See Tab – C for Official Correspondence)*

Deputy Megan Potosky

On August 4, 2020, Detective Welch and Detective Burke conducted a sworn recorded telephone interview with Deputy Megan Potosky at the Volusia Sheriff's Admin Office. The following is a summary of that interview:

Deputy Potosky has been employed with the Volusia Sheriff's Office for approximately 2 years. Deputy Potosky is currently assigned to District-4 Law Enforcement Operations Division (LEOD) traffic unit. Deputy Potosky was assigned to District-2 (LEOD) at the time this incident occurred.

During the interview with Internal Affairs Detectives, Deputy Potosky recalled the incident of a single vehicle which crashed into a residential fence located at 1110 South Delaware Avenue, Deland. Deputy Potosky stated she was working overtime on July 4, 2020 and her Sergeant that day was Sergeant Seaman, who was also working overtime.

Deputy Potosky advised she arrived on the scene of the crash and there was some confusion as to whether or not she was going to conduct the investigation or if FHP was requested to respond to assume the investigation. Deputy Potosky stated FHP was requested, then cancelled several times and she believed it was by Sergeant Seaman, but she could not be sure. Deputy Potosky explained she observed in CAD it was documented she cancelled FHP, but she stated she did not. Deputy Potosky described the crash scene as having property damage and no injuries to the parties involved.

Deputy Potosky advised Sergeant Seaman arrived on scene, and after observing the damaged fence, requested FHP respond to assume the crash investigation again. Sergeant Seaman left the scene shortly after. Deputy Potosky went to her vehicle and checked the FHP live feed online and observed they had not yet been dispatched to this crash. Deputy Potosky was advised through

Central Dispatch this crash was put on the list for FHP response and they would be delayed on arrival due to their call volume. Deputy Potosky contacted Sergeant Seaman and requested permission to conduct the crash investigation and was granted permission. Deputy Potosky advised she has completed a long form crash report before and adding the damaged property to the report was only a matter of filling in a couple of boxes with the property information. The involved vehicle was able to be driven from the scene and did not require a wrecker.

(See Tab-D for Official Transcript)

Deputy Tyler Lawrence

On August 5, 2020, Detective Welch and Detective Burke conducted a sworn recorded interview with Deputy Tyler Lawrence at the District-2 Office, 1706 South Woodland Boulevard, Deland. The following is a summary of that interview:

Deputy Lawrence has been employed with the Volusia Sheriff's Office for approximately eighteen months. Deputy Lawrence is currently assigned to District-2 Law Enforcement Operations Division (LEOD) Alpha shift.

During the interview with Internal Affairs Detectives, Deputy Lawrence recalled the incident of a single vehicle which crashed into a residential fence located at 1110 South Delaware Avenue, Deland. Deputy Lawrence advised he arrived on scene, obtained information from the driver of the vehicle, and gathered statements from the witnesses on scene. Deputy Lawrence stated initially Sergeant Seaman requested FHP to respond, but then they were cancelled. Deputy Lawrence advised he was confused while on scene because they do not usually do long form crash reports. Deputy Lawrence stated he has completed them before and if he was told to complete one for this incident he would have just done it. Deputy Lawrence explained adding damaged property to a long form consists of filling out one line of information and is not difficult at all. Deputy Lawrence stated in this case he would have normally completed the long form report if they were not busy on other calls.

Deputy Lawrence advised Sergeant Seaman arrived on scene and requested FHP respond again due to the property damage. Deputy Lawrence stated Sergeant Seaman appeared frustrated while he was on scene and he believed it stemmed from a phone call he received from Lieutenant Ihnken in reference to this incident. Deputy Lawrence explained before he was aware of the phone call from Lieutenant Ihnken, he advised him there was property damage, multiple witnesses, and the driver of the vehicle had possibly been drinking. Deputy Lawrence suggested Sergeant Seaman call for FHP and he did. Deputy Lawrence advised Sergeant Seaman made a statement in reference to Lieutenant Ihnken's request to cancel FHP similar to *"I don't know why he wants us to do this, we don't need to be doing it, it should be FHP"*. When asked if he felt Sergeant Seaman was acting professionally while on scene Deputy Lawrence replied *"No"*.

(See Tab-E for Official Transcript)

Deputy Micah Stoltz

On August 5, 2020, Detective Welch and Detective Burke conducted a sworn recorded interview with Deputy Micah Stoltz at the District-2 Office, 1706 South Woodland Boulevard, Deland. The following is a summary of that interview:

Deputy Stoltz has been employed with the Volusia Sheriff's Office for approximately seven years. Deputy Stoltz is currently assigned to District-2 Law Enforcement Operations Division (LEOD) Alpha shift.

During the interview with Internal Affairs Detectives, Deputy Stoltz recalled the incident of a single vehicle which crashed into a residential fence located at 1110 South Delaware Avenue, Deland. Deputy Stoltz advised he responded to the scene after the initial incident because it sounded like a disturbance began amongst the parties on scene and they requested additional units. It was later determined there was no disturbance on scene; however, Deputy Stoltz remained on scene to assist with the investigation. Deputy Stoltz explained it was confusing because FHP was requested, then cancelled, then requested and cancelled again. Deputy Stoltz advised Sergeant Seaman arrived on scene and he felt his demeanor was commanding. Deputy Stoltz felt Sergeant

Seaman was behaving professionally and had a good working knowledge on how and when to utilize a long form and when to utilize FHP.

Deputy Stoltz advised he has worked crashes that required a long form crash report before. Deputy Stoltz stated *"I was told that we don't do any long forms and then it's changed to we do long forms if and this is the most recent on was we do long forms if there's major damage but no injuries"*. Deputy Stoltz advised in this incident it would be in his opinion a long form would be completed.

(See Tab-F for Official Transcript)

Lieutenant Matthew Ihnken

On August 5, 2020, Detective Welch and Detective Burke conducted a sworn recorded interview with Lieutenant Ihnken at the District-2 Office, 1706 South Woodland Boulevard, Deland. The following is a summary of that interview:

Lieutenant Ihnken has been employed with the Volusia Sheriff's Office for approximately seventeen years. Lieutenant Ihnken is currently assigned as the Assistant Commander of District-2 Law Enforcement Operations Division (LEOD). Lieutenant Ihnken served a total of approximately seven years in the traffic unit.

During the interview with Internal Affairs Detectives, Lieutenant Ihnken recalled the incident of a single vehicle which crashed into a residential fence located at 1110 South Delaware Avenue, Deland. Lieutenant Ihnken advised he was working off duty at the Daytona International Speedway sitting in his vehicle at a gate monitoring the radio. Lieutenant Ihnken heard the call for this crash, where the dispatcher indicated there were no injuries and no road blockage. The on duty Sergeant, Sergeant Seaman, advised the dispatcher to call FHP and have them handle the crash investigation. Lieutenant Ihnken checked CAD and observed all the District-2 Deputies were unassigned and there were no other active calls. Lieutenant Ihnken advised knowing the direction they have been given by Chief Gallagher regarding traffic crashes he knew that was the wrong decision, so he called Sergeant Seaman to inquire as to why he made that decision. Sergeant Seaman advised him when he normally works District-3 South he just closes out crashes and sends them to FHP because he believes he does not have enough personnel to handle them. Lieutenant

Ihnken explained to Sergeant Seaman District-2 has the same number of personnel as District-3 South, but has a much higher call volume and *“that excuse was nonsense”*. Lieutenant Ihnken advised Sergeant Seaman to cancel FHP and have one of the Deputies conduct the crash investigation and complete the long form. Lieutenant Ihnken stated to Sergeant Seaman *“we’re gonna handle that I said we don’t need FHP people don’t need to sit there for God knows how long for a trooper when we can handle it”*. Lieutenant Ihnken explained there was no reason why a Deputy could not or would not complete a long form crash report in this instance. Lieutenant Ihnken advised when he checked CAD again later, he observed Sergeant Seaman responded to the scene of the crash and two minutes later requested FHP respond again.

Lieutenant Ihnken advised he did not feel that Sergeant Seaman had a good working knowledge of how and when to use a long form crash report and when to utilize FHP to work a crash. Lieutenant Ihnken advised he felt like Sergeant Seaman did not care. Lieutenant Ihnken stated:

“I feel like his job knowledge when it comes to certain things is lacking and I think that, I don’t think Ted would ever be, I don’t think he would ever be insubordinate intentionally I think he just doesn’t understand some of the things that we are supposed to do and he doesn’t understand the importance of why we go in a certain direction”.

Lieutenant Ihnken felt Sergeant Seaman violated the standing order from Chief Gallagher and general order 61-8.

(See Tab-G for Official Transcript)

Sergeant Theodore Seaman

On August 12, 2020, Detective Welch and Detective Burke conducted a sworn recorded interview with Sergeant Seaman. Sergeant Seaman arrived alone to the interview and wished to proceed with the interview without representation. The following is a summary of that interview:

Sergeant Seaman has been employed with the Volusia Sheriff's Office for approximately thirteen years. Sergeant Seaman is currently assigned to Law Enforcement Operations Division (LEOD), District-4.

Sergeant Seaman advised on July 4, 2020, he was working overtime in District-2 as 1A20. Sergeant Seaman heard the single vehicle crash call at 1110 South Delaware Avenue, Deland be dispatched over the radio and advised Central to send it to FHP and close the call. Sergeant Seaman stated he checked CAD and observed Deputies were in service at the time the call came out. Sergeant Seaman stated Lieutenant Ihnken called him on the phone and advised him they work crashes in District-2 and that he was to have a District-2 Deputy respond to the scene instead of FHP. Sergeant Seaman stated he was familiar with the email Chief Gallagher sent out in reference to working crashes involving the use of a long form crash report. Sergeant Seaman advised he cancelled FHP at that time and requested a Deputy respond instead.

Sergeant Seaman advised he arrived on the scene of the crash after he cancelled FHP and after the Deputies arrived on scene and began their investigation. Sergeant Seaman stated he did not activate his BWC upon arriving on scene because he was only there to speak with his Deputies and not go to the crash itself or interact with any witnesses.

Sergeant Seaman advised once he got on scene and looked at the totality of circumstances of the crash, he thought it would be better off having FHP handle it because District-2 was down two zones that day for the fourth of July. Sergeant Seaman stated he was trying to allocate resources to make sure he had Deputies available when Fourth of July calls started coming in.

Sergeant Seaman stated he is familiar with general order 61-8 and he feels he has a good working knowledge of how and when to use the long form crash report and when to utilize FHP to work a crash. Sergeant Seaman advised he did not believe he violated the standing order from Chief Gallagher or the general order 61-8. Sergeant Seaman stated initially he did not believe he violated a direct order from Lieutenant Ihnken; however, *"I, now that I look at it yeah I guess you would say yes. Ok, yes"*. Sergeant Seaman stated *"I was looking at, I was weighing my resources versus what was going on. Yes, I had deputies available, but I was two zones down and it was the 4th of July and that's what was on my mind, so I figured why not use them (FHP)?"*. Sergeant Seaman stated he did not feel he was insubordinate and he did not ignore Lieutenant Ihnken's direction on

how to handle the crash. Sergeant Seaman advised he did exactly what he was told to do, initially. Sergeant Seaman stated he did not contact Lieutenant Ihnken before requesting FHP the second time to explain the circumstances of the request. Sergeant Seaman stated he did not speak with the Deputies after this incident to clarify when to use a long form and when to utilize FHP for crashes because two more crashes came out and they got busy.

Sergeant Seaman was asked if he felt he violated the following Volusia County Merit Rules and Regulations as well as Sheriff's Office policies:

26.2.132 Job Knowledge and Performance	No
26.2.155 Use of Equipment: BWC	No
26.2.124 Compliance With Direct Order of a Superior or Competent Authority	Yes
Volusia County Merit System Rules and Regulations 86-453 (1)	No
Volusia County Merit System Rules and Regulations 86-453 (2)	No
Volusia County Merit System Rules and Regulations 86-453 (5)	Yes
Volusia County Merit System Rules and Regulations 86-453 (9)	No
Volusia County Merit System Rules and Regulations 86-453 (12)	Yes
Volusia County Merit System Rules and Regulations 86-453 (14)	No
Volusia County Merit System Rules and Regulations 86-453 (22)	Yes

(See Tab –H for Official Transcript)

EXHIBITS:

- A. Report of Investigation
- B. Administration of Oath/Perjury Warning/Garrity Warning
- C. Official Correspondence/Memorandum
- D. Official Transcript of Deputy Megan Potosky
- E. Official Transcript of Deputy Tyler Lawrence
- F. Official Transcript of Deputy Micah Stoltz
- G. Official Transcript of Lieutenant Matthew Ihnken
- H. Official Transcript of Sergeant Theodore Seaman
- I. Miscellaneous Documents
- J. Digital Media

WITNESSES:

Deputy Megan Potosky
Volusia Sheriff's Office
386-736-5961

Deputy Tyler Lawrence
Volusia Sheriff's Office
386-736-5961

Deputy Micah Stoltz
Volusia Sheriff's Office
386-736-5961

Lieutenant Matthew Ihnken
Volusia Sheriff's Office
386-736-5961

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true to the best of my knowledge and belief.

AND

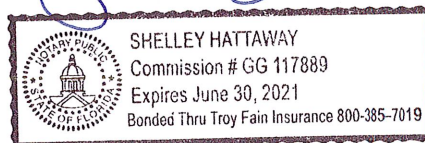
I, the undersigned, do hereby swear, under the penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the suspect of the investigation of any rights contained in ss. 112.532 and 112.533, Florida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

DETECTIVE: Heather Welch DATE: 8/31/2020
Detective Heather Welch
Internal Affairs Detective

STATE OF FLORIDA
COUNTY OF VOLUSIA

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online
Notarization this 31st day of August, 2020 by Detective Heather Welch

[Signature]
SIGNATURE OF NOTARY PUBLIC-STATE OF FLORIDA



PRINT, TYPE, OR STAMP COMMISSIONED NAME OF NOTARY PUBLIC

☒ PERSONALLY KNOWN OR ☐ PRODUCED IDENTIFICATION

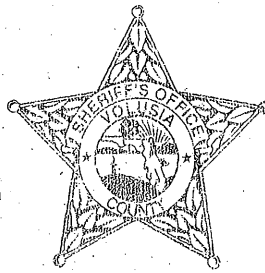
TYPE OF IDENTIFICATION PRODUCED

APPROVED BY: _____ DATE: _____
CHIEF DEPUTY JOSEPH GALLAGHER
VOLUSIA COUNTY FLORIDA

Sheriff

MICHAEL J. CHITWOOD

OFFICE
(386) 736-5961



VOLUSIA COUNTY SHERIFF'S OFFICE

123 WEST INDIANA AVE • P.O. BOX 569 • DELAND, FLORIDA 32721-0569
(386) 822-5074 (FAX) • WWW.VOLUSIASHERIFF.ORG

September 14, 2020

Sergeant Theodore Seaman #7444
Volusia Sheriff's Office
Support Operations Division
DeLand Courthouse

Final Disposition

Sergeant Seaman:

Volusia Sheriff's Office (VSO) Directive 26.2.34 requires that all "Employees shall adhere to all official Directives and/or orders, and shall faithfully execute all the duties and responsibilities of their assigned position." As a result of your actions documented in Internal Affairs Investigation IA-20-009 and summarized below, I have determined you violated the following Volusia County Merit System Rules and Regulations, Sheriff's Office Standards and Directives, and Sheriff's Office General Orders:

5

Volusia County Merit System Rules and Regulations – Division 13 Disciplinary Actions 86-453 Reasons for disciplinary action (1), (2), (5), (9), (12), (14) and (22):

Any of the following violations is sufficient grounds for disciplinary action ranging from oral reprimand to dismissal, depending on the seriousness of the offense and other circumstances related to the situation.

- (1) Willful neglect in the performance of the duties of the position to which the employee is assigned.*
- (2) Disregard for or frequent violations of county ordinances, departmental policies and regulations, including safety rules.*
- (5) Violation of any reasonable or official order, refusal to carry out lawful and reasonable directions given by a proper supervisor, or other acts of insubordination.*
- (9) Any conduct, on or off duty that interferes with effective job performance or has an adverse effect on the county*

(12) *Incompetent or unsatisfactory performance of duties.*

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

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

Volusia Sheriff's Office Standards and Directives:

26.2.132 Job Knowledge and Performance- Failure to maintain required skills, knowledge and abilities within acceptable levels shall result in counseling, instruction or training. *(Violation subject up to a written reprimand.)*

26.2.124 Compliance with Direct Order of a Superior or Competent Authority - Employees shall comply with the direct orders or instructions given by a supervisor or superior officer and shall not refuse to comply when such orders or instructions are lawful and proper. *(Violation subject up to dismissal.)*

General Order 61-8

2) *"The Volusia Sheriff's Office will investigate and document the following crashes in the unincorporated areas of Volusia County, excluding interstates and interstate ramps;*

a) All crashes that will be documented on a Short Form Crash Report (HSMV90010S).

b) Crashes with no injuries, where one or more of the involved vehicles requires a wrecker, requiring a Long Form Crash Report (HSMV90010S).

3) *In the event a Deputy is not available to respond to a crash within a reasonable amount of time, FHP will be requested to investigate a crash in the unincorporated area, at the discretion of a supervisor."*

To Wit:

On July 4, 2020, you were working overtime as 1A20 when a single vehicle crashed into a residential fence. In the CAD call it stated there were no injuries as a result of the crash and all units were unassigned with no active calls at the time the call came out. You advised Central to assign the call to the Florida Highway Patrol (FHP) and close it. Lieutenant Ihnken called you on the phone and asked you why the call was being closed, which was in violation of standing orders per General Order 61-8 and previous direction from Chief Gallagher in the form of an email. General Order 61-8 is set forth above.

You initially stated you were unaware Deputies responded to crashes in county jurisdiction. Subsequently, you advised when you work in District Three South, you routinely close crash

calls due to manpower issues. Lieutenant Ihnken requested you to send a patrol Deputy to conduct the crash investigation and to cancel FHP. You arrived on the scene of the crash and approximately two minutes later advised Central to request FHP again, as the crash would require a long form, ignoring the direction given by Lieutenant Ihnken. While on scene, you mimicked Lieutenant Ihnken in front of the Deputies on your shift.

You have previously been the subject of the following disciplinary action:

12/01/2007	26.2.133	Repeated Failure to Maintain Required Skills	Sustained
12/15/2007	26.2.131	General Proficiency	Sustained
04/05/2008	26.2.133	Repeated Failure to Maintain Required Skills	Sustained
05/08/2008	26.2.098	Careless Handling Equipment & Vehicle	Sustained
01/20/2009	26.2.098	Careless Handling Equipment & Vehicle	Sustained
04/18/2009	26.2.098	Careless Handling Equipment & Vehicle	Sustained
11/01/2009	26.2.098	Careless Handling Equipment & Vehicle	Sustained
02/17/2010	26.2.043	Search of an Arrested Person	Sustained
03/05/2010	26.2.005	Neglect of Duty	Sustained
11/14/2010	26.2.098	Careless Handling Equipment & Vehicle	Sustained
01/25/2012	26.2.098	Careless Handling Equipment & Vehicle	Sustained
04/13/2020	26.2.155	Use of Equipment: BWC	Sustained

TS

Sergeant Seaman, you were served with an "Intent to Suspend" letter on September 1, 2020, advising you of my intent to suspend you from duty without pay for eighty (80) work hours. You appeared before me on September 4, 2020, and had the opportunity to offer any mitigating circumstances that should be considered prior to the final discipline. After earnest consideration of the information you provided me and your specific circumstances, I have considered your prior disciplinary history, performance, length of service with VSO, and seriousness of the circumstances of the most recent violations.

Based upon the foregoing, your lack of judgment, your failure to comply with the Volusia Sheriff's Office Standards and Directives and County Merit System Rules and Regulations, it is my decision to issue you a **written reprimand**.

If there are any concerns or questions troubling you that I am not aware of, please advise me so that I will have the opportunity to assist you in correcting this problem.

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

Any subsequent activity of a similar nature will result in more severe administrative action, up to and including dismissal. Take due care and govern yourself accordingly. Be especially aware of **Progressive Discipline 26.1.1**

If you wish to appeal my decision in this matter, you may do so through the grievance procedure set forth in Section 86-484 of the Volusia County Merit Rules and Regulations or as outlined in your collective bargaining agreement, if applicable.

Sincerely,



MICHAEL J. CHITWOOD
SHERIFF

cc: Human Resources
County Legal
Internal Affairs

MC/ds 040L0213.20



This letter read and received by:
Sergeant Theodore Seaman #7444

Date: 09/14/2020

Time: 1528 hrs

Served by:  Shive # 6842