

**VOLUSIA SHERIFF'S OFFICE
INTERNAL AFFAIRS**

REPORT OF INVESTIGATION

REPORT NUMBER: IA 20-010

PERIOD COVERED: July 20, 2020
DATE REPORTED: July 20, 2020
SUBJECT NAME: Sergeant Theodore Seaman #7444
INVESTIGATING OFFICERS: Detective Andrew Calkins #7929

BASIS FOR INVESTIGATION:

On July 20, 2020, Sheriffs' Office Command Staff received a memorandum drafted by Lieutenant Cody Cochran; the memorandum detailed the lack of supervision by Sergeant Theodore Seaman, in which a call for service held for approximately two hours. Responding deputies eventually located a deceased male at the residence who died of a self-inflicted gunshot wound prior to deputies arrival.

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), (12) 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.

(12) Incompetent or unsatisfactory performance of duties.

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

Volusia Sheriff's Office Standards and Directives:

26.2.42 Endangering Others Through Neglect -Deputies shall take appropriate action in response to:

A. Emergency situations where there is a known danger to the lives of others;

B. In response to serious crimes. Particularly those of violent nature, which come to their attention on or off duty. *(Violation subject up to dismissal.)*

26.2.33 Inattention to Duties, Loafing, Sleeping - Employees shall be attentive to job duties and shall not neglect work by inattention, loafing, or sleeping while on duty. *(Violation subject up to a 1 day suspension.)*

26.2.134 Knowledge of Official Directives: VSO personnel are required to possess a sound working knowledge of the policies and procedures established by the Standards Directives. *(Violation subject up to a 5-day suspension)*

INVESTIGATIVE SUMMARY:

On July 22, 2020, Chief Joseph Gallagher assigned the above incident to the Internal Affairs Unit. Detective Calkins reviewed the Memorandum authored by Lieutenant Cody Cochran, Sheriff's Office reports, along with Body Worn Camera (BWC) video of the Deputies involved. *(See Tab – C for Memorandum)*

On July 22, 2020, Sergeant Seaman was served with a Notification of Internal Investigation along with a copy of his Officer Bill of Rights. *(See Tab – C for Official Correspondence)*

According to the memorandum, on July 20, 2020, at approximately 1506 hours, Volusia Sheriff's Office dispatch received a non-emergency call from Isabel De La Camera who requested an escort at 310 West Country Drive, Port Orange. At approximately 1515 hours, dispatch informed Sergeant Theodore Seaman of the call at which time Sergeant Seaman advised dispatch to place the call in a pending status. At approximately 1648 hours, Sergeant Seaman was reminded of the pending call. At approximately 1658 hours, Deputy Andrew Hudson was dispatched and responded to the call.

Deputy Hudson arrived on-scene at approximately 1717 hours and made contact with Isabel. According to Isabel, she lived at the residence and was having issues with another tenant, Patrick Kelly. Isabel stated Patrick refused to allow Isabel and her boyfriend inside the residence to retrieve their property, so she called law enforcement for an escort. Isabel further advised Patrick had been contemplating suicide recently and was believed to have a firearm; therefore, she did not feel safe entering the residence without law enforcement.

Isabel stated during her wait for law enforcement (approximately 2 hours and 11 minutes) Patrick was outside the residence with her, also awaiting arrival. As time passed, Patrick became increasingly more aggravated and five minutes before law enforcement arrived, Patrick entered the residence and closed the door. Almost immediately after Patrick entered the residence, Isabel heard, what she thought was a gunshot from inside the residence.

Deputies eventually entered the residence to conduct a well-being check on Patrick and found him deceased with an apparent self-inflicted gunshot wound to his head.

Detective Calkins reviewed the radio traffic which revealed Sergeant Seaman was notified twice about the pending escort. Sergeant Seaman initially acknowledges the call and advises dispatch to hold for “next available.” The time stamp in Computer Aided Dispatch (CAD) system was at 1515 hours. Sergeant Seaman was notified the second time according to CAD at 1648 hours and advised dispatch “*hold it for a minute.*”

Detective Calkins utilized ForceWatch and Computer Aided Dispatch and amassed the following information in regards to location and timestamps:

1C50	1335 Hours	Cleared INV Call @ River Breeze Park
1C50	1326 Hours	Leaves River Breeze Park North US-1 (Patrol's Edgewater)

1C50	1443 Hours	Arrives at District 3 South
1C52	1450 Hours	Dispatched to Motor Vehicle Accident from Freeman Street and US-1
1C51	1450 Hours	Enroute to Motor Vehicle Accident from Freeman Street and US-1
1C52	1455 Hours	On Scene Motor Vehicle Accident
1C51	1456 Hours	On Scene Motor Vehicle Accident
ESCORT	1506 Hours	Call Created
ESCORT	1512 Hours	Call Entered
1X54	1515 Hours	Stationary @ D3S
ESCORT	1515 Hours	1C50 Hold Call
1C52	1540 Hours	Transport Female 10-15 to District 3 South
1C52	1548 Hours	On Scene at District 3 South
1X54	1549 Hours	Female Search of DUI Suspect
1X54	1600 Hours	Enroute to Motor Vehicle Accident Beachside
1C51	1623 Hours	Change Location to District 3 South
1C50	1628 Hours	Leaves District 3 South (West towards I-95)

1C51	1631 Hours	On Scene District 3 South
ESCORT	1648 Hours	1C50 Updated - Hold
1C50	1657 Hours	Stationary at Memorial Medical Parkway
1C51	1658 Hours	Enroute from District 3 South to Escort
ESCORT	1658 Hours	1C51 Enroute
1C50	1719 Hours	Enroute to backup 1C53@ 250 W. Pine Ave, NSB
1C51	1721 Hours	On Scene Escort
ESCORT	1717 Hours	1C51 On Scene
1C50	1727 Hours	On Scene with 1C53
1C50	1737 Hours	Clears Call Enroute to District
1C50	1748 Hours	On Scene @ District 3 South
ESCORT	1806 Hours	1D51 On Scene
ESCORT	1816 Hours	1D53 On Scene
ESCORT	1810 Hours	1D50 Enroute
1C50	1811 Hours	Leaves District 3 South (West towards 1-95)

1C52	1813 hours	Clears DUI Call
1C50	1819 Hours	Logoff on I-95 Northbound
ESCORT	1819 Hours	PA Announcements
ESCORT	1946 Hours	Subject Located Deceased

Deputy Joshua Patsch

On August 4, 2020, Detective Calkins and Detective Morgan conducted a sworn recorded interview with Deputy Patsch at District 3 South, New Smyrna. The following is a summary of that interview:

Deputy Patsch advised on July 20, 2020, he was logged on as 1C52. His supervisor that day was Sergeant Seaman who was logged on as 1C50. Deputy Patsch was asked to about the crash at 1050 Old Mission Road, New Smyrna that he was dispatched to at 1450 hours. Deputy Patsch was asked to elaborate on the intricacies of the call. Deputy Patsch advised the following:

“So I was dispatched to a call for service for a motor vehicle crash with injuries involving roll over. A Mercedes Benz SUV had rolled over into the ditch on the eastern side of the roadway traveling northbound. Due to the fact that the vehicle was in the ditch and emergency personnel had the road blocked to include fire who were checking on her injuries etc. we had major road blockage both directions for a substantial amount of time. Once we determined she didn’t have any injuries that required immediate attention we were able to open one lane of travel but due to the fact the vehicle was in the ditch we were gonna have to keep it closed to allow the wrecker to be able to get the vehicle because we were working the crash investigation due to there being no injuries...In addition to the crash investigation once it was completed and we determined she was at fault for the single vehicle crash and then began a DUI investigation based on the signs of impairment

observed from the subject who was determined to be the driver of the vehicle by wheel witnesses. She was extremely impaired to the ability that she was unable to walk so at multiple times she fell onto the ground, she fell out of an ambulance etc. I requested Dep. Hudson stand by with me while I conducted the DUI investigation to include standardized field sobriety exercises due to her level of impairment. The fact that she was unable to stand up and walk across the road without aid. I was afraid for her safety that she might fall over etc. So he stood by with me while we conducted the standardized field sobriety exercises which were conducted in the parking lot of the location there 1050 Old Mission Road the Sugar Mill Travel Ruin park...We conducted our standardized field sobriety exercises, determined that she was impaired beyond the ability to safely operate a motor vehicle at which point she was placed under arrest for driving under the influence. She was provided the opportunity to provide a lawful example of her breath to determine its alcoholic content at which point she stated that she would provide the lawful sample of her breath. At this point our wrecker driver had not arrived to remove the vehicle from the scene. Due to the time requirements of a DUI investigation and getting someone in front of a breath test instrument to conduct the chemical test I asked Dep. Hudson if he would stand by, wait for the wrecker, wait for them to extricate the vehicle while I responded to the district to conduct a breath test...Upon responding back to the district, put her in the holding cell, advised her of the 20 minute observation period etc. at which point she then decided she wished to refuse to take the breathalyzer test. I was already here at the district, Hudson said Universal was on scene he was handling the crash there. I continued my DUI paperwork here at the office with her at the office with me. When the vehicle was extricated from the ditch Dep. Hudson located personal effects of hers that were of importance such as a cell phone. He brought those back to the district to me so they could go with her as prisoner personal property out at the jail. So once the wrecker exited the scene with the vehicle he responded to the district to provide me that personal property at which point he then did whatever duties he did after that."

Deputy Patsch advised he recalled the escort pending and stated it was made aware over the radio. Deputy Patsch advised when he arrived back at the district Deputy Ort was there and searched the female prisoner. Deputy Ort then left the district and responded to a crash at Canaveral National

Seashore in 54 zone. Prior to her departure, Deputy Ort asked Deputy Patsch questions about investigating crashes, which lasted approximately five minutes. Deputy Patsch advised he was unable to recall if Sergeant Seaman was present at the district while he completed his paperwork. Deputy Patsch added he never responded to the escort due to being tied up with the DUI investigation. *(See Tab – D for Transcript)*

Deputy Andrew Hudson

On August 4, 2020, Detective Calkins and Detective Morgan conducted a sworn recorded interview with Deputy Hudson at District 3 South, New Smyrna. The following is a summary of that interview:

Deputy Hudson is assigned to patrol in District 3 South. On July 20, 2020, Deputy Hudson advised he was working his normal shift as 1C51. Deputy Hudson was asked about the crash at 1050 Old Mission Road, New Smyrna. Deputy Hudson advised he and Deputy Patsch responded to a vehicle crash involving a rollover. Deputy Hudson stated when they arrived on scene there was complete road blockage due to the fire trucks and ambulances. Deputy Hudson stated the traffic crash investigation evolved into a DUI investigation, which was conducted by Deputy Patsch. Deputy Hudson advised he stayed on scene to assist with traffic control while Deputy Patsch conducted the DUI investigation. Deputy Hudson closed the road to one lane and navigated traffic around the curved road. While he was directing traffic, Deputy Hudson heard the escort call over the radio. Deputy Hudson advised Sergeant Seaman was made aware of the call, which was held for an available unit.

During the course of the DUI investigation, Deputy Patsch placed the female driver under arrest for driving under the influence. Deputy Patsch transported the female to the district to conduct further investigation. Deputy Hudson remained on scene and waited for Universal Towing to arrive to extricate the vehicle from the ditch. Deputy Hudson advised it took longer than usual to remove the vehicle due its location and position in the ditch. After Universal Towing removed the vehicle, Deputy Hudson went to the district to turn over prisoner personal property to Deputy Patsch. Deputy Hudson also spoke to the in custody female and advised her of the damage to the vehicle.

While at the district, Deputy Hudson stated he docked his body worn camera and grabbed a drink. Deputy Hudson then received a call from Sergeant Seaman who informed him of the pending call. Deputy Hudson was unable to provide a time stamp of the call between himself and Sergeant Seaman.

Deputy Hudson went to his vehicle and spoke to the reporting party, Isabel De La Camera, via cellphone. Deputy Hudson advised her the reason for the delay and that he would be responding immediately. Deputy Hudson stated the following about his contact with Isabel:

“And she was saying stuff about possibly his well-being and how he’s always threatening herself and her fiancé or I think yeah her boyfriend or fiancé I’m not sure what she titled him as...but, and that they wanted to move back into their house. Well they never really moved out but they just left for a couple days to simmer down things...and that she wanted to come back so just with that little bit of information I talked to her on you know while I was here getting prepared to drive there it didn’t sound like it was an escort.”

Deputy Hudson advised when he arrived on scene Isabel was waiting for him at the gate. Isabel advised she was staying at other locations with her fiancé due to a roommate, Patrick Kelly, making vague threats to them. Isabel stated Patrick was talking with her outside just prior to Deputy Hudson’s arrival. Isabel chose not go inside with Patrick because she did not feel safe. Deputy Hudson advised he knocked on every door and window but could not make contact with Patrick. Deputy Hudson tried calling Patrick numerous times but was also unsuccessful. Deputy Hudson spoke with Isabel again who clarified information prior to Patrick entering the residence. Deputy Hudson stated “...she told me the statement he made was something along the lines of is this it or is this how it’s gonna end are you really doing this...” After further questioning, Isabel advised she heard a “pop” while Patrick was inside. Isabel, who is not familiar with firearms, was unsure if it was a gunshot.

Upon hearing that information Deputy Hudson advised central he would need another unit for backup and contacted Sergeant Seaman with an update. Deputy Hudson advised Sergeant Seaman that the call was not an escort and he would need a supervisor. Sergeant Seaman called the night

supervisor, Sergeant Hansard, who eventually responded to the call. Deputy Hudson advised he called Sergeant Seaman twice while on the call to advise him of updates. Deputy Hudson advised night shift units began responding due to the shift change and relieved him. *(See Tab – E for Transcript)*

Sergeant Amy Ort

On August 5, 2020, Detective Calkins and Detective Morgan conducted a sworn recorded interview with Sergeant Amy Ort at District 4, Deltona. The following is a summary of that interview:

Sergeant Ort advised she was recently promoted and was currently training to be a sergeant. Sergeant Ort advised on July 20, 2020, she was assigned as 1X54, which is a swing shift for the Charlie/Delta rotation. The normal hours for 1X54 were from 1500 to 0300 hours. Sergeant Ort advised when she came in service she logged out with a disabled vehicle due to issues with her patrol car. When the vehicle was fixed she responded to the district to pick up her body worn camera. Sergeant Ort advised while she was at the district she helped Deputy Patsch with a search of a female prisoner. Sergeant Ort advised she was then dispatched to Canaveral Seashore Park in 54 zone for a crash. Sergeant Ort advised she never responded to the escort or was told by a supervisor to respond. *(See Tab – F for Transcript)*

Sergeant Richard Hansard

On August 6, 2020, Detective Calkins conducted a sworn recorded interview with Sergeant Richard Hansard via phone. The following is a summary of that interview:

Sergeant Hansard advised on July 20, 2020 he was assigned as 1D50, the shift supervisor for delta shift in District 3 South. Sergeant Hansard became aware of the escort on his way into work when he observed Deputy Hudson on the call. Sergeant Hansard stated he usually receives a call from the previous shift supervisor to discuss the daily activity log. Sergeant Hansard stated he spoke with Sergeant Seaman on his way to the district and discussed the day's activities. Sergeant

Hansard stated he received a second call from Sergeant Seaman, when he was nearing the district, stating the escort was going to be a possible baker act.

During that call, Sergeant Hansard pulled up to the district and made contact with Sergeant Seaman in person. Sergeant Hansard advised he told Sergeant Seaman he would be responding to the call. Sergeant Seaman asked Sergeant Hansard if he wanted him to respond which Sergeant Hansard stated, *"I told him I didn't think it was necessary at that point because I was going."* Sergeant Hansard was asked what resources he would use for a pending call in 51 zone. Sergeant Hansard stated he would typically use 52 and if possible 54 if they were logged on for their shift. Sergeant Hansard went on to state, *"I was a little bit disappointed that it went down the way it did and held as long as it did. I felt like the outcome may have been different."* (See Tab – G for Transcript)

Sergeant Theodore Seaman

On August 13, 2020, Detective Calkins and Lieutenant Shivers conducted a sworn recorded interview with Sergeant Theodore Seaman at Volusia Sheriff's Office Administration, DeLand. The following is a summary of that interview:

On July 20, 2020, Sergeant Seaman was assigned at 1C30, the supervisor of Charlie shift in District 3 South. Sergeant Seaman advised his duties include the function of the shift deputies on patrol, supervision of calls for service, administrative paperwork, and allocation of resources. Sergeant Seaman advised at 1335 hours he was logged out at Riverbreeze Park following up on an investigation at the request of Sergeant Mills. After leaving Riverbreeze Park, Sergeant Seaman drove around doing patrols. According to ForceWatch, Sergeant Seaman was at District 3 South at 1443 hours. Sergeant Seaman was asked about his activity at District 3 South. Sergeant Seaman was unsure, but stated he was probably starting the consolidated report and doing evaluations. Sergeant Seaman was unable to advise if any other deputies were present at District 3 South. At 1506 hours an escort call is entered at 310 West Country Circle, Port Orange. Sergeant Seaman advised, *"I don't even remember initially remember them calling out on the escort."* Sergeant Seaman further stated, *"I really don't. If I did I probably told them to hold next available."* Sergeant Seaman stated his two north end units, Deputy Hudson and Deputy Patsch, were busy on

a crash. Sergeant Seaman acknowledged the swing shift unit, Sergeant Amy Ort, was coming onto shift at that time. When asked why he did not use Sergeant Ort to handle the call Sergeant Seaman stated he thought Deputy Hudson would be coming in service soon and would take the escort. Sergeant Seaman stated,

“Unbeknownst to me it turned into a DUI investigation and the car was in a ditch. If you’ve ever been on the road there they’ve got the storm water run offs on both sides. He ended up being there for an hour and a half maybe a little longer.”

Sergeant Seaman advised Deputy Hudson stayed on scene to wait for the tow truck while Deputy Patsch transported the suspect to the district. Sergeant Seaman was asked if he thought to contact COP’s to direct traffic for Deputy Hudson so that he could come in service. Sergeant Seaman stated “no.” Sergeant Seaman was asked if he reviewed pending calls while he was at the district or while out on patrol. Sergeant Seaman advised he checks them periodically while driving but has been having problems with his computer crashing. It should be noted, Sergeant Seaman was at the district from the time the escort was entered at 1506 hours until 1628 hours. Sergeant Seaman stated he utilized a desktop while he was at the district but didn’t check pending calls.

Sergeant Seaman advised at some point he did read the escort but that there was nothing “really” attached to it. Sergeant Seaman was asked when he viewed the escort to which he replied, “I’m not sure, I don’t remember.” Sergeant Seaman was asked upon review of the call did he observe anything that would cause concern. Sergeant Seaman stated, “they claimed the guy had a firearm but that was it.”

Sergeant Seaman was asked if he utilized any resources to relieve Deputy Hudson so that he could respond to the escort. Sergeant Seaman stated, “No because I wasn’t aware of how long he was going to be.” Sergeant Seaman advised he never reached out to Deputy Hudson to inquire how long he would be on the call. Sergeant Seaman was asked if he ever contacted the reporting party to advise them of the delay. Sergeant Seaman stated, “No I did not. I got, I got caught up doing what I was doing and forgot.” Sergeant Seaman was asked if he thought to utilize any other resources, such as Sergeant Ort, who logged on at 1500 and wasn’t dispatched to a call until

approximately 1600 hours. Sergeant Seaman stated, “No I thought 51 [Deputy Hudson] was coming 10-8 [In Service].”

Sergeant Seaman stated he was notified a second time by dispatch that the escort call was still pending. Only after being notified the second time, did Sergeant Seaman contact Deputy Hudson and ask the status of the DUI investigation. Deputy Hudson advised he would be coming in service and would handle the call. At approximately 1730 hours, Sergeant Seaman received a call from Deputy Hudson who stated the call was going to be more than an escort. Deputy Hudson stated that an individual related to the call, made past suicidal statements and couldn’t be contacted. Sergeant Seaman advised he was nearing the district at that time and sent deputies to assist. Sergeant Seaman contacted Sergeant Hansard who was coming on shift, and notified him of the call. Sergeant Seaman received a second call from Deputy Hudson with additional information which he relayed to Sergeant Hansard. Sergeant Seaman asked Sergeant Hansard if he wanted him to respond, but given the shift change, Sergeant Hansard declined and stated he would handle it. Sergeant Seaman stated he never responded to the call.

Sergeant Seaman acknowledged the escort call was held for an extended period of time. Sergeant Seaman was asked if it was appropriate to hold the escort for that period of time to which he stated “no” and that “*I lost track of it.*” Sergeant Seaman stated, “*I missed it*” when asked if he ever checked the status of the call while he was unassigned for approximately two hours. Sergeant Seaman admitted to forgetting about the call until he was notified a second time. (*See Tab – H for Transcript*)

Sergeant Seaman was asked if he violated the following department and county policies:

26.2.42 Endangering Others Through Neglect	No
26.2.33 Inattention to Duties, Loafing, Sleeping	No
26.2.134 Knowledge of Official Directives	No

Volusia County Merit System Rules and Regulations 86-453 (1)	No
Volusia County Merit System Rules and Regulations 86-453 (12)	Yes
Volusia County Merit System Rules and Regulations 86-453 (22)	Yes

Detective Calkins obtained Sergeant Seaman's cell phone records for his county issued device. Detective Calkins observed an outgoing call to Deputy Hudson at 1649 hours. Additionally, Detective Calkins observed two incoming calls from Deputy Hudson at 1739 hours and 1751 hours. *(See Tab – I for Documents)*

EXHIBITS:

- A. Report of Investigation
- B. Administration of Oath/Perjury Warning/Garrity Warning
- C. Official Correspondence/Memorandum
- D. Official Transcript of Deputy Joshua Patsch
- E. Official Transcript of Deputy Andrew Hudson
- F. Official Transcript of Sergeant Amy Ort
- G. Official Transcript of Sergeant Richard Hansard
- H. Official Transcript of Sergeant Theodore Seaman
- I. Miscellaneous Documents
- J. Digital Media

WITNESSES:

Deputy Joshua Patsch
Volusia Sheriff's Office
386-736-5961

Deputy Andrew Hudson
Volusia Sheriff's Office
386-736-5961

Sergeant Amy Ort
Volusia Sheriff's Office
386-736-5961

Sergeant Richard Hansard
Volusia Sheriff's Office
386-736-5961

Sergeant Theodore Seaman
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: _____

A Calkins

DATE: 8/31/20

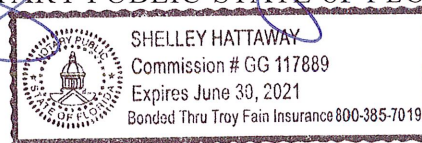
**Detective Calkins
Internal Affairs Detective**

**STATE OF FLORIDA
COUNTY OF VOLUSIA**

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online
Notarization this 3rd day of August, 2020 by Detective Calkins

[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: _____

[Signature]

DATE: 08-31-2020

**CHIEF DEPUTY JOSEPH GALLAGHER
VOLUSIA COUNTY FLORIDA**

Sheriff

MICHAEL J. CHITWOOD

OFFICE
(386) 736-5961



VOLUSIA COUNTY SHERIFF'S OFFICE

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(386) 822-5074 (FAX) • WWW.VOLUSIASHERIFF.ORG

September 4, 2020

Sergeant Theodore Seaman #7444
Volusia Sheriff's Office
Law Enforcement Operations Division
District 4 Patrol

Final Demotion

Sergeant Seaman:

Volusia Sheriff's Office 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 or inactions documented in IA 20-010, I have determined you violated the following Sheriff's Office Standards and Directives and Volusia County Merit System Rules and Regulations:

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

Any of the following violations is cause 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
- (12) Incompetent or unsatisfactory performance of duties.
- (22) Any other conduct or action of such seriousness that disciplinary action is considered warranted.

Volusia Sheriff's Office Standards and Directives:

26.2.42 Endangering Others Through Neglect -Deputies shall take appropriate action in response to:

- A. Emergency situations where there is a known danger to the lives of others;

B. In response to serious crimes. Particularly those of violent nature, which come to their attention on or off duty. *(Violation subject up to dismissal.)*

26.2.33 Inattention to Duties, Loafing, Sleeping - Employees shall be attentive to job duties and shall not neglect work by inattention, loafing, or sleeping while on duty. *(Violation subject up to a 1 day suspension.)*

26.2.134 Knowledge of Official Directives: VSO personnel are required to possess a sound working knowledge of the policies and procedures established by the Standards Directives. *(Violation subject up to a 5-day suspension)*

To Wit:

Sergeant Seaman, on July 20, 2020, at approximately 1506 hours, the Volusia Sheriff's Office dispatch received a non-emergency call from a citizen who requested an escort. At approximately 1515 hours, dispatch informed you about the call which you placed on hold for an available unit. At approximately 1648 hours, you were reminded again of the pending call. Only after being notified a second time did you contact Deputy Hudson who responded at 1658 hours.

Deputy Hudson arrived on-scene at approximately 1717 hours and made contact with the reporting party who advised during her wait for law enforcement, which was approximately 2 hours and 11 minutes, the subject was outside with her and growing increasingly agitated. The subject eventually entered the residence, prior to deputies' arrival, and closed the door. The reporting party then heard a gunshot from inside the residence. When entry was eventually made by deputies, they observed the subject deceased from a self-inflicted gunshot wound.

Sergeant Seaman, during an interview you admitted to forgetting about the call for service while it held for approximately 1 hour and 54 minutes. You advised that you never checked the pending call even though you were unassigned from the time the call was created until 1719 hours. If you had checked the call, you would have seen a prior linked call stating the subject had a firearm and has made threats in the past.

Sergeant Seaman, even though your two units who would normally handle the call were on a crash investigation, you never utilized any resources to assist in getting them in service. You additionally never contacted the reporting party to advise them of the delay. Sergeant Seaman, in the interview you agreed that the call held for an extended amount of time and that it was not appropriate. This inattention to duty is egregious and does not reflect the high standards of the Volusia Sheriff's Office.

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

Sergeant Seaman, you were served with an "Intent to Demote" letter on September 1, 2020, advising you of my intent to demote you from Sergeant to Deputy Sheriff II. 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. I have earnestly considered the information you provided me and your specific circumstances, your prior disciplinary history, performance, length of service with VSO, and the seriousness of the circumstances of the most recent violations.

Based upon the foregoing, including your lack of judgment, your failure to comply with the Department Standards/Directives and County Merit System Rules, it is my intent to demote you from the rank of **Sergeant to the rank of Senior Deputy**. You will not be eligible to sit for the sergeant's exam or be considered for any promotion or special unit for a period of two years from the date of demotion.

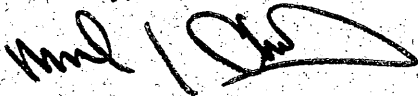
If there are any concerns or questions troubling you that I am not aware of, please advise me so that I will have the opportunity to assist you in correcting this problem.

Pursuant to the Volusia County Merit System Rules, 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 by filing a written request through the County Human Resources Director within ten (10) days of receipt of this notification.

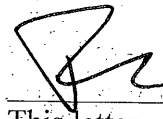
Sincerely,



MICHAEL J. CHITWOOD
SHERIFF

cc: Human Resources
County Legal
Internal Affairs

MJC/ds 040L0212.20



This letter read and received by:
Sergeant Theodore Seaman #7444
Date: 09/04/2020
Time: 1522hrs

Served by: LT SHIVANJ 6842

