

**VOLUSIA SHERIFF'S OFFICE
INTERNAL AFFAIRS**

REPORT OF INVESTIGATION

REPORT NUMBER: IA 20-012

PERIOD COVERED: July 11, 2020
DATE REPORTED: July 20, 2020
SUBJECT(S) NAME: Sergeant Theodore Seaman #7444
INVESTIGATING OFFICERS: Detective Tara Burke #1465

BASIS FOR INVESTIGATION:

On July 20, 2020, Captain Maddox initiated a Supervisory Inquiry into an incident that was video recorded by a citizen and subsequently posted on YouTube, labeled; "Sergeant Seaman intimidating a senior for recording police." The YouTube video was brought to the Sheriff Office command staff's attention, due to the fact videos of this nature typically generates an increased number of emails, calls, and public records requests.

On July 11, 2020, Sergeant Theodore Seaman was working as 1C50 when Deputy Patsch initiated a traffic stop of a vehicle with an expired tag over six months at 101 Linda Road, New Smyrna Beach. The subject, Chase Bass, was arrested on multiple charges; Possession of Schedule II Narcotics, Driving While License Suspended, and Possession of Paraphernalia. A female citizen, later identified as the defendant's mother, arrived on scene and was video recording deputies using her cellular phone. Deputy Patsch verified she was recording and informed the female citizen that recording them during the course of their official duties would be considered a felony without their permission. The female citizen was referred to Sergeant Seaman, who arrived on scene, and he reiterated what Deputy Patsch told the female citizen, which is inaccurate information. The female citizen uploaded her video encounter with the deputies onto YouTube; since the initial posting of the video, it has generated multiple negative responses toward the Volusia Sheriff's Office.

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), (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.*
- (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.)*

26.2.134 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)*

26.2.135 Knowledge of Official Directives - Frequent, or repeated violation of these policies, procedures and Directives shall be deemed as indicative of careless disregard by the employee.

RE: 41.20 Body Worn Cameras Non-Emergency Response

26.2.137 Knowledge of Official Directives- Subsequent violations and recurrent failure to maintain and demonstrate knowledge of Directives, rules & regulations or standard operating procedures may be cause for dismissal.

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)*

26.2.160 Job Knowledge and Performance – Supervisor Responsibility – Each supervisor shall provide guidance and training to subordinate staff for effective and efficient achievement of established goals and objectives. A supervisor has the responsibility and authority for assigning, reviewing, and monitoring activities of subordinate staff under his/her command. In addition, a supervisor shall provide clear directions to subordinates and address specific problems for completion of work assignments. The supervisor shall also ensure that assigned employees comply with applicable federal and state laws, Volusia County ordinances, and all VSO written direction as provided through Directives, Training Bulletins, policies and procedures. *(Violation subject to counseling and/or disciplinary sanctions up to and including demotion)*

INVESTIGATIVE SUMMARY:

On July 24, 2020, Chief Joseph Gallagher assigned the above incident to the Internal Affairs Unit. Detective Burke reviewed the Supervisor Inquiry authored by Captain George Maddox, Sheriff's Office reports, the posted YouTube video, along with Body Worn Camera (BWC) videos of the deputies involved. *(See Tab – C for Supervisor Inquiry)*

Detective Burke reviewed the BWC's of Deputy Joshua Patsch and Deputy Andrew Hudson, which captured the incident. After arresting Mr. Bass, his mother arrived at the scene and began speaking with Deputy Patsch and Deputy Hudson. As she approached the deputies she began asking questions regarding the traffic stop, she was using her cell phone to record the encounter. She asked if it would be possible to speak to her son and stated, *"With all this Covid and stuff, I think a ticket would be sufficient."* She then wanted to know which deputy saw her son first; Deputy Patsch informed her that he did. The female then attempted to obtain additional information, Deputy Patsch asked the female if she was recording them; she replied, *"I guess I am."* Deputy Patsch approached the female from his vehicle and stated, *"Just so you know, recording of us during our official acts would be considered a felony without our permission."* The female then pointed out that she actually started recording from an area near the residence, Deputy Patsch stated, *"Okay...no problem."* Deputy Patsch then entered his vehicle and left the scene.

The female then asked Deputy Hudson the legalities of recording the police in public. At that point, Sergeant Seaman arrived on scene. Sergeant Seaman spoke with Deputy Patsch briefly at his patrol vehicle and then approached the female who was speaking with Deputy Hudson. Sergeant Seaman was immediately presented with the same question as to whether or not it was against the law to record the police while in public. Sergeant Seaman paused a moment then stated, *"Audibly yeah."* The female attempts to clarify after being told she needed their permission to record, Sergeant Seaman told the female, *"Audio recording no, video recording yes."* Sergeant Seaman stated again that audio recording him without his permission was illegal. The female then asked for permission to record, at which time Deputy Hudson said, *"We all don't give permission but..."*

The female cut off Deputy Hudson's sentence and replied, *"That's all I needed to know."* (See Tab – H for Digital Media)

On July 29, 2020, Deputy 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 Burke. (See Tab – C for Official Correspondence)

Deputy Andrew Hudson

On August 7, 2020, Detective Burke and Detective Welch conducted a sworn recorded interview with Deputy Hudson at the District-3 South Office, Canal Street, New Smyrna Beach. The following is a summary of that interview:

Deputy Hudson has been employed with the Volusia Sheriff's Office for approximately four years. Deputy Hudson is currently assigned to District-3 South, Law Enforcement Operations Division (LEOD).

During the interview with Internal Affairs Detectives, Deputy Hudson recalled the arrest of Mr. Bass, he explained they (he and Deputy Patsch) were in the vicinity of a license plate reader hit and the driver's license was suspended.

While on the scene a female, later identified as Mr. Bass's mother, began recording the deputies. Deputy Hudson had prior incidences involving the female, he stated, *"It's always the same we're harassing the Sheriff's Office targets her kids you know there's other crime going on out here we need to find something better to do, we're A-holes we're wrong we're this we're that so you name it she's said it to us."*

Deputy Hudson advised Deputy Patsch asked the female if she was recording, followed by telling her it's a felony to record without his permission or consent. Deputy Hudson advised the information Deputy Patsch provided was indeed false, and he was aware it was false information. Deputy Hudson was asked if anyone answered the female's question of why she could not record, he stated, *"I think, I don't think she necessarily asked why I think she asked when did it change probably referring to the law or something along those lines. I don't directly know if her question was answered. I referred her to the sergeant who was on scene to deal with any possible escalation or complaint issues."*

Deputy Hudson advised Sergeant Seaman arrived on scene and told the female she could video record but not audio record. Deputy Hudson did not feel the information Sergeant Seaman provided to her was accurate. Deputy Hudson realizes it was inaccurate information pertaining to General Order 1.18. Deputy Hudson advised Sergeants Seaman's demeanor was the same as he is any other day.

During that time, Deputy Hudson did not feel Sergeant Seaman had a good working knowledge of the General Order and the “Public Recording of Police Activities.” Deputy Hudson advised they never discussed the General Order 1.18 as a shift, and Sergeant Seaman is no longer in the district. Deputy Hudson only received a mass email to all sworn about the policy or Facebook posting that was released, nothing directly from Sergeant Seaman.

While on scene Deputy Hudson informed the female that *“nobody gives permission,”* pertaining to her video recording. Deputy Hudson does not feel the female needed his permission to record, he stated, *“No she, she did not. Hindsight I probably shouldn’t have said it but she asked a question I figured it would be more of an issue if I didn’t answer her question then just ignore her blatantly so.”*

Deputy Hudson advised he viewed the You Tube video, he was asked if he felt the video reflects unfavorably on the County and the Sheriff’s Office, he stated, *“I wouldn’t say it, I mean it made us look goofy it made us look bad as an agency as everybody and any cop doing this job. I don’t think it necessarily affects us in an unfavorable view but it was a mistake in various aspects of the word but it’s been addressed a lot and a lot of changes have been in result of this action so.”* (See Tab-D for Official Transcript)

Deputy Joshua Patsch

On August 7, 2020, Detective Burke and Detective Welch conducted a sworn recorded interview with Deputy Patsch at the District-3 South Office, 101 Canal Street, New Smyrna Beach. The following is a summary of that interview:

Deputy Patsch has been employed with the Volusia Sheriff’s Office since 2016. Deputy Patsch is currently assigned to District-3 South, Law Enforcement Operations Division (LEOD).

Deputy Patsch recalled the traffic stop at 101 Linda Road in New Smyrna Beach, where an adult male, Mr. Chase Bass, was arrested, and his mother arrived on the scene during the incident. Deputy Patsch advised when the female arrived on scene she was immediately upset about the vehicle, she wanted the vehicle removed by a private wrecker; however, the wrecker had already been requested.

Deputy Patsch was aware the female began recording the deputies on her cell phone. Deputy Patsch advised he told the female when she was recording them, *“I asked her a question regarding recording law enforcement that had an alternate version of facts.”* Deputy Patsch was asked to explain, he advised, *“I did not tell her the truth in hopes that she would reconsider her position of recording us.”* Deputy Patsch was asked why he did that, he stated,

“She is known to be hostile towards law enforcement with the sole intention of goading us into saying that we are targeting her son. She believes that her children have been targeted by the Volusia County Sheriff’s Office. I believe narcotics

officers have investigated her family, her house etc. both of her sons have gone to prison based on Volusia County Sheriff's Office investigations and she does not like the Volusia County Sheriff's Office. She I believe started off her recording with "do any of you know Chase Bass?" with the sole intention of goating us into stating that we know him and then furthermore that we are targeting her son specifically for crimes that she does not believe that he's committed."

Deputy Patsch did not feel what he told the female was accurate information, and he was familiar with General Order 1.18 in reference to the Public Recording of Police Activities at that time, he stated, *"Yes and I did not believe that I in any way shape or form coerced, intimidated nor threatened her to stop the recording."* Deputy Patsch was asked if he knowingly just told the female misinformation, and he stated, *"I provided her an alternate version of facts."* After providing the information to the female, Deputy Patsch got in his vehicle and left the scene.

Deputy Patsch did not recall stopping to speak with Sergeant Seaman prior to leaving the scene, but advised it's possible he might have stopped to let him know he was on the way to the district and Deputy Hudson was handling the vehicle.

Deputy Patsch had watched the YouTube video, and agrees what Sergeant Seaman told the female was inaccurate information. Deputy Patsch advised after the YouTube video came out there was brief conversation regarding the General Order 1.18, he advised, *"I don't know if it was sent out or if it was just a dissemination in the office, print out of the general order was sitting here, read it in briefing and that was it. I don't think there was an official email sent out or anything like that."* Deputy Patsch advised the information was in the briefing room on the desk for the deputies to review, he stated, *"It was before we showed up so when we came into our briefing room, which he generally gets here before the deputies do and it was on the desk in here for us to review. So it could have very well been provided by Sgt. Seaman and he did facilitate the conversation regarding the general order."*

Deputy Patsch was asked if he felt the YouTube video reflects unfavorably on the county and the Sheriff's Office, he stated, *"Based on the response....and the comments of the YouTube video I would say yes."* Deputy Patsch was asked if in the future he would use the same tactic in trying to deter someone from recording, he stated, *"I did not intend to deter her... My intention was to provide her an alternate version of fact so she could possibly reconsider her position on recording police with the sole intention of getting us to say we were goating her son into an arrest."* Deputy Patsch also stated, *"So I would not use the same tactic again in the future upon further review of general orders."* (See Tab-E for Official Transcript)

Sergeant Theodore Seaman

On August 12, 2020, Detective Burke and Detective Welch conducted a sworn recorded interview with Sergeant Theodore Seaman at the Administration Office in Deland. The following is a summary of that interview:

Sergeant Seaman has been employed with the Volusia Sheriff's Office since May 2007. Sergeant Seaman is currently assigned as a Patrol Supervisor in District-4 Law Enforcement Operations Division (LEOD). Prior to this assignment he was Patrol Supervisor in District-3 South, Law Enforcement Operations Division (LEOD).

During the interview with Internal Affairs Detectives, Sergeant Seaman recalled responding to the traffic stop and arrest made by Deputy Patsch and Deputy Hudson at 101 Linda Road in New Smyrna Beach. Sergeant Seaman recalled when he arrived on the scene, the female came around the front of the truck and caught him off guard because he thought she was over by the house, and she asked him if she could legally video them. Sergeant Seaman was asked what he told the female, he stated, *"Believe it or not I had to actually watch the video but I told her that, get this right, um I told her she could legally video but she couldn't legally audio."* Sergeant Seaman advised the information he told the female was not accurate, and he didn't mean to say that. Sergeant Seaman was asked what he meant to say, he stated, *"I've dealt with people before. I dealt with the camera guy at the jail. I know it's perfectly legal out in public for them to video us, audio and that's what I meant to tell her so I'm not exactly sure why I told her that."*

Sergeant Seaman described his actions as a *"Freudian moment."* Sergeant Seaman wasn't certain why he told the female the inaccurate information he stated, *"She just came around the truck and asked me and I just gave her a response and I had to watch the video to see what I said because I could not believe I said that."* Sergeant Seaman advised he had no intention of getting involved, he stopped by to check on the deputies. Sergeant Seaman was asked if he felt the information he provided to the female was accurate information, he stated, *"Oh no."* Sergeant Seaman advised he has read the General Order 1.18, Public Recording of Police Activities; Sergeant Seaman recalled receiving emails pertaining to General Order 1.18 as well.

Sergeant Seaman didn't recall Deputy Hudson telling the female she wasn't given permission to record them. Sergeant Seaman was asked if he believes the female needed their permission to record, he stated, *"Oh no, no."* He agreed what Deputy Hudson said to the female was inaccurate as well.

Sergeant Seaman explained that after the YouTube video came out he talked to Deputy Patsch, but he didn't know Deputy Hudson had talked to the female. Sergeant Seaman advised he told Patsch, *"It was just a normal call. The video came out though and we came back to work and I asked, I looked right at him I said, 'Really you had to tell her it was a felony?' You know joking around about it."* Sergeant Seaman advised Deputy Patsch then told him he lied to the female, and informed him he was aware of the General Order 1.18. Sergeant Seaman advised Deputy Patsch

also informed him that the female is a habitual problem and she's always videoing; he advised he told Deputy Patsch in the future they won't be doing that (giving false information). Sergeant Seaman did not provide any further education, he advised they were well aware of the General Order 1.18; he has since been moved from District-3 South.

Sergeant Seaman was asked if while on the scene, if he felt he had a good working knowledge of the General Order 1.18. Sergeant Seaman felt that he did, and also felt Deputy Patsch and Deputy Hudson had a good working knowledge on the General Order 1.18.

Sergeant Seaman advised he did not have his Body Worn Camera on, he stated, *"I was just there to talk to them briefly, see what they had and when she came around the thing I, you could see in the video I'm trying to put my mask on because she's coming around approaching me and I totally forgot."* Sergeant Seaman advised he forgot to activate his BWC, he was too busy trying to get his mask on and forgot about it.

Sergeant Seaman was asked if he feels the YouTube video reflects unfavorably on the county and Sheriff's Office, he advised it did, and stated, *"Well it made me look like an idiot. I could definitely say that with a smile."* Sergeant Seaman also advised he felt it reflects unfavorably on Deputy Patsch for giving the female false information.

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

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 (9)	Yes
Volusia County Merit System Rules and Regulations 86-453 (12)	Yes
Volusia County Merit System Rules and Regulations 86-453 (14)	Yes
Volusia County Merit System Rules and Regulations 86-453 (22)	Yes
26.2.132 Job Knowledge and Performance	No
26.2.134 Job Knowledge of Official Directives	No
26.2.135 Knowledge of Official Directives	
Re: 41.20 Body Worn Cameras Non-Emergency Response	Yes
26.2.137 Knowledge of Official Directives	No
26.2.155 Use of Equipment: BWC	Yes

26.2.160 Job Knowledge and Performance-Supervisor Responsibility**No**

In reference to Job Knowledge and Performance Supervisor Responsibility, Sergeant Seaman stated, *"Well I spoke to him briefly but I didn't really get to do anything I got moved."* Sergeant Seaman confirmed he has been provided education on General Order 1.18 in the past.

Prior to concluding the interview, Sergeant Seaman was asked if he had anything further to add, he stated, *"No, nope I pretty much screwed up on this one so yep."* (See Tab -F for Official Transcript)

EXHIBITS:

- A. Report of Investigation
- B. Administration of Oath/Perjury Warning/Garrity Warning
- C. Official Correspondence/Supervisors Inquiry
- D. Official Transcript of Deputy Andrew Hudson
- E. Official Transcript of Deputy Joshua Patsch
- F. Official Transcript of Sergeant Theodore Seaman
- G. Miscellaneous Documents
- H. Digital Media

WITNESSES:

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

Deputy Joshua Patsch
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.

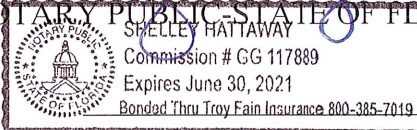
DETECTIVE: San Bla DATE: 08-31-20
Detective Burke
Internal Affairs Detective

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 Burke

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 or inactions documented in IA-20-012, I determined you violated the following Volusia County Merit System Rules and Regulations and Sheriff's Office Standards and Directives:

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

(2) Disregard for or frequent violations of county ordinances, departmental policies and regulations, including safety rules.

(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 disciplinary 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.)*

26.2.134 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)*

26.2.135 Knowledge of Official Directives - Frequent, or repeated violation of these policies, procedures and Directives shall be deemed as indicative of careless disregard by the employee.

RE: 41.20 Body Worn Cameras Non-Emergency Response

26.2.137 Knowledge of Official Directives - Subsequent violations and recurrent failure to maintain and demonstrate knowledge of Directives, rules and regulations or standard operating procedures may be cause for dismissal.

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)*

26.2.160 Job Knowledge and Performance- Supervisor Responsibility- Each supervisor shall provide guidance and training to subordinate staff for effective and efficient achievement of established goals and objectives. A supervisor has the responsibility and authority for assigning, reviewing, and monitoring activities of subordinate staff under his/her command. In addition, a supervisor shall provide clear directions to subordinates and address specific problems for completion of work assignments. The supervisor shall also ensure that assigned employees comply with applicable federal and state laws, Volusia County ordinances, and all VSO written direction as provided through Directives, Training Bulletins, policies and procedures. *(Violation subject to counseling and/or disciplinary sanctions up to and including demotion.)*

To Wit:

On July 20, 2020, a Supervisory Inquiry was initiated in reference to an incident that was video recorded by a citizen and subsequently posted on YouTube, labeled; "Sergeant Seaman intimidating a senior for recording police." The YouTube video was brought to the Sheriff Office command staff's attention, due to the fact videos of this nature typically generate an increased number of emails, calls, and public records requests.

On July 11, 2020, you were working as 1C50, you responded to a traffic stop/arrest conducted by Deputy Joshua Patsch and Deputy Andrew Hudson. Prior to you arriving on the scene, a person

was video recording deputies; Deputy Patsch informed her that video recording them without permission is a felony. When you arrived on scene, the individual then approached you and asked whether or not it was against the law to record the police while in public. You reiterated what Deputy Patsch initially told her and informed her that audio recording was illegal. The individual attempted to clarify your response, you then stated, *"Audio recording no, video recording yes."* You continued to provide inaccurate information, claiming that audio recording without your permission was illegal. The individual then requested permission to record, at which time Deputy Hudson said, *"We all don't give permission but..."* The individual cut off Deputy Hudson's sentence and replied, *"That's all I needed to know."*

Sergeant Seaman, during your interview with Internal Affairs Detectives, you advised you don't know why you told the aforementioned individual she could not legally record. You advised you are familiar with General Order 1.18, Public Recording of Police Activities, and you are aware she did not need your permission to record. Additionally, you viewed the posted YouTube video and agree that it reflects unfavorably on the County and Sheriff's Office. Furthermore, you did not activate your Body Worn Camera (BWC) at all during the entire incident. The BWC's are issued for your protection and the transparency of the agency. You are expected to use the BWC in accordance with Sheriff's Office Directives.

TS

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 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**.

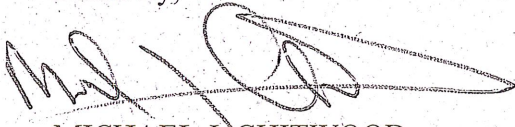
If there are any concerns or questions troubling you that I am not aware of, please advise me so that I will have the opportunity to assist you in correcting this problem.

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.

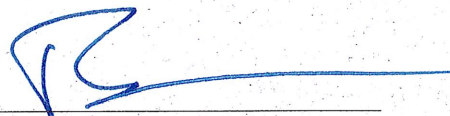
Sincerely,



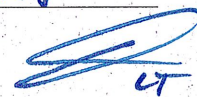
MICHAEL J. CHITWOOD
SHERIFF

cc: Human Resources
County Legal
Internal Affairs

MC/ds 040L0214.20



This letter read and received by:
Sergeant Theodore Seaman #7444
Date: 09/14/2020
Time: 1528 hrs

SERVED BY  LT SHIVERS
6042