

VOLUSIA SHERIFF'S OFFICE
INTERNAL AFFAIRS

REPORT OF INVESTIGATION

REPORT NUMBER: IA 20-014

PERIOD COVERED: June 01, 2020 – June 09, 2020

DATE REPORTED: June 02, 2020 through June 16, 2020

SUBJECT(S) NAME: Bryan Mozo #8588
Ariel Moss #9015
Kelci Schnoor #8886
Sarah Chimenti #8974
Mei Ly Castillo #9010
Robyn Godfrey #9013

INVESTIGATING OFFICER: Sergeant Brian Cobb #7550

BASIS FOR INVESTIGATION:

On June 16, 2020, a complaint was received by Chief Deputy J. Gallagher containing allegations of a hostile work environment. The allegations stemmed from a group of dispatchers participating in an offensive Facebook message thread and one dispatcher potentially retaliating for reporting the aforementioned behavior. Due to the nature of the allegations, Chief Deputy J. Gallagher initiated an internal affairs investigation.

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 86-453. *This violation 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.*

RE: (2) Disregard for or frequent violations of Federal Laws, State laws, County ordinances, VSO Standard Directives, and safety rules.

(3) Willful misuse, misappropriation, negligence or destruction of county property or conversion of county property to personal use or gain.

(9) Any conduct, on or off duty, which interferes with the effective job performance or has an adverse effect on the county, as an employer.

(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:

22.10.1 Workplace Harassment and Discrimination - *It is intended that these policies apply to all those who are directly involved in the workplace environments under the jurisdiction of the VCSO including employers, employees, contractors and volunteers. Individuals who violate departmental policy prohibiting actionable workplace sexual or same sex harassment, hostile working environment or discrimination are subject to disciplinary action.*

22.10.15 Workplace Harassment and Discrimination - *Any employee found to have committed actionable workplace sexual or same sex harassment, or having created a hostile working environment, or discrimination shall be subject to disciplinary proceedings as specified in Directives 26.1 and 26.2, up to and including dismissal.*

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.*

26.2.34 Failure to Follow Directive or Order - - *Employees shall adhere to all official Directives and/or orders, and shall faithfully execute all the duties and responsibilities of their assigned position.*

26.2.49 Rumors and Gossip - *Employees shall not engage in or convey gossip detrimental employees, the general public, County, VSO, or Office of the Sheriff. (Violation subject up to a 1 day suspension.)*

INVESTIGATION:

On June 02, 2020, at 2053 hours, Aimee Morgan [Communications Center Dispatcher] met with Joseph Pozzo [Communications Center Supervisor] regarding social media posts and a group Facebook chat which she considered inappropriate. Morgan advised she was concerned the messages could potentially incite the Communications Center and reflected negatively towards the law enforcement profession.

Throughout Morgan's meeting with Pozzo, Morgan advised the following:

Tara Coleman [Communications Center Dispatcher] confided in her about the content of the group chat. Coleman told Morgan she was uncomfortable with her association to the employees who were contributing to the group chat. Coleman was also uncomfortable with her association to the employee who hung 'Black Lives Matter' signs in the bathroom. With that information, Morgan encouraged Coleman to report the behavior to her supervisor, Joseph Pozzo.

This interview was witnessed by Claudine Boring [Assistant Director, Communication Center].

On June 03, 2020, at 0111 hours, Pozzo received three emails from Coleman. The emails contained an attachment which depicted the group chat in which Coleman was encompassed in and the identities of the employees in the chat.

It was determined there were six Volusia Sheriff's Office Communication Center employees in the chat, other than Coleman. The Facebook chat was named "Non-fucked up group c[hat]". Below is a list of the employees and their Facebook handles which was provided to Pozzo:

Sahara Chimenti – "Sahara"

Robyn Godfrey – "XxFinalGirlxX"

Mei Ly Castillo – "toilet emoji"

Ariel Moss – "Baywatch"

Kelci Schnoor – "Ash-hole"

Bryan Mozo – "chair- ub"

On June 05, 2020, Boring made contact with Coleman and advised Coleman not to discuss the content of the Facebook thread. Boring also acknowledged the fact Coleman was scared her fellow employees may retaliate against her for reporting their behavior.

This phone conversation included Pozzo and Shannon Sibley [Communication Center Supervisor] as witnesses.

On June 09, 2020, at 0345 hours, Pozzo received an email from Morgan containing a Facebook post by Bryan Mozo [Communications Center Dispatcher], which Morgan believed stemmed from her deleting Mozo from Facebook.

Later, on the same date, Boring and Christina Crane [Communications Coordinator] met with Morgan. During this meeting, Morgan provide the following additional information:

Mozo sent her unwanted text messages between June 08, 2020, at 2318 hours and June 09, 2020, at 0900 hours. These messages made Morgan feel “bullied.” The messages were provided to Boring and Crane via email.

On June 15, 2020, at approximately 1930 hours, Morgan advised she believed Mozo’s behavior was unprofessional and directed towards her in retaliation for Morgan’s role in reporting all of the previously mentioned behavior.

On June 16, 2020, Pozzo and Jessica Wagers [Communications Center Supervisor] met with Morgan. During this meeting, Morgan expressed to Pozzo and Wagers that Coleman received a phone call from Robyn Godfrey [Communications Center Dispatcher] indicating the “group” knew that Coleman provided the Command Staff with the messages. Coleman confided in Morgan that she was scared and considering turning in her resignation. Coleman told Morgan she believes this has created a hostile work environment. Morgan concurred and advised Pozzo and Wagers she now feels like Coleman and her have been targeted by fellow employees; however, Morgan did not provide details on how she has been targeted.

At the conclusion of this meeting, Pozzo drafted an email containing the information he received and forwarded it to his chain of command.

Also on June 16, 2020, at approximately 1930 hours, Reba Pogany [Communication Center Dispatcher] requested to meet with Pozzo reference concerns she had with Mozo’s behavior.

Ultimately, Boring and Crane met with Pogany. Pogany shared her concerns with Boring and Crane. Pogany stated that on various occasions throughout the Communications Center that Mozo directed the word “gross” towards her.

Pogany then authored an email regarding her concerns. This email was sent to her supervisors.

It is Pogany's belief that Mozo is upset with her for photographing Ariel Moss' [Communication Center Dispatcher] vehicle which contained the words 'I can't breathe' and '#BLM' on her back windshield. This photograph was then posted to social media.

On August 10, 2020, Sergeant Cobb was assigned this case. Sergeant Cobb thoroughly reviewed the Supervisor Inquiry and all of the included documents.

After reviewing the case in its entirety, Sergeant Cobb determined the following:

Sometime during the week of June 01, 2020, Sahara Chimenti, Robyn Godfrey, Mei Ly Castillo, Ariel Moss, Kelci Schnoor and Bryan Mozo participated in a Facebook chat, which Tara Coleman was also privy to.

The content of the Facebook chat was primarily a discussion regarding the employee's opinion on Black Lives Matter, racial inequalities and their discontent for their fellow employees and supervisors.

The chat begins with Chimenti posting a screenshot, which depicts Colin Kaepernick kneeling on the chest and neck of a police officer. The message is prefaced with the comment, "Yea I don't think Roberts pal would like what he was saying today"

This message does not seem to garnish much attention.

After a few messages, Moss begins the conversation on 'Black Lives Matter'. Below is the dialog:

Moss: *"Would I get in trouble for wearing a Black Lives Matter shirt to work"*

Godfrey: *"You shouldn't but that doesn't mean anything coming from me I guess. Who knows with that place"*

Moss: *Sends a picture of an orange shirt that reads, "BLACK LIVES MATTER" followed by, "I'ma wear it" and "fuck them and they moms"*

Chimenti: *"Marjorie has worn one I'm pretty sure"*

Moss: *"Well we gonna see today"*

Chimenti: *"Let them try to send you home for it. I'll fight."*

Castillo: *"It baffles me how people are so openly racist at our job. Like they shit OUT LOUD like they don't got people of different racist & background just sitting around them. I get that 90% of the staff there is white but fuck."*

Moss: *"places get broken into all the time."*

Godfrey: *"not like this though lol"*

Schnoor: *"yea not like this"*

Castillo: *"agreeeeeddddd"*

Schnoor: *"our walmart's are closed [laugh emoji]"*

Godfrey: *"woooooow"*

Castillo: *"I get that killing innocent people is horrible but so is everything else going on right now BECAUSE of it [crying emoji]"*

Moss: *"I don't think that"*

Moss then expresses her opinion on black owned business.

Moss: *"I don't like black owned businesses being broken into but could care less about corporations."*

Godfrey: *"I don't like any business being broken into. I mean target is gonna be fine for sure they got money... but a lot of their staff was probably scared and a lot of people were stealing just to steal, not trying to protest or anything just taking advantage of the situation."*

Moss: *"You know who else was scared. George."*

Moss then posted a picture of an internet article regarding Tulsa Oklahoma's Greenwood District from 1921, followed by:

Moss: *"Don't nobody snitch on me."* Below the text message were three photographs of 'Black Lives Matter' material attached to what appears to be a bathroom door at the Communications Center.

Additional comments are then made about actual work the employees are supposed be doing regarding a call for service in the Daytona Beach area. By the context of the messages, Sergeant Cobb believes some of the employees were currently working and some were off-duty.

Ultimately, the conversation continues when Moss states, *"Well we got in trouble for the Black Lives Matter stuff"*

Moss: *"I don't know why Mei did, She didn't do anything"*

Castillo: *"We IN THIS TOGETHER STFU [laughing emoji]"*

Chimenti: *"Lmao what happened, I will fight all of them."*

Godfrey: *"Ya what happened?"*

Mozo: *"They checked back at the camera footage?"*

Moss: *"Mei can explain it best because I kind of zone out and it's OK"*

Castillo: *"Honestly I don't know 0.0"*

Godfrey: *"well someone's got know"*

The conversation leads to Moss, Chimenti and Castillo providing cliff notes of what the supervisors discussed with the employees.

Moss then states, *"I can't remember Word for Word everything he said to us because I zoned out and didn't listen all the time so he will fuck what they said."*

Godfrey sends an audio file and then mocks her supervisor, presumably. Godfrey goes onto to state, *"and Ariel's [Moss] just like [straight face emoji] && imm like [smiley emoji] mhm okay yeah yeah but neither of us apologized obviously"*.

Moss: *"Correct"*

Godfrey: *"Or job is to help anyone regardless of color, orientation, citizen, Leo. Sooooo"*

Castillo: *"It was mainly Tom just talking joe was in the back like [straight face emoji]"*

Chimenti: *"Blue lives matter is a bias. They can fuck off."*

Moss: *"Right"*

Castillo: *"I'm surprised they didn't have a girl go in"*

Chimenti: *“Let’s start a petition to ban blue lives BS lmao”*

Castillo: *“Like Jessica and Tom or something”*

Moss: *“So u think Walmart will let me in”*

Castillo: *“and get in more trouble”*

Godfrey: *“So now it’s like ??? “Chain of command has been notified” so now you wait? For what”*

Moss: *“Even tho it’s senior hour”*

Castillo: *“&& yes I do [laugh emoji x3]”*

The messages continue back and forth about what is going to happen next and Moss notes if there is a, *“sit down talk it will be a discussion, a big one bc I’m not gonna let them tell me it’d wrong”*

They discuss whether the response would have been different if the signs said “blue lives matter” or “all lives matter”

Moss: *“the[y] would have aloud it, it’s all over the building. That’s what that blue line means.”*

Moss presumably meant “allowed” it because Sergeant Cobb does not believe the Communications Center plays any audio files over the floor in support of “blue lives matter” or “all lives matter”

Castillo: posts a picture of a ‘Black Lives Matter’ symbol painted on the back of a person’s head with the caption, *“Mei fucked up”*

Mozo and Godfrey critique the painting.

Moss: Post a screenshot defining the ‘blue lives matter’ organization with a caption, *“it’s a political stance”*

Moss then authors cliff notes of her opinion and what she was told by supervisors. To conclude the message thread, Moss posted a screenshot of Volusia County Merit Rule 86-453. This Merit Rule references conducting unbecoming of a Volusia County employee and political activity violations.

Throughout the group chat, Mozo’s contribution was minimal.

These messages, in their entirety, were preserved as evidence. *(See tab – R for messages)*

After reviewing the Facebook message thread, Sergeant Cobb reviewed the Facebook post directed at Morgan by Mozo.

Sergeant Cobb observed the post was captured on June 09, 2020, at 0122 hours, and the post was 23 minutes old.

Sergeant Cobb noted the post was in the format of a meme. The meme said the following:

“Petty ass Bryan is out in full force tonight [upside down emoji].

To be fair I wasn’t the first to be petty but I am the one that’s going to make people regret being petty first.”

The meme was a medium blue color with cake and fork animations on it.

This Facebook post was saved as evidence. *(see tab – S for Facebook post)*

Sergeant Cobb then reviewed the text messages sent from Mozo to Morgan on or about June 16, 2020.

Sergeant Cobb observed the screenshot of the text message showed the phone number 321-750-6203 and saved as "Bryan."

Sergeant Cobb observed the following text message conversation:

Mozo: *"Why did you delete me on Facebook?"*

Morgan: *"I deleted everyone from work on Facebook... Caryn said she did it a few days ago... so I figured maybe I should too. She said it was smart to do right now with everything going on."*

Mozo: sends Morgan a screenshot of her Facebook page with the caption, *"What about all these work people?"*

Morgan: *"Opps... missed some...thanks.... I'll be deleting them too."*

Mozo: *"Still forgot one with a screenshot of Morgan's Facebook again."*

Mozo: *"So did you actually want to tell me why deleted me or you still want to use the bullshit work lie? Because I would actually like to know what I did to be deleted and then you cry half the night and Kanaby think it's something that I started."*

Mozo: *"Well I guess that's my answers, have fun being just another bitchy dispatcher clone of all the people you used to complain about and now became. Once Reba is done with you don't come crying to me because I'm done with it. I don't need friends in my life like you."*

The text messages provided were saved as evidence. (See tab – T for text message to Coleman)

On August 11, 2020, Sergeant Cobb concluded his review of the Facebook message thread, Morgan and Mozo's text messages and the Facebook post, posted by Mozo.

On August 13, 2020, at 1645 hours, Sergeant Cobb obtained all eight employees' schedule and hours for the period of June 01, 2020 to June 09, 2020. Below is a synopsis:

	June 1	June 2	June 3	June 4	June 5	June 6	June 7	June 8	June 9
Moss	6p-6a	6p-6a	Off	6p-5a	6p-6:15a	6p-6:10a	6p-6:10a	Off	6p-5a
Godfrey	Off/PL	Off/PL	Off/PL	Off/PL	Off/PL	Off/PL	Off/PL	6p-6:10a	6p-6:10a
Mozo	Off	6p-6a	Off	6p-6:10a	Off	Off	6p-8p	6p-6:10a	6p-6:10a
Castillo	6p-6a	6p-6a	Off	Off	6p-6:15a	6p-6:10a	6p-6:10a	Off	Off
Chimenti	7a-8:25a	7a-7p	Off	6a-6p	7a-7p	7a-7p	7a-7p	6a-6p	Off
Coleman	Off	Off	Off	6p-6:10a	6p-8p	Off	Off	6p-6:10a	6p-6:10a
Morgan	Off	6p-3a	6p-6:10a	6p-6:10a	6p-11p	6p-5a	Off	6p-6:10a	6p-6:10a
Pogany	6p-1a	6p-6a	6p-6:10a	6p-6:10a	6p-5a	6p-6a	Off	6p-6:10a	6p-6:10a

Based on Sergeant Cobb's findings, five Notice of Internal Investigation memos were drafted for Chimenti, Castillo, Godfrey, Moss and Mozo.

Sergeant Cobb contacted Clare Smith [Communications Center Coordinator] and determined all five employees could be contacted at the Volusia Sheriff's Office Communication Center on August 13, 2020 and August 14, 2020.

On August 14, 2020, at 0500, Sergeant Cobb met with Moss at the Volusia Sheriff's Office Communications Center.

Sergeant Cobb advised Moss she was being served with a Notice of Internal Investigation. Moss signed, dated and time stamped the Notice of Internal Investigation. The service was witnessed by Teddy Griffin. *(See tab - B for official correspondence)*

On the same date and time, Sergeant Cobb met with Godfrey at the Volusia Sheriff's Office Communications Center.

Sergeant Cobb advised Godfrey she was being served with a Notice of Internal Investigation. Godfrey signed, dated and time stamped the Notice of Internal Investigation. The service was witnessed by Teddy Griffin. *(See tab – B for official correspondence)*

On August 14, 2020, at 0900 hours, Sergeant Cobb met with Mozo at the Volusia Sheriff's Office Communications Center.

Sergeant Cobb advised Mozo he was being served with a Notice of Internal Investigation. Mozo signed, dated and time stamped the Notice of Internal Investigation. The service was witnessed by Clare Smith. *(See tab - B for official correspondence)*

On the same date and time, Sergeant Cobb met with Chimenti at the Volusia Sheriff's Office Communications Center.

Sergeant Cobb advised Chimenti she was being served with a Notice of Internal Investigation. Chimenti signed, dated and time stamped the Notice of Internal Investigation. The service was witnessed by Clare Smith. *(See tab – B for official correspondence)*

Christina Crane Interview

On August 14, 2020, at approximately 0851 hours, Sergeant Cobb conducted an interview with Christina Crane. The interview took place at the Volusia Sheriff's Office Communication Center. Crane raised her right hand and was sworn in by Sergeant Cobb. Below is a synopsis of the interview:

On or about June 01, 2020, the women's bathroom stall doors were defaced with various George Floyd and Black Lives Matter material. Upon review of the surveillance footage from the communications floor, it was determined that Ariel Moss and Mei Ly Castillo printed off the material from their work computer, then surreptitiously brought the items to the women's locker room and hung them on the inside of the bathroom stall doors.

Based on the video, it was determined this was done while on duty.

On the days following, a group chat was participated in by all five of the previous mentioned employees and witnessed by Tara Coleman. The group chat was identified as the same group chat Sergeant Cobb previously reviewed.

Aimee Morgan was the first to come forward with the group chat content after Coleman confided in her about the material contained in the chat. Shortly after, Coleman came forward and provided all of the material she had.

Crane and Claudine Boring had multiple meetings with Morgan, Coleman, Pogany and their supervisors. During these meetings, all of the concerns previously discussed in this report were corroborated by Crane.

Crane advised she authored the Supervisor Inquiry on Bryan Mozo after being directed to do so.

An additional inquiry was completed documenting the actions of Moss and Castillo in reference to the bathroom incident.

The interview was audio recorded in its entirety and saved as evidence. *(See tab – E for complete transcript)*

Claudine Boring Interview

On August 14, 2020, at 0924 hours, Sergeant Cobb conducted an interview with Claudine Boring. The interview took place at the Volusia Sheriff's Office Communication Center. Boring raised her right hand and was sworn in by Sergeant Cobb. Below is a synopsis of the interview:

On or about May 31, 2020, Lieutenant Ihnken brought a Facebook post to the attention of Teddy Griffin regarding a comment made by a dispatcher about an upcoming protest march in Port Orange. This post was not interrupted as malice and Griffin spoke with the employee.

On or about June 01, 2020, Ariel Moss and Mei Ly Castillo hung various posters that depicted a Black Lives Matter fist, along with other material associated with people and groups protesting in the United States of America in the name of police brutality and social injustices. Moss and Castillo were captured on the Communications Center video surveillance, which depicted them in the act of looking up the material on a county owned computer, placing the material under her clothing and subsequently walking towards the women's locker room.

With that, a meeting was called with Pozzo, Boring and Castillo. Castillo was characterized as being understanding and cooperative.

A subsequent meeting with Pozzo, Boring and Moss was characterized in the contrary:

"The minute she came in, she had a definite chip on her shoulder. I had a feeling this was going to go south. I went out of my way to not escalate this at all; because I felt that it had that vibe. She was not receptive, I am looking at what I have here, we tried asking her, what is going on? She was making reference to just "everything in the world". I said okay. So tell me about the signs. You understand there is a directive and that everyone is entitled to feel however you want

but you cannot engage in that at work. She [Moss] said she just didn't see anything wrong with it"

Moss went onto to tell both supervisors that not only did she not see anything wrong with her behavior but in fact, she had attempted to shave the Black Lives Matter fist into the back of her head; however, it was an *"epic fail"*. Boring was met with resistance from Moss:

"Well everything blue line is plastered all over here and that's okay."

Moss was emotional through the meeting, even stating that she hates the world. She continued to speak about the George Floyd incident and became visibly upset. Boring became concerned and verified that nothing at the Communications Center had caused this behavior. Moss gave vague and unverifiable statements about comments made in the Communications Center regarding the George Floyd incident. Ultimately, Moss did not provide any information that led Boring to believe Moss was the subject of any wrongdoing by other employees.

At the conclusion of the interview, the attendees had the feeling Moss recorded their meeting. Boring described it as such:

"When she got up and left the room, it was very odd. She had a sweat shirt on, big sleeves. Tom was sitting here, I was here and Joe was here, when she got up to leave she was kinda [mimics someone pulling her sleeves down over her hands]. When she walks out, we all look at each other and say I think we were being recorded. I said that was very strange how she was holding her, I didn't tell her make sure she did not have her phone. Somethings telling me that we were being recorded, they were all in unison and said yeah, something didn't seem right."

Ultimately, Boring could not say for certain if she and her coworkers were recorded by Moss.

Throughout the week of June 01 to June 05, 2020, Boring became aware of the "Non fucked up group c[hat]" and the comments therein. They were unprofessional and were derogatory towards the supervisors at the Communications Center.

On June 08, 2020, Moss contacted supervisors to complain that someone posted a photograph of her vehicle from the parking lot. She thought Pogany posted the photograph and she was upset that her car was targeted on social media.

On June 09, 2020, Morgan comes forward and makes the supervisors aware of a Facebook comment directed at her by Mozo. Mozo is upset he was deleted by Morgan on Facebook and sends her unwanted text messages regarding his discontent with being deleted. Mozo was working at the Communications Center with Morgan when he posted the Facebook messages.

June 10, 2020, Boring was awaiting direction from Director Soukup on how to move forward with the Supervisor Inquiries.

Soukup arranged to meet with all of the involved employees in pairs with the exception of Coleman. Boring was not included in the meetings.

Boring asked if Coleman could be called in as a formality to protect her; however, this was not done.

Boring could not say with 100 percent certainty if she had told the subjects of this internal affairs investigation if they were to keep the information discussed as confidential. Boring typically provided that statement during inquiry type meetings; however, due to the controversial topic being discussed she was caught off guard. Due to this, she cannot say if she put them on notice not to discuss the contents of the meeting with others.

On June 16, 2020, Boring authored an email to Coleman indicating she was appreciative of her bringing the information forward and that they would not single her out.

A Supervisor Inquiry was authored by Crane on June 16, 2020. It was forwarded through the chain of command. An additional Supervisor Inquiry had also been conducted on the bathroom incident and forwarded through the chain of command.

To conclude the interview, Sergeant Cobb asked Boring if she felt, with her knowledge and experience, that she believes all of the subject employees violated the following directives and merit rules:

“I definitely think they violate, umm, having this dialog on social media platform, in a chat room, they all signed a social media policy when I started. In the very beginning I honestly thought these two girls were very young and just not very worldly and that there was not any malice. Yes they violated but I did not believe initially there was malice. Everything I was feeling in my gut when we were talking to them, slapped me right in the face with this activity on the chatroom, I was horrified!

“Ah Yes, yes I definitely do. Brian Mozo, definitely, out of one, engaging in text messaging activity on our time in our room, even if he was off, but he did that on duty and um Yes, definitely.

Robyn, umm, calling her, calling Tara and questioning her about the director having the stack, hmmm... I don't think that Robyn intended malice with that phone call but was more or less questioning, like what the hell?

Mei Ly, follower, she is a follower.

Moss, somethings not right, we could tell that right away.

Chimenti, she seemed to be one of the worst in the chatroom. She is not assigned to me, I do not know her that well but I was taken by surprise by some of the main instigators especially after they made the complaint about Gustavo and Robert that wasn't handled on my rotation.”

The interview was recorded in its entirety and saved as evidence. (See tab – F for complete transcript)

Jim Soukup Interview

On August 14, 2020, at 1101 hours, Sergeant Cobb conducted an interview with Jim Soukup [Communication Center Director]. The interview took place at the Volusia Sheriff's Office Communication Center. Soukup raised his right hand and was sworn in by Sergeant Cobb. Below is a synopsis of the interview:

After the inquiry was completed, Moss, Castillo, Schnoor, Chimenti and Godfrey were all summoned to Director Soukup's office. During the subsequent meeting, all three females were advised their behavior was serious and had serious repercussions.

Moss and Castillo used county property to further press their opinions upon others. Only one of the subjects was remorseful; however, Soukup did not know her name.

Moss and Castillo were describe as defiant and portrayed an attitude toward the situation that led Director Soukup to believe their thoughts were:

"...almost like I dare you to do something to me, have something come down on me."

The conversation was geared towards educating the employees about their on and off duty behavior and not discipline driven.

At no time were any of the employees given a direct order not to discuss the case with others.

The interview was recorded in its entirety and saved as evidence. *(See tab - G for complete transcript)*

Tara Coleman Interview

On August 17, 2020, at 1406 hours, Sergeant Cobb conducted an interview with Tara Coleman. The interview took place at the Volusia Sheriff's Office Administration Building. Coleman raised her right hand and was sworn in by Sergeant Cobb. Below is a synopsis of the interview:

Coleman was included in the "non fucked up group c[hat] but did not participate in the messaging. The chat began with the screenshot of Colin Kaepernick kneeling on a police officer's neck and chest (animated photo).

The chat was identified by Coleman and all of the handles were identified by Coleman. Coleman's identification of the Facebook handles corroborated the previous identification of the messenger participants.

Coleman clarified the context of the group messages stating they were directed at the supervisors and meant to create controversy within the Communications Center.

The rest of the group message was summarized up to the audio recordings that are observed in the message. Coleman advised the audio is Mei telling the story after speaking with supervisors and not an audio recording of the meeting.

The group message occurred over the course of roughly three days.

After that, she observed a post on Facebook where Mozo says something about using county property.

At that time, Coleman confided in Morgan about the content of the messages and ultimately turned the messages over to supervisors.

Coleman was concerned about the content of the messages and her association with the involved employees. Her concerns were stemmed from being a county employee and them having such

strong feeling against their employer. Coleman believed the subject employees intentions were to antagonize supervisors and could possibly effect the performance of their duties.

Coleman continued to reiterate the same information she had previously provided to Boring in regards to the group messaging. Sergeant Cobb determine all of the information Coleman was providing matched her previous statements given to Boring.

After Director Soukup called a meeting with the employees, Coleman received a message from Mozo. The message stated the following:

“Guess we know why you didn’t have a meeting. Just fyi Robyn might not be totally done with you but the rest of us are.”

Coleman advised she interpreted the message as:

“...they were really mad at me and were never going to speak to me again”

At no point did Coleman tell Mozo, or any other employees, how their behavior was affecting her.

Currently, Coleman avoids Mozo and the other employees while at work.

At approximately the 21 minute mark, Sergeant Cobb asked Coleman if Moss hates law enforcement. Coleman stated, she does not know if she hates law enforcement or if it would impede her ability to do her job but Moss has very strong feelings and opinions.

It should be noted, Coleman was not able to say, “No, Moss does not hate law enforcement”.

Coleman did not believe the Communications Center handled her complaint efficiently or effectively. Coleman advised that by turning over the messages it actually made her life worse at

work. She confirmed she was mentally scared to come to work and she confirmed she authored an email to Boring stating the following:

“Hi,

I just wanted to email you and express my concern: when we talked on the phone the other day in the meeting I was told that they wouldn't find out that I shared the conversation with you guys and told that they weren't going to be shown the screenshots. Today a few of the people from the group had a meeting with the director and he showed them the screenshots and they now know they came from me. I honestly done what to do since these were my friends and coworkers. It will create a hostile, stressful and uncomfortable work environment for me. I'm not going to lie I'm very stressed out about having to come back to work on Wednesday and don't know how things will be. It was a very hard decision to turn that information in and I felt better when you told me that they were going to be shown the screenshots and to find out that in fact the director gave them the stack of screenshots to look at during the meeting has me concerned. My understanding was that the information was going to be sent to IA. I thought I was going the right thing sharing that information with you.

Thank you,

Tara”

That email was sent on June 15, 2020, at 2108 hours, to Claudine Boring and Joseph Pozzo.

It is clear the entire incident was causing significant mental and emotional distress to Coleman. Coleman characterized the subject employees as bullies. She stated she had not been bullied by them but has witnessed the group behave in ways that makes others feel uncomfortable.

Coleman noted, she did not quit because she has kids and needs her job. She is no longer in fear while coming to work and there is nothing currently causing her emotional distress at the Communications Center.

Towards the conclusion of the interview, Coleman was asked how she would like to see this issue resolved. Coleman indicated she did not want to see anyone lose their jobs but she turned in the messages because she felt like it was the right thing to do.

The last topic covered was the audio files contained in the group message. Sergeant Cobb listened to all of the files Coleman had at her disposal. Each file contained Castillo narrating what occurred during the posting of Black Lives Matter material in the bathroom and the meeting they had with supervisors. Nothing in the files led Sergeant Cobb to believe the meeting was recorded.

The interview was recorded in its entirety and saved as evidence. *(See tab - H for complete transcript)*

Aimee Morgan Interview

On August 17, 2020, at 1505 hours, Sergeant Cobb conducted an interview with Aimee Morgan. The interview took place at the Volusia Sheriff's Office Administration Building. Morgan raised her right hand and was sworn in by Sergeant Cobb. Below is a synopsis of the interview:

Morgan is friends with Pogany and Coleman and was friends with, or at least friendly with, Mozo, Godfrey, Castillo, Chimenti and Moss.

Morgan became aware of the content of the group chat when Coleman told her about the Black Lives Matter postings in the bathroom. Coleman confided in her about what happened while Morgan was not at work. She was told the group was very upset about it and what else was being discussed in the chat.

Morgan was told Moss and Castillo were upset over being talked to about putting up the material in the bathroom and being told not to discuss it with anyone.

Coleman brought this to Morgan's attention because she was concerned about how the others were reacting to the information Moss was writing. Furthermore, Coleman advised Morgan she believed

the group was behaving this way in an attempt to antagonize supervisors and turn this into a major workplace issue.

This caused Morgan to have great concern over the behavior being conveyed to her. Morgan brought the information, in very general terms, to Pozzo and got his opinion on the topic. Morgan did this because she wanted to make sure she was not being over dramatic. Pozzo told Morgan to encourage Coleman to bring these messages forward to command staff.

Coleman was significantly concerned that she may get in trouble for being associated with the group messages, which caused a delay in reporting.

Morgan corroborated Coleman's characterization of the group as bullies.

Morgan provided examples where Chimenti and Schnoor accused someone of being racist. Morgan went onto to provide a second example of where Mozo bullies his personal friends on Facebook and that caused great concern for Coleman.

Morgan continued to state, the issues with Mozo stems from a photograph of Moss' vehicle that was posted on social media. This post evolved into Mozo reposting the photograph and commenting on it. Morgan got tired of constantly being bombarded on her personal Facebook account with the social injustice topic. With that, Morgan blocked most of her coworkers on Facebook, minus Coleman.

The following text messages were sent from Mozo's phone directed at Morgan:

Mozo: *"Why did you delete me on Facebook?"*

Morgan: *"I deleted everyone from work on facebook....Caryn said she did it a few days ago....so I figured maybe I should too. She said it was smart to do right now with everything going on."*

Mozo: *“Screenshot of Morgan’s Facebook page depicting Kelci Schnoor, Alecia Kanaby, Tara Coleman, Katie Teske, Stacy Riney and Pam Sanders still be mutual friends.”*

Mozo: *“what about all these work people?”*

Morgan: *“Opps... missed some... thans... I’ll be deleting them too.”*

Mozo: *“Screenshot of Morgan’s Facebook page still depicting one mutual friend, Tara Coleman.”*

Mozo: *“Still forgot one”*

Mozo: *“So did you actually want to tell me why you deleted me or you still want to use the bullshit work lie? Because I would actually like to know what I did to be deleted and then you cry half the night and Kanaby think it’s something I started?”*

Mozo: *“Well I guess that’s my answer, have fun being just another bitchy dispatcher clone of all the people you used to complain about and now became. Once Reba is done with you don’t come crying to me because I’m done with it. I don’t need friends in my life like you.”*

Morgan does not respond to any of the messages after Mozo became adversarial.

Morgan made it known to Mozo that his behavior is not acceptable. Morgan provided an example of when Mozo “called out” another female friend on Facebook to embarrass her. At that time, Morgan stated the following to Mozo:

“I made it clear way back, if you ever do this to me, I do not tolerate that at all.”

Morgan was unable to say how many times she warned Mozo about his Facebook content.

On June 09, 2020, Morgan went to lunch. When she returned Alicia Kanaby showed Morgan a Facebook post created by Mozo.

Morgan read the post which upset her significantly. Morgan did not say anything to Mozo while at work. Morgan reported it to Pozzo and Wagers. As Morgan walked toward Pozzo, Mozo made a grunting, sarcastic noise in what was perceived as an attempt to bully Morgan.

The Facebook message posted by Mozo said:

“Petty ass Bryan is out in full force tonight [upside down emoji]

To be fair I wasn’t the first to be petty but I am the one that’s going to make people regret being petty first.”

The second post said:

“When people delete you because they sent something to a Facebook meme page and you share it”

Morgan believes both of these post were direct at her because of her and Mozo’s text message conversation and the post of Moss’s car on Morgan’s Facebook page.

Morgan’s breaking point was when Mozo said he was going to stand behind Morgan in one of her meetings with the supervisors. Morgan took this as an intimidation factor. Although Mozo never did it, Morgan did have to walk to and from the facility parking lot with friends so as not to risk being confronted by Mozo.

At this point, Morgan is questioning whether she did the right thing by bringing this material to the command staff. Morgan felt like the only thing that came of her bringing the topics to her supervisor’s attention was that she and Coleman’s work life became miserable.

Morgan heard the group of subject’s gossiping about how Coleman provided the messages to the chain of command.

Sergeant Cobb presented the question of how Morgan would like to see this investigation concluded. Morgan was unable to provide a plausible answer. It was Sergeant Cobb's belief that she was not able to provide an answer because she was overwhelmed with the question.

Morgan expressed to Sergeant Cobb her primary issue is with the groups low regard for law enforcement. Morgan identified Moss as the primary antagonist in the group and Mozo as the second. Morgan indicated to Sergeant Cobb the Moss hates law enforcement. Morgan did not waiver on this answer in the slightest. Morgan believed Moss' level of hatred for law enforcement would most definitely impede her ability to her job. Morgan attempted to provide an example of when Moss manipulated data from a call she received so as to make it sound more or less derogatory towards a black person. Morgan was unable to provide the exact call or any other information that would assist in locating the call and the comment, but it caused her great concern for the safety of law enforcement.

The interview was recorded in its entirety and saved as evidence. *(See tab - I for complete transcript)*

Reba Pogany Interview

On August 17, 2020, at 1551 hours, Sergeant Cobb conducted an interview with Reba Pogany. The interview took place at the Volusia Sheriff's Office Administration Building. Pogany raised her right hand and was sworn in by Sergeant Cobb. Below is a synopsis of the interview:

Pogany was familiar with the women's bathroom material put on the stall doors. Pogany did not have any intimate knowledge of the content of the group message. She only knew her name was brought up in a social media chat. She brought that to her supervisors just to make them aware.

Pogany corroborated her email she sent to Crane and Boring. Pogany reiterated that that Mozo directed the word "gross" towards her on both June 10 and June 16, 2020, because of his belief

she took the photograph of Moss' vehicle. Both of these incidents occurred while she was at work and Pogany indicated that she was not going to tolerate the bullying behavior.

The interview was recorded in its entirety and saved as evidence. *(See tab – J for complete transcript)*

On August 18, 2020, Sergeant Cobb gathered a document title "SOCIAL MEDIA POLICY" from Volusia County Human Resources.

In this policy, it is made impeccably clear that the Merit Rules apply to your activities online. One paragraph in particular, defines what the First Amendment allows an employee to participate in the public sector. The definition is as follows:

"The First Amendment does not require a public employer to tolerate and embarrassing, vulgar, vituperative, ad hominem attack, even if such an attack touch on the matter of public concern. If the manner and content of the employee's speech is disrespectful, demeaning, rude and insulting, and is perceived that way in the workplace, the government employer is within its discretion to take disciplinary action. Examples of such conduct might include defamatory post directed at officials, employees, contractors or vendors of the county; or post that could contribute to a hostile work environment on the basis of race, age, gender national origin, color disability, religion or any other status protect by federal, state or local law or county policy."

On the second page of the document, there is a paragraph that states:

"You are not allowed to use social media while working time or while using county owned equipment unless it is work-related as authorized by your supervisor, or other member of management; or consistent with the Electronic Communications Policy."

And finally, the document encourages employees to report violations of this policy and notates that retaliation for the reporting process is subject to disciplinary action, up to and including immediate termination.

Sergeant Cobb reviewed all of the forms he was provided and determined the following:

Brian Mozo signed the document acknowledging his understanding of the content on June 18, 2016.

Robyn Godfrey signed the document acknowledging her understanding of the content on January 22, 2019.

Ariel Moss signed the document acknowledging her understanding of the content on January 22, 2019.

Sarah Chimenti signed the document acknowledging her understanding of the content on October 22, 2018.

Mei Ly Castillo signed the document acknowledging her understanding of the content on January 22, 2019.

Later on August 18, 2020, Sergeant Cobb reviewed video surveillance from the inside of the Volusia Sheriff's Office Communications Center.

Sergeant Cobb observed the following:

Moss and Castillo use their County owned work computer to use what appears to be a search engine to find a symbol associated with the Black Lives Matter organization. The images are then printed and retrieved by Moss. Moss manipulates the images by cutting them into smaller pieces and places them in her pants. After concealing the material in her pants, Moss and Castillo walk towards the women's bathroom.

The video made it overtly obvious Moss and Castillo knew what they were doing was not professional, not acceptable and a violation of policy and procedure.

On August 18, 2020, Sergeant Cobb obtained the internet search histories for Moss and Castillo. It was determined that Moss visits Bing.com regularly but Sergeant Cobb was not able to capture what she searched for.

However, Sergeant Cobb observed both Moss and Castillo used a search engine to search for images related to the Black Lives Matter organization on June 2, 2020; from a County owned computer while on duty.

Based on the aforementioned statements and the evidence presented to this point, Sergeant Cobb determined the following:

On or about June 01, 2020 through June 15, 2020, there was controversy within the Volusia Sheriff's Office Communications Center regarding a photograph taken of Moss' vehicle containing "BLM", "I CAN'T BREATHE" and a Sheriff's Office badge insignia. This was followed by Moss, Godfrey, Castillo, Chimenti and Mozo partaking in a conversation in a group chat, which puts Moss' hatred and discontent for law enforcement, and her supervisors, on display. Upset over various current events, social media posts and other perceived injustices, Moss and Castillo utilized Volusia Sheriff's Office time and equipment to search, print and ultimately deface the women's bathroom stalls with Black Lives Matter and George Floyd related material. This action was accomplished by Moss and Castillo through the use of secrecy and furtiveness; all while on duty at the Communications Center. Their actions were captured on the Communications Center surveillance cameras, as was the use of computer and printer. After being confronted on this behavior, Moss was deceitful in her knowledge of right and wrong when speaking to Assistant Director Boring. Moss then conveyed her disregard for her supervisors in the group chat.

Castillo, Chimenti and Godfrey went onto make derogatory statements intended to foment such controversy that it ultimately creates a toxic work environment. Based off emails and the content of group chat, it was determined Castillo and Moss partook in the derogatory group message, a minimum, partially while on duty at the Communications Center. This was determined by analyzing an email sent by Boring on June 03, 2020, at 0353 hours, to Soukup indicating Moss

and Castillo were contacted in regards to the material posted on the bathroom stalls. This was during a scheduled shift for Moss and Castillo. The group chat appeared to be updated in real time post meeting, which was prior to 0600 hours on June 03, 2020. The remaining portion of the messages from Moss likely occurred on her of duty time; however, the messages appear to only serve one purpose and that is to come to work on her next work day wearing such attire as to antagonize a confrontation encounter with her immediate supervisors.

As the days progress, Morgan and Coleman become increasingly concerned for their mental well-being because they believe the group to be “bullies” and by this time, the group knows Coleman turned in the messages. Morgan then deletes Mozo from her Facebook page which solicits unwanted criticism from Mozo directed at Morgan. When Morgan ignores the messages Mozo takes to Facebook to publically degrade Morgan for her deleting him from her Facebook friends list. This too, was done on duty. Mozo’s discontent for Morgan and the situation is then turned to Pogany who is called ‘gross’ in the gathering areas of the Communications Center by Mozo. This is done on two different occasions by Mozo. All of this behavior, in its totality, required Morgan, Coleman and Pogany to either fear their time at work, alter their behavior at work or simply made their workplace uncomfortable. All of this was done with the knowledge their social media activity on or off duty is able to be scrutinized by the government so long as they are employed by the government.

On August 20, 2020, Sergeant Cobb sent emails to Moss, Godfrey, Chimenti, Castillo and Mozo in regards to scheduling interviews. Sergeant Cobb requested to conduct the interviews at the TKC Administration Building on August 31st, September 1st and September 2nd, respectively.

Robyn Godfrey Interview

On August 31, 2020, at 0944, Sergeant Cobb conducted an interview with Robyn Godfrey. The interview took place at the Volusia Sheriff’s Office Administration Building. Godfrey raised her right hand and was sworn in by Sergeant Cobb.

Prior to the interview taking place, Sergeant Cobb provided Godfrey with the case file for IA 20-014, which contained all of the evidence collected leading up to the subject interviews. Secondly, Sergeant Cobb provided Godfrey with her employee rights outlined by the Volusia Sheriff's Office "Advisement of Rights For Disciplinary Interview Garrity Warning" form. Godfrey signed and dated the form. The form was witnessed by Sergeant Cobb and Lieutenant Shivers. Also, prior to the interview, Godfrey was advised the interview would be audio recorded.

Below is a synopsis of the interview:

Godfrey has worked at the Volusia Sheriff's Office since January 20, 2019. Godfrey has worked at the Volusia Sheriff's Office Communication Center for the duration of her employment with Volusia County.

Godfrey signed a social media policy upon her being hired by Volusia County in January of 2019. In part, the document signed states that private comments may become public and shared in a public domain. The document also states postings are a form of your first amendment expression but when you enter into government service you must accept limitations on your freedom. Godfrey acknowledged this information by signing the form on January 22, 2019. *(See tab Q for social media policy)*

Godfrey advised she was on vacation the week of June 1, 2020 through June 07, 2020, and did not participate in the hanging of 'Black Lives Matter' material in the women's bathroom. A check of Godfrey's schedule shows she was in fact off during this time period.

Godfrey was included in the 'non fucked up group c[hat]' and she advised her name in the chat was XxfinalgirlxX. Godfrey described the chat as a place to vent that was not intended to be made public. She did not know it made Coleman uncomfortable and had no idea Coleman turned in the messages to Communications Center supervisors.

Sergeant Cobb asked Godfrey if everyone in the group hated law enforcement or held law enforcement in a low regard, due to current events. The following is her response and follow up questions:

Godfrey: *"I mean it's all, it's all the same pretty much for most of us what we've seen. Just it's hard when you are closer to somebody who is like a person of color and you have to first hand see what they're going through. Because again not all cops are the same but most of the time when they're being pulled over and you're there with them or you're hearing about it and all these like when you're seeing it first hand and you're close with these people it starts to show you things in a different light. There's a lot of people who don't have any black friends or any, any negative experiences and they see these posts and they're like no that's like a one off but it's not a one off it happens a lot so that's, that's kind of..."*

Sgt. Cobb: *"So would you say that everybody that is in your group all holds law enforcement in a low regard to include yourself?"*

Godfrey: *"I would say so, yeah."*

Sgt. Cobb: *"Ok and you, when you say yes to that even you do is that law enforcement in its totality like law enforcement across the country or just what you see day in and day out? Do you just hold our local law enforcement in low regard?"*

Godfrey: *"Oh no most the time it's not when we're talking it's not in reference to our local law enforcement it's in reference to what's pulling us into is all all these big cases everything that keeps happening. Almost every week you see a new unarmed black man shot. I mean in my experience we haven't had anything similar or close to that happen here recently in Volusia County so specifically Volusia County deputies have not been a part of the conversation but in general it's kind of all law enforcement."*

Sgt. Cobb: *"Well I was gonna say if it's a profession on a whole..."*

Godfrey: *“Right.”*

Sgt. Cobb: *“...I mean nothing precludes us from handling calls the same as these large cities do so that’s where I was going with that.”*

Godfrey: *“Right”*

Sgt. Cobb: *“So essentially you hold the profession in and of itself in a low regard.”*

Godfrey: *“Yeah.”*

Godfrey made it unequivocally clear she holds the law enforcement profession in low regard and voiced her opinion that the remaining subjects in the group chat felt the same as her.

Godfrey went onto state, she contacted Coleman after the meeting with Soukup to find out why the messages became public. Coleman lied to her even after Godfrey confronted her on facts. Godfrey told Coleman she loved her but was unsure how the other members of the group were going to feel about the perceived betrayal. Godfrey warned Coleman they were very upset. Godfrey reiterated to Coleman she was not mad at her but the others were.

Godfrey did not characterize Mozo, Castillo, Moss and Chimenti as bullies but did state they were very mad at her for handing over the messages and she understood why Coleman would be concerned about what they would say. Godfrey later stated Mozo is an antagonist and likely encouraged the bathroom stall behavior, whereas, Godfrey would have discouraged it.

Coleman never said the messages were offensive or that she has reservations about the content.

Godfrey acknowledged the messages, that are now public, do not look favorably on Volusia County or the Sheriff’s Office as an employer. Godfrey acknowledge the messages are not professional in nature.

Finally, Godfrey was asked if she violated the following Volusia County Merit System Rules and Regulations:

86-453 Volusia County Merit System Rules and Regulations (2)	No
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86-453 Volusia County Merit System Rules and Regulations (9)	Yes
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86-453 Volusia County Merit System Rules and Regulations (14)	Yes
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86-453 Volusia County Merit System Rules and Regulations (22)	No
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Godfrey was also asked if she violated the following Sheriff's Office Directives:

22.10.1 Workplace harassment and discrimination	No
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26.2.134 Knowledge of official directives	No
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26.2.34 Failure to obey or follow direct order	No
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26.2.49 Rumors and Gossip	Yes
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The interview was recorded in its entirety and saved as evidence. *(See tab - K for official transcripts)*

Sarah Chimenti Interview

On August 31, 2020, at 1329 hours, Sergeant Cobb conducted an interview with Sarah Chimenti. The interview took place at the Volusia Sheriff's Office Administration Building. Chimenti raised her right hand and was sworn in by Sergeant Cobb.

Prior to the interview taking place, Sergeant Cobb provided Chimenti with the case file for IA 20-014, which contained all of the evidence collected leading up to the subject interviews. Secondly, Sergeant Cobb provided Chimenti with her employee rights outlined by the Volusia Sheriff's Office "Advisement of Rights For Disciplinary Interview Garrity Warning" form. Chimenti signed and dated the form. The form was witnessed by Sergeant Cobb and Lieutenant Shivers. Also, prior to the interview, Chimenti was advised the interview would be audio recorded.

Below is a synopsis of the recorded interview:

Chimenti has been employed with the Volusia Sheriff's Office for nearly two years. Chimenti is a call taker at the Volusia Sheriff's Office Communications Center and she signed a social media policy upon her employment with Volusia County. In part, the document signed states that private comments may become public and shared in a public domain. The document also states postings are a form of your first amendment expression but when you enter into government service you must accept limitations on your freedom. Chimenti acknowledged this information by signing the form on October 22, 2018. *(See tab Q for social media policy)*

Chimenti was aware Ariel Moss and Mei Ly Castillo hung "Black Lives Matter" material in the stalls of the women's bathroom throughout the night of June 01, 2020, and into June 02, 2020. Chimenti did not participate in the creation or dissemination of the material. Chimenti found out about Moss and Castillo hanging the material through the group message title "non fucked up group c[hat]". Chimenti did not feel like the behavior she observed to be professional workplace behavior. She also did not consider it acceptable employee behavior. Chimenti confirmed her Facebook name for the chat was "Sahara". Chimenti confirms she did capture and repost a screenshot of Colin Kapaernik kneeling on a law enforcement officer's neck near his patrol car. Chimenti sent the screenshot because she felt like the person who initially posted it was making verbal contradictions to this post on the Communications Center floor. Ultimately, Chimenti advised she feels the post is inappropriate. Chimenti advised she has no hatred or discontent towards law enforcement. She feels you can be pro black lives and pro law enforcement at the same time. Chimenti took ownership in all of her derogatory comments made in the group chat. She advised they were predominantly made because she was upset with how the supervisors were

handling the various controversies at the Communications Center. Chimenti did not minimize any of her comments and explained they were all in gest, she never intended to hurt anyone. With that said, Chimenti also acknowledge they were highly inappropriate and reflect unfavorably on the Sheriff's Office and Volusia County as employers.

Chimenti advised she was a "*nervous wreck*" the day she met with Soukup regarding the messages. When asked if Soukup, or other supervisors, asked her not to discuss the contents of the meeting, Chimenti stated the following:

"I was an absolute nervous wreck the day of that meeting because I am someone that doesn't handle things like this well as far as like anxiety and things like that so I am more than sure he said that. I can't confidently say that I remember 100% without a doubt that he said it but I'm sure he did and I, we can you know continue to address it as if he did."

Prior to concluding the interview, Chimenti made the following statement regarding the content of the messages brought forward and Ariel Moss' feelings towards law enforcement:

"I think that if someone read this isolated not knowing any of us I don't think that they would feel that she was pro law enforcement no."

Chimenti went onto to state, her behavior was very "high school" and that she was not proud of, or interested in, continuing to behave in this fashion.

Finally, Chimenti was asked if she violated the following Volusia County Merit System Rules and Regulations:

86-453 Volusia County Merit System Rules and Regulations (2)	Yes
86-453 Volusia County Merit System Rules and Regulations (9)	Yes
86-453 Volusia County Merit System Rules and Regulations (14)	Yes

86-453 Volusia County Merit System Rules and Regulations (22) **Yes**

Chimenti was also asked if she violated the following Sheriff's Office Directives:

22.10.1 Workplace harassment and discrimination **Yes**

26.2.134 Knowledge of official directives **Yes**

26.2.34 Failure to obey or follow direct order **Yes**

26.2.49 Rumors and Gossip **Yes**

The interview was recorded in its entirety and saved as evidence. *(see tab - K for official transcripts)*

Bryan Mozo Interview

On September 1, 2020, at 1149 hours, Sergeant Cobb conducted an interview with Bryan Mozo. The interview took place at the Volusia Sheriff's Office Administration Building. Mozo raised his right hand and was sworn in by Sergeant Cobb.

Prior to the interview taking place, Sergeant Cobb provided Mozo with the case file for IA 20-014, which contained all of the evidence collected leading up to the subject interviews. Secondly, Sergeant Cobb provided Mozo with his employee rights outlined by the Volusia Sheriff's Office "Advisement of Rights For Disciplinary Interview Garrity Warning" form. Mozo signed and dated the form. The form was witnessed by Sergeant Cobb and Lieutenant Shivers. Also, prior to the interview, Mozo was advised the interview would be audio recorded.

Below is a synopsis of the interview:

Mozo has been employed with the Volusia Sheriff's Office for five years. Mozo is currently a call taker at the Volusia Sheriff's Office Communications Center and signed a social media policy upon his employment with Volusia County. In part, the document signed states that private comments may become public and shared in a public domain. The document also states postings are a form of your first amendment expression but when you enter into government service you must accept limitations on your freedom. Mozo acknowledged this information by signing the form on July 18, 2016. *(See tab Q for social media policy)*

Mozo indicated that Ariel Moss and Mei Ly Castillo posted the "Black Lives Matter" material in the women's bathroom in retaliation for her vehicle being photographed in the Communications Center parking lot, then posted on social media. Moss' vehicle had various "Black Lives Matter" decals on the back windshield and ultimately posted to a Daytona Beach Police Officer's page. Moss got upset that her car garnished attention and the supervisors did nothing about it, so this was her form of retaliation for not being heard. Mozo did not feel like Moss' behavior was workplace appropriate or professional.

Mozo confirmed he was participant in the "non fucked up group c[hat]" and identified his name as "Chair-up". Mozo characterized the group messages as portraying an attitude of anti-supervisor not anti-law enforcement.

Mozo only made one or two comments in the group messages and ultimately did not have a meeting with Soukup. However, after the other subjects had their meetings, Mozo was made aware of the issue. After Mozo learned of the issue he sent Tara Coleman an unsolicited text message that stated the following:

"guess we know why you didn't have a meeting. Just FYI Robyn might be totally done with you but the rest of us are."

Mozo stated he sent this because he did not want to be friends with her anymore and did not want anything to do with her. Coleman did not respond to his message.

Sometime after this message sent to Coleman, Mozo attempted to invite Aimee Morgan to an event via Facebook. When he tried to send this invite, he realized Morgan was no longer friends with him on Facebook.

After Mozo determined Morgan deleted him, he created a Facebook meme calling out Morgan for deleting him on Facebook. One of the meme's mentioned Morgan would "regret" being petty. Mozo justified his post by saying it would let people know she cannot be trusted with private information and such. These post were done on duty at the Communications Center.

Shortly after this controversy, Mozo sent Morgan an unsolicited text message asking why she deleted him. Morgan responds to him saying she deleted all her work friends. Mozo replies with a screenshot showing that Morgan still had work friends on her page. Morgan replies by saying she missed some and she was going to delete them. Mozo then screenshots her page back to her where Tara Coleman is still showing up on the "friends" section and tells Morgan that she still forgot one. Morgan never responds back to Mozo. Mozo then sends Morgan a message that states the following:

"So did you actually want to tell me why you deleted me or are you still gonna use the bullshit work line because I would actually like to know what I did to be deleted and then you cry half the night and Kanaby thinks it was something that I started. Anyways well I guess that's my answer, have fun being just another bitchy dispatcher clone of all the people you used to complain about. Once Reba is done with you don't come crying to me because I'm done with it I don't need friends in my life like you."

Mozo acknowledge the fact that he should not have kept messaging Morgan but did so anyways. Mozo was unable to say for certain if he sent her these messages while he was working.

Mozo admitted to knowing Morgan was having meetings with her supervisors and did tell her he was going to sit near or around her. Mozo stated he was going to do this because everyone was uncomfortable so he wanted to make her also feel uncomfortable. Mozo admitted, that in hindsight, he did cause emotional and mental distress in Morgan.

Mozo admitted to directing the word ‘gross’ towards Reba Pogany on one occasion but could not recall the second time. He directed the word ‘gross’ at Pogany because she was friends with Morgan and Coleman. Mozo justified it by saying that Morgan, Coleman and Pogany, among others, were all talking about them at work. Also in hindsight, Mozo advised he thinks his behavior could be characterized as antagonistic and hostile.

Prior to concluding the interview, Mozo was asked if she violated the following Volusia County Merit System Rules and Regulations:

86-453 Volusia County Merit System Rules and Regulations (2)	Yes
86-453 Volusia County Merit System Rules and Regulations (9)	Yes
86-453 Volusia County Merit System Rules and Regulations (14)	Yes
86-453 Volusia County Merit System Rules and Regulations (22)	Yes

Chimenti was also asked if she violated the following Sheriff’s Office Directives:

22.10.1 Workplace harassment and discrimination	Yes
26.2.134 Knowledge of official directives	Yes
26.2.34 Failure to obey or follow direct order	Yes
26.2.49 Rumors and Gossip	Yes

The interview was recorded in its entirety and saved as evidence.

(See tab – M for official transcripts)

Mei Ly Castillo Interview

On September 1, 2020, at 1401 hours, Sergeant Cobb conducted an interview with Mei Ly Castillo. The interview took place at the Volusia Sheriff's Office Administration Building. Castillo raised her right hand and was sworn in by Sergeant Cobb.

Prior to the interview taking place, Sergeant Cobb provided Castillo with the case file for IA 20-014, which contained all of the evidence collected leading up to the subject interviews. Secondly, Sergeant Cobb provided Castillo with her employee rights outlined by the Volusia Sheriff's Office "Advisement of Rights For Disciplinary Interview Garrity Warning" form. Castillo signed and dated the form. The form was witnessed by Sergeant Cobb and Lieutenant Shivers. Also, prior to the interview, Castillo was advised the interview would be audio recorded.

Below is a synopsis of the interview:

Castillo has been employed with the Volusia Sheriff's Office for slightly over one and a half years. Castillo is currently a call taker at the Volusia Sheriff's Office Communications Center and signed a social media policy upon her employment with Volusia County. In part, the document signed states that private comments may become public and shared in a public domain. The document also states postings are a form of your first amendment expression but when you enter into government service you must accept limitations on your freedom. Castillo acknowledged this information by signing the form on January 22, 2019. *(See tab Q for social media policy)*

Castillo admitted to using county owned computers and printers to print and hang "Black Lives Matter" material in the bathroom stalls of the Communications Center. Castillo did not participate in actually hanging the material. They initially just printed out the material to create a stencil for Moss' head but when it did not work, Moss hung the material in the women's bathroom. Castillo advised they did it to represent "Black Lives Matter" in the name "*of all the stuff happening*" right now. Castillo and Moss were caught the same shift and had a meeting with their immediate

supervisors. They were told this was not appropriate and in hindsight, Castillo agreed it was not appropriate.

After getting caught, Moss and Castillo brought it up in the group chat. Castillo confirmed her name in the group chat was the “toilet” emoji. Castillo indicates that Moss is upset with the supervisors for the restrictions they have on their first amendment rights to free speech. Castillo clarifies some of her messages stating she does not agree with the looting and violent protest. She also clarifies Moss’ message about the same topic.

Castillo advised she does not hold any discontent towards law enforcement and although she sees how reading the messages the reader could interrupt that; she does not hate law enforcement in any fashion. Castillo also advised Moss does not hold any discontent for law enforcement.

Castillo stated at no point have her personal views ever caused her to neglect her duties as a call taker for the Volusia Sheriff’s Office.

Prior to concluding the interview, Castillo was asked if she violated the following Volusia County Merit System Rules and Regulations:

86-453 Volusia County Merit System Rules and Regulations (2)	Yes
86-453 Volusia County Merit System Rules and Regulations (9)	Yes
86-453 Volusia County Merit System Rules and Regulations (14)	Yes
86-453 Volusia County Merit System Rules and Regulations (22)	Yes

Chimenti was also asked if she violated the following Sheriff’s Office Directives:

22.10.1 Workplace harassment and discrimination	No
--	-----------

26.2.134 Knowledge of official directives **No**

26.2.34 Failure to obey or follow direct order **Yes**

26.2.49 Rumors and Gossip **No**

The interview was recorded in its entirety and saved as evidence. *(See tab N for official transcript)*

Ariel Moss Interview

On September 2, 2020, at 1426 hours, Sergeant Cobb conducted an interview with Moss. The interview took place at the Volusia Sheriff's Office Administration Building. Moss raised her right hand and was sworn in by Sergeant Cobb.

Prior to the interview taking place, Sergeant Cobb provided Moss with the case file for IA 20-014, which contained all of the evidence collected leading up to the subject interviews. Secondly, Sergeant Cobb provided Moss with her employee rights outlined by the Volusia Sheriff's Office "Advisement of Rights For Disciplinary Interview Garrity Warning" form. Moss signed and dated the form. The form was witnessed by Sergeant Cobb and Lieutenant Shivers. Also, prior to the interview, Moss was advised the interview would be audio recorded.

Below is a synopsis of the interview:

Moss has been employed with the Volusia Sheriff's Office for slightly over one and a half years. Moss is currently a call taker at the Volusia Sheriff's Office Communications Center and signed a social media policy upon her employment with Volusia County. In part, the document signed states that private comments may become public and shared in a public domain. The document also states postings are a form of your first amendment expression but when you enter into government service you must accept limitations on your freedom. Moss acknowledged this information by signing the form on January 22, 2019. *(See tab Q for social media policy)*

Moss admitted to using county owned computers and printers to print, cut out and then hang “Black Lives Matter” material in the women’s bathroom at the Communications Center. Moss admitted to covertly hanging the material because she thought it would be “frowned” upon and did not want anyone to attack her for doing it. Moss hung the material to show support for the “Black Lives Matter” movement. Moss advised she did not neglect her duties as a call taker while partaking in the aforementioned behavior.

Moss confirmed she was included in the “non fucked up group c[hat]”. Moss confirmed her name in the group chat was “Baywatch”.

Moss confirmed her comments about “fuck them” was directed at anyone who had a problem with her wearing a “Black Lives Matter” shirt to work, including her supervisors. Moss confirmed her messages about business burglaries was her showing support for protesting, whether they are violent or not. Moss explicitly stated she was not concerned about protests not being peaceful; she only stated she would not participate in the non-peaceful protests.

Moss stated her personal beliefs have never resulted in her manipulating information or neglecting her job. Moss indicated she has no discontent towards law enforcement and she would not work at the Communications Center if she did.

Prior to concluding the interview, Moss was asked if she violated the following Volusia County Merit System Rules and Regulations:

86-453 Volusia County Merit System Rules and Regulations (2)	Yes
86-453 Volusia County Merit System Rules and Regulations (9)	Yes
86-453 Volusia County Merit System Rules and Regulations (14)	Yes
86-453 Volusia County Merit System Rules and Regulations (22)	Yes

Moss was also asked if she violated the following Sheriff's Office Directives:

22.10.1 Workplace harassment and discrimination	No
26.2.134 Knowledge of official directives	Yes
26.2.34 Failure to obey or follow direct order	Yes
26.2.49 Rumors and Gossip	No

The interview was recorded in its entirety and saved as evidence. *(See tab – O for official transcripts)*

EXHIBITS:

- A. Report of Investigation
- B. Official Correspondence
- C. Supervisor's Inquiry
- D. Garrity Warnings
- E. Official Transcripts – Comm Center Coordinator Christina Crane
- F. Official Transcripts – Assistant Director Claudine Boring
- G. Official Transcripts – Director James Soukup
- H. Official Transcripts – TC Tara Coleman
- I. Official Transcripts – TC Aimee Morgan

- J. Official Transcripts – TC Reba Pogany
- K. Official Transcripts – TC Robyn Godfrey
- L. Official Transcripts – TC Sarah Chimenti
- M. Official Transcripts – TC Bryan Mozo
- N. Official Transcripts – TC Mei Ly Castillo
- O. Official Transcripts – Ariel Moss
- P. Miscellaneous Emails
- Q. Volusia County Social Media Policy
- R. Still Shot Photo and Group Messages.
- S. Mozo’s Messages to Morgan and Facebook post
- T. Mozo’s Message to Coleman
- U. Digital Media

WITNESSES:

Communications Center Coordinator Christina Crane
Volusia Sheriff’s Office
386-736-5961

Assistant Director Claudine Boring

Volusia Sheriff's Office

386-736-5961

Director James Soukup

Volusia Sheriff's Office

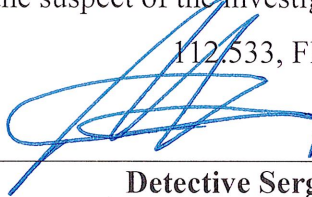
386-736-5961

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:



BRIAN COBB

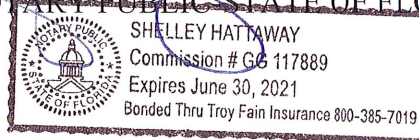
DATE: 09/30/2020

**Detective Sergeant Brian Cobb
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 30th day of September, 2020 by Detective Sergeant Brian Cobb

SIGNATURE OF NOTARY PUBLIC STATE OF FLORIDA

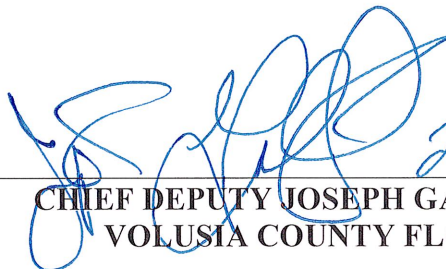


PRINT, TYPE, OR STAMP COMMISSIONED NAME OF NOTARY PUBLIC

☒ PERSONALLY KNOWN OR ☐ PRODUCED IDENTIFICATION

TYPE OF IDENTIFICATION PRODUCED

APPROVED BY:



2267

DATE: 09-30-2020

**CHIEF DEPUTY JOSEPH GALLAGHER
VOLUSIA COUNTY FLORIDA**

**Sheriff's
Office**
Volusia County
Michael J. Chitwood
Sheriff



Communications Center
3825 Tiger Bay Road, Suite 161
Daytona Beach, FL 32124

December 22, 2020

TC Ariel Moss #9015
Volusia Sheriff's Office
S.O.D / Communications

Final Suspension

TC Ariel Moss:

Volusia Sheriff's Office Directive 26.2.34 requires: "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-20-014 and summarized below, I have tentatively determined you violated the following Volusia County Merit System Rules and Regulations and Sheriff's Office Standards Directives:

Volusia County Merit System Rules and Regulations – Division 13 Disciplinary Actions 86-453 Reasons for disciplinary action (2), (3), (9), (14) 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

- RE:** (2) *Disregard for or frequent violations of county ordinances, departmental policies and regulations, including safety rules.*
- (3) *Willful misuse, misappropriation, negligence or destruction of county property or conversion of county property to personal use or gain.*
- (9) *Any conduct, on or off duty, which interferes with the effective job performance or has an adverse effect on the county, as an employer.*
- (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.*

A handwritten signature in black ink, appearing to be "J. Chitwood", located in the bottom right corner of the page.

Volusia Sheriff's Office Standards and Directives:

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.

26.2.34 Failure to Follow Directive or Order - Employees shall adhere to all official Directives and/or orders, and shall faithfully execute all the duties and responsibilities of their assigned position

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.)

26.2.138 Use of Blogs, Web Postings, Chat Rooms, etc. - As an employee of the Volusia County Sheriff's Office, the use and application of good judgment, decency and common sense is expected both on and off duty. This expectation also applies while engaged in various computer activities both on and off duty. Participation in World Wide Web/ Internet services such as Web postings, blogs, chat rooms, dating services, etc., should be carefully considered for proper personal conduct. Employees are not to use, or cause/authorize to be used, any official information, photographs, speech, or writings that identify them as a member of the Volusia County Sheriff's Office. Employees shall guard themselves accordingly and shall not participate in any conduct that is likely to have an adverse effect on the reputation of the Volusia County Sheriff's Office. (Violation subject up to dismissal.)

26.2.120 Insubordination shall include any act, failure to act, word, gesture or expression that is, or may be properly interpreted as, resisting or in defiance of legally constituted authority.

To Wit:

On August 11, 2020, at the direction of Chief Deputy Joseph Gallagher, an administrative investigation was initiated into an incident involving a group of employees from the Communications Center who used working time to create and hang posters regarding topics that are not work related and who participated in inappropriate behavior in a group Facebook chat, some of which appears to have taken place while you and/or your coworkers were on duty. The content of this Facebook group was reported to your superiors after one of the employees who was part of the group was concerned and offended by the comments made by you and your coworkers.

During the course of this investigation, it was determined you and a coworker utilized county-owned computers, printers and the Sheriff's Office worktime to create posters. The posters did not relate to your job duties and you did not have permission to use working time to create them. You also hung the posters on the stall doors of the women's bathroom, and you did not have permission to do so. This incident was captured on Volusia Sheriff's Office Communications Center surveillance footage and you admitted to the violation during your internal affairs interview. This incident occurred while you were being paid by the Volusia Sheriff's Office to be



a call taker at the Communications Center. By partaking in this incident, you misused county property for your personal use and you were neglectful and inattentive to your job duties. This behavior is in direct violation of Volusia County Merit Rule (3).

Additionally, you participated in a group chat on Facebook, wherein you authored several messages that appear to be aimed at impeding the Sheriff's Office's ability to perform its duties efficiently: Many of the comments made were disrespectful, insubordinate, and dismissive or even contemptuous of your job duties. These messages were observed by one of your coworkers who felt compelled to notify Communication Supervisors due to the nature of the content.

Examples of the messages memorialized in Internal Affairs Investigation 20-014 are below:¹

- You sent a picture of an orange shirt that read, "*Black Lives Matter*" followed by , "*Ima wear it*", "*fuck them and they moms*"
- "*I don't like black owned businesses being broken into but could careless about corporations.*"
- "*I can't remember Word for Word everything he said to us because I zone out and didn't listen all the time so he will fuck what they said.*"
- "*I don't know, Just know if it's a sit down talk it will be a discussion. A big one bc I'm not gonna let. Them tell me it's wrong.*"
- "*Oh albacore [record] the whole thing fuck what they say*"

On January 22, 2019, you signed a Volusia County Social Media Policy. In this policy, it is made clear that the Merit Rules apply to your activities online. On the second page of the document, there is a paragraph that states:

"You are not allowed to use social media while working time or while using county owned equipment unless it is work-related as authorized by your supervisor, or other member of management; or consistent with the Electronic Communications Policy."

Additionally, the Volusia Sheriff's Office General Order 262.138 requires: "the use and application of good judgment, decency and common sense is expected both on and off duty," including "while engaged in various computer activities" such as participation in "chat rooms." The Order mandates that employees "shall not participate in any conduct that is likely to have an adverse effect on the reputation of the Volusia County Sheriff's Office. (Violation subject up to dismissal.)"

A Facebook group chat is analogous to a "chat room," and this Order applies to your involvement in the aforementioned group chat.

On September 02, 2020, you were interviewed as part of this investigation. During that interview, you made it clear your messages in the group chat were directed towards your supervisors or anyone who you believed had a problem with your personal opinions. For

¹ This list is illustrative and not exhaustive.



example, in your sworn testimony you state the comment, "*Oh [record] the whole thing fuck what they say,*" was directed towards anyone who was going to meet with you regarding your utilization of county-owned equipment for personal use. You clarified that meeting was with "*Tom, Joe and Claudine,*" all of whom are supervisors at the Communications Center.

Your behavior and written statements convey a strong message of defiance and disrespect toward your superiors and the Volusia Sheriff's Office as a whole. Your actions and comments also constitute insubordination pursuant to Volusia Sheriff's Office General Order 26.2.120. While the Sheriff's Office invites its employees to express their workplace concerns and suggestions via the appropriate chain of command, you did not avail yourself of that option. Instead, you and various other authors in the Facebook chat posted messages encouraging insubordination towards supervisors and using profanity and insult to discuss those in your chain of command and the policies and orders they enforce. Your behavior can have devastating effects on a workplace and can jeopardize the effectiveness of the very important chain of command structure.

Furthermore, at least one of your comments brings into question your willingness to effectively perform your job. As a Telecommunicator, an essential function of your job is to route assistance to those who live and work in Volusia County when they are in distress. Informing your coworkers that you "could care less" [sic] about corporations being broken into is thoroughly inappropriate and, given your position, deeply troubling.

In totality, your behavior makes it likely that retaining you as a Sheriff's Office employee will adversely affect discipline and morale in the workplace, foster disharmony and ultimately impair the efficiency of our agency. Your behavior both, on and off duty, also reflects poorly on Volusia County and the Volusia Sheriff's Office. You admitted your behavior reflected poorly on your employer and acknowledged the fact that by being employed with Volusia County, limitations were placed on your permitted behavior by and through Volusia County Merit Rules and the Volusia Sheriff's Office Policies.

You have not previously been the subject of any disciplinary action.

In determining your discipline, I have considered your prior disciplinary history, performance, length of service with VSO, and seriousness of the circumstances of the most recent violations.

TC Ariel Moss, you were served with an "Intent to Terminate" letter on December 09, 2020, advising you of my intent to terminate your employment with the Volusia Sheriff's Office. You appeared before me on December 15, 2020, and had the opportunity to offer any mitigating circumstances that should be considered prior to the final discipline. After earnest consideration, my final decision is to suspend you from duty **without pay for twelve (12) work hours**. In lieu of serving the suspension without pay for its entirety, you may elect to use your personal leave for a one-time maximum allotment of sixty hours (60); if you so elect, your remaining balance of the one-time allotment would be thirty six hours (48). The date and time of your suspension is to be determined by Director Jim Soukup.



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.

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.

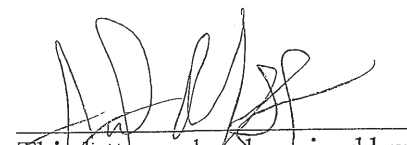
Sincerely,



MICHAEL J. CHITWOOD
SHERIFF

cc: Human Resources
County Legal
Internal Affairs

MC/bc 040L0317.20


This letter read and received by:
TC Ariel Moss #9015
Date: 12/24/2020
Time: 8:55 am

SEALED BY - Jane Seabury 9151
12/24/2020



December 22, 2020

TC Mei Ly Castillo #9010
Volusia Sheriff's Office
S.O.D / Communications

Final Suspension

TC Mei Ly Castillo:

Volusia Sheriff's Office Directive 26.2.34 requires: "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-20-002 and summarized below, I have tentatively determined you violated the following Volusia County Merit System Rules and Regulations and Sheriff's Office Standards Directives:

Volusia County Merit System Rules and Regulations – Division 13 Disciplinary Actions 86-453 Reasons for disciplinary action (2), (3), (9), (14) 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

- RE:** (2) *Disregard for or frequent violations county ordinances, departmental policies and regulations, including safety rules.*
- (3) *Willful misuse, misappropriation, negligence or destruction of county property or conversion of county property to personal use or gain.*
- (9) *Any conduct, on or off duty, which interferes with the effective job performance or has an adverse effect on the county, as an employer.*
- (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.*

MC

Volusia Sheriff's Office Standards and Directives:

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.

26.2.34 Failure to Follow Directive or Order - Employees shall adhere to all official Directives and/or orders, and shall faithfully execute all the duties and responsibilities of their assigned position

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. ***AMENDED**
(Violation subject up to a 1 day suspension.)

26.2.49 Rumors and Gossip - Employees shall not engage in or convey gossip detrimental to other employees, the general public, County, VSO, or Office of the Sheriff.
(Violation subject up to a 1 day suspension.)

26.2.138 Use of Blogs, Web Postings, Chat Rooms, etc. - As an employee of the Volusia County Sheriff's Office, the use and application of good judgment, decency and common sense is expected both on and off duty. This expectation also applies while engaged in various computer activities both on and off duty. Participation in World Wide Web/ Internet services such as Web postings, blogs, chat rooms, dating services, etc., should be carefully considered for proper personal conduct. Employees are not to use, or cause/authorize to be used, any official information, photographs, speech, or writings that identify them as a member of the Volusia County Sheriff's Office. Employees shall guard themselves accordingly and shall not participate in any conduct that is likely to have an adverse effect on the reputation of the Volusia County Sheriff's Office. *(Violation subject up to dismissal.)*

26.2.120 Insubordination shall include any act, failure to act, word, gesture or expression that is, or may be properly interpreted as, resisting or in defiance of legally constituted authority.

To Wit:

On August 11, 2020, at the direction of Chief Deputy Joseph Gallagher, an administrative investigation was initiated into an incident involving a group of employees from the Communications Center who used working time to create and hang posters regarding topics that are not work related and who participated in inappropriate behavior in a group Facebook chat, some of which appears to have taken place while you and/or your coworkers were on duty. The content of this Facebook group was reported to your superiors after one of the employees who was part of the group was concerned and offended by the comments made by you and your coworkers.

During the course of this investigation, it was determined you and a coworker utilized county owned computers, printers and the Sheriff's Office work time to create posters. You also assisted your coworker in preparing the posters to be placed on the stall door in the women's bathroom, and you did not have permission to do so. This incident was captured on Volusia Sheriff's Office Communications Center surveillance footage and you admitted to the violation during your internal affairs interview. This incident occurred while you were being paid by the Volusia Sheriff's Office to be a call taker at the Communications Center. By partaking in this incident, you misused county property for your personal use and you were neglectful and inattentive to your job duties. This behavior is in direct violation of Volusia County Merit Rule (3).

After your unauthorized use of county equipment, Director Soukup spoke with both you and your coworker. In this meeting, Director Soukup expressed his concern with your behavior during the meeting. Director Soukup classified your attitude as defiant and disrespectful. He reported that your attitude *"was like you know ok I almost like I dare you to do something to me and to you know have something come down on me."*

Additionally, you participated in a group chat on Facebook, wherein you authored several messages that appear to be aimed at impeding the Sheriff's Office's ability to perform its duties efficiently: Many of your comments are disrespectful, insubordinate, dismissive or even contemptuous statements regarding your job duties, or they demonstrate your support and encouragement of similar comments made by your coworker(s). These messages were observed by one of your coworkers who felt compelled to notify Communication Supervisors due to the nature of the content.

Examples of the messages memorialized in Internal Affairs Investigation 20-014 are below:¹

- *"We IN THIS TOGETHER STFU [laughing emoji]"*
- *"I'm surprised they didn't have a girl go in"*
- *"It was like this not okay ladies no no no"*
- *And ariels just like [straight face emoji] && imm like [smiley emoji] mhm okay yeah yeah but neither of us apologized obviously"*

On January 22, 2019, you signed a Volusia County Social Media Policy. In this policy, it is made clear that the Merit Rules apply to your activities online. On the second page of the document, there is a paragraph that states:

"You are not allowed to use social media while working time or while using county owned equipment unless it is work-related as authorized by your supervisor, or other member of management; or consistent with the Electronic Communications Policy."

Additionally, the Volusia Sheriff's Office General Order 262.138 requires: "the use and application of good judgment, decency and common sense is expected both on and off duty,"

¹ This list is illustrative and not exhaustive.

including “while engaged in various computer activities” such as participation in “chat rooms.” The Order mandates that employees “shall not participate in any conduct that is likely to have an adverse effect on the reputation of the Volusia County Sheriff’s Office. (Violation subject up to dismissal.)”

A Facebook group chat is analogous to a “chat room,” and this Order applies to your involvement in the aforementioned group chat.

Your behavior and written statements convey a strong message of defiance and disrespect toward your superiors and the Volusia Sheriff’s Office as a whole. Your actions and comments also constitute insubordination pursuant to Volusia Sheriff’s Office General Order 26.2.120. While the Sheriff’s Office invites its employees to express their workplace concerns and suggestions via the appropriate chain of command, you did not avail yourself of that option. Instead, you and/or various other authors in the Facebook chat (for whom you indicated support and approval) posted messages encouraging insubordination towards supervisors and using profanity and insult to discuss those in your chain of command and the policies and orders they enforce. Your behavior can have devastating effects on a workplace and can jeopardize the effectiveness of the very important chain of command structure.

In totality, your behavior makes it likely that retaining you as a Sheriff’s Office employee will adversely affect discipline and morale in the workplace, foster disharmony and ultimately impair the efficiency of our agency. Your behavior both, on and off duty, also reflects poorly on Volusia County and the Volusia Sheriff’s Office. You admitted your behavior reflected poorly on your employer and acknowledged the fact that by being employed with Volusia County, limitations were placed on your permitted behavior by and through Volusia County Merit Rules and the Volusia Sheriff’s Office Policies.

You have not previously been the subject of any disciplinary action.

In determining your discipline, I have considered your prior disciplinary history, performance, length of service with VSO, and seriousness of the circumstances of the most recent violations.

TC Mei Castillo, you were served with an “Intent to Terminate” letter on December 09, 2020, advising you of my intent to terminate your employment with the Volusia Sheriff’s Office. You appeared before me on December 15, 2020, and had the opportunity to offer any mitigating circumstances that should be considered prior to the final discipline. After earnest consideration, my final decision is to suspend you from duty **without pay for twelve (12) work hours**. In lieu of serving the suspension without pay for its entirety, you may elect to use your personal leave for a one-time maximum allotment of sixty hours (60); if you so elect, your remaining balance of the one-time allotment would be thirty six hours (48). The date and time of your suspension is to be determined by Director Jim Soukup.

Pursuant to the Volusia County Merit System Rules, Section 86455, the Volusia County Legal Department and Human Resources Director have reviewed and concur with this intended action.

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.

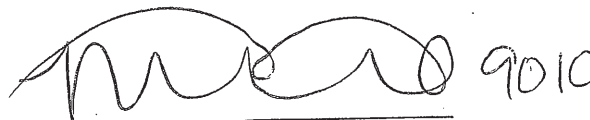
Sincerely,



MICHAEL J. CHITWOOD
SHERIFF

cc: Human Resources
County Legal
Internal Affairs

MC/bc 040L0318.20



This letter read and received by:

TC Mie Ly Castillo #9010

Date: 12/29/2020

Time: 2038

Served by Claretha 6955

MC

Volusia Sheriff Office Supervisor Discipline Report

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
06/16/2020	06/02/2020	08:00
Record ID Number	Agency Case #	File #
27473		SD 20-242
Date/Time Entered	Entered By	
12/11/2020 13:40	SGT Brian Cobb	
Volusia SO BlueTeam Assigned Investigator	IAPro Assigned Investigator	
[Pending assignment]	Shelley Hattaway	

Incident Summary

Letter of Reprimand
TCII Robyn Godfrey #9013
S.O.D. – Communications

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

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

(9) Any conduct, on or off duty, which interferes with the effective job performance or has an adverse effect on the county, as an employer.

(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:

26.2.134 Knowledge of Official Directives – VSO personnel are required to possess a sound working knowledge of the policies and procedures established by the Standards Directives.

26.2.138 Use of Blogs, Web Postings, Chat Rooms, etc. - As an employee of the Volusia County Sheriff's Office, the use and application of good judgment, decency and common sense is expected both on and off duty. This expectation also applies while engaged in various computer activities both on and off duty. Participation in World Wide Web/ Internet services such as Web postings, blogs, chat rooms, dating services, etc., should be carefully considered for proper personal conduct. Employees are not to use, or cause/authorize to be used, any official information, photographs, speech, or writings that identify them as a member of the Volusia County Sheriff's Office. Employees shall guard themselves accordingly and shall not participate in any conduct that is likely to have an adverse effect on the reputation of the Volusia County Sheriff's Office. (Violation subject up to dismissal.)

26.2.120 Insubordination – insubordination shall include any act, failure to act, word, gesture or expression that is, or may be properly interpreted as, resisting or in defiance of legally constituted authority.

To Wit:

On August 11, 2020, at the direction of Chief Deputy Joseph Gallagher, an administrative investigation was initiated into an incident involving a group of employees from the Communications Center who used working time to create and hang posters regarding topics that are not work related and who participated in inappropriate behavior in a group Facebook chat, some of which appears to have taken place while you and/or your coworkers were on duty. The content of this Facebook group was reported to your superiors after one of the employees who was part of the group was concerned and offended by the comments made by you and your coworkers.

During the course of this investigation, it was determined you and your coworkers participated in a group chat on Facebook, wherein you authored several messages that appear to be aimed at impeding the Sheriff's Office's ability to perform its duties efficiently: Many of the

comments made were disrespectful, insubordinate, and dismissive or even contemptuous of your job duties. These messages were observed by one of your coworkers who felt compelled to notify Communication Supervisors due to the nature of the content.

Examples of the messages memorialized in Internal Affairs Investigation 20-014 are below:

- You sent a picture of an orange shirt that read, "Black Lives Matter" followed by , "Ima wear it", "fuck them and they moms"
- "I don't like black owned businesses being broken into but could careless about corporations."
- "I can't remember Word for Word everything he said to us because I zone out and didn't listen all the time so he will fuck what they said."
- "I don't know, Just know if it's a sit down talk it will be a discussion. A big one bc I'm not gonna let. Them tell me it's wrong."
- "Oh albacore [record] the whole thing fuck what they say"

On January 22, 2019, you signed a Volusia County Social Media Policy. In this policy, it is made clear that the Merit Rules apply to your activities online. On the second page of the document, there is a paragraph that states:

"You are not allowed to use social media while working time or while using county owned equipment unless it is work-related as authorized by your supervisor, or other member of management; or consistent with the Electronic Communications Policy."

Additionally, the Volusia Sheriff's Office General Order 26.2.138 requires: "the use and application of good judgment, decency and common sense is expected both on and off duty," including "while engaged in various computer activities" such as participation in "chat rooms." The Order mandates that employees "shall not participate in any conduct that is likely to have an adverse effect on the reputation of the Volusia County Sheriff's Office. (Violation subject up to dismissal.)"

A Facebook group chat is analogous to a "chat room," and this Order applies your involvement in the aforementioned group chat.

On August 31, 2020, you were interviewed as part of this investigation. During that interview, you made it clear that you hold the law enforcement profession, as a whole, in low regard because of the controversial encounters throughout the country this year.

Furthermore, you were a willing participant in the "non-fucked up group c[hat]" where the messages were directed towards your supervisors. Your behavior, and written statements convey a strong message of defiance and disrespect toward your superiors and the Volusia Sheriff's Office as a whole. Your actions and comments also constitute insubordination pursuant to Volusia Sheriff's Office General Order 26.2.120. While the Sheriff's Office invites its employees to express their workplace concerns and suggestions via the appropriate chain of command, you did not avail yourself of that option. Instead, you and various other authors in the Facebook chat posted messages encouraging insubordination towards supervisors and using profanity and insult to discuss those in your chain of command and the policies and orders they enforce. Your behavior can have devastating effects on a workplace and can jeopardize the effectiveness of the very important chain of command structure.

In totality, your behavior both, on and off duty, also reflects poorly on Volusia County and the Volusia Sheriff's Office. You admitted your behavior reflected poorly on your employer and acknowledged the fact that by being employed with Volusia County, limitations were placed on your permitted behavior by and through Volusia County Merit Rules and the Volusia Sheriff's Office Directives.

Due to the aforementioned violation, you are receiving a written reprimand, which will become a permanent part of your official personnel file in the County Personnel Office.

Any subsequent activity of a similar nature will result in more severe administrative action; be especially aware of Progressive Discipline 26.1.1.

You have the right to submit written comments to be included in the file. You also have the right to file an appeal through the grievance procedure should you so select.

Incident Location

Addresses

Latitude, Longitude = [29.14648, -81.14901]

3825 Tiger Bay Road, Daytona Beach, FL, 32124

- Location of Occurrence: District 3 North

Reporting Employees

CHDP Joseph Gallagher - 2267

Assignment at time of incident: CHDP 01AD [None Entered]

Role: [None Entered]

Incident Employees

TC Robyn Godfrey - 9013

Assignment at time of incident: TC CODS [None Entered]

Role: [None Entered]

Linked Allegations

- null - Sustained - 12/27/2020
- null - Sustained - 12/27/2020
- null - Sustained - 12/27/2020
- null - Sustained - 12/27/2020
- null - Sustained - 12/27/2020
- null - Sustained - 12/27/2020
- null - Sustained - 12/27/2020

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

No Attachments

Assignment History

Date/Time Sent	From	To	Activity
12/28/2020 08:55	Lie D Shivers		Field status changed in IAPro from To IA to Released
12/28/2020 08:56	Lie D Shivers		Released back to IAPro

Chain of Command History

Routing Number: 1	
From	SGT Brian Cobb
To	PROG James Soukup
Cc:	LT Daniel Shivers
Date/Time Sent	12/11/2020 13:55
Instructions From [SGT Brian Cobb] To [PROG James Soukup]	
Please have TC Godfrey read and acknowledge this Letter of Reprimand by typing her name in the routing. Thanks, Brian	
Comments/Response From [PROG James Soukup]	
Recommendation of Termination	
Routing Number: 2	

From	PROG James Soukup
To	TC Claretha Smith
Cc:	
Date/Time Sent	12/11/2020 14:35
Instructions From [PROG James Soukup] To [TC Claretha Smith]	
Have employee sign a L.O.R.	
Comments/Response From [TC Claretha Smith]	
[Forwarded by TC Claretha Smith]	
Routing Number: 3	
From	TC Claretha Smith
To	TC Robyn Godfrey
Cc:	
Date/Time Sent	12/14/2020 19:56
Instructions From [TC Claretha Smith] To [TC Robyn Godfrey]	
Sign and send back to me.	
Comments/Response From [TC Robyn Godfrey]	
<p>The list of comments below are written as if I said them.... none of the below messages were sent or said by me at any time. • You sent a picture of an orange shirt that read, "Black Lives Matter" followed by , "Ima wear it", "fuck them and they moms" • "I don't like black owned businesses being broken into but could careless about corporations." • "I can't remember Word for Word everything he said to us because I zone out and didn't listen all the time so he will fuck what they said." • "I don't know, Just know if it's a sit down talk it will be a discussion. A big one bc I'm not gonna let. Them tell me it's wrong." • "Oh albacore [record] the whole thing fuck what they say"</p>	
Routing Number: 4	
From	TC Robyn Godfrey
To	TC Claretha Smith
Cc:	
Date/Time Sent	12/14/2020 20:05
Instructions From [TC Robyn Godfrey] To [TC Claretha Smith]	
Robyn Godfrey #9013	
Comments/Response From [TC Claretha Smith]	
[Forwarded by TC Claretha Smith]	
Routing Number: 5	
From	TC Claretha Smith
To	PROG James Soukup
Cc:	
Date/Time Sent	12/14/2020 20:33

Instructions From [TC Claretha Smith] To [PROG James Soukup]

Served and signed by employee.

Comments/Response From [PROG James Soukup]

L.O.R. signed

Routing Number: 6

From PROG James Soukup

To Admin Group

Cc:

Date/Time Sent 12/15/2020 15:24

Instructions From [PROG James Soukup] To [Admin Group]

L.O.R. signed

Comments/Response From [Admin Group]

[Forwarded by CAPT Erik Eagan]

Routing Number: 7

From CAPT Erik Eagan

To DCHF Timothy Morgan

Cc:

Date/Time Sent 12/15/2020 16:29

Instructions From [CAPT Erik Eagan] To [DCHF Timothy Morgan]

Chief, Concur - employee acknowledged with comments LOR in routing #4.

Comments/Response From [DCHF Timothy Morgan]

[Forwarded by DCHF Timothy Morgan]

Routing Number: 8

From DCHF Timothy Morgan

To CHDP Joseph Gallagher

Cc:

Date/Time Sent 12/22/2020 09:57

Instructions From [DCHF Timothy Morgan] To [CHDP Joseph Gallagher]

FYR Chief I concur with the Letter of Reprimand.

Comments/Response From [CHDP Joseph Gallagher]

[Forwarded by CHDP Joseph Gallagher]

Routing Number: 9

From CHDP Joseph Gallagher

To IA Admin

Cc:

Date/Time Sent12/27/2020 10:30

Instructions From [CHDP Joseph Gallagher] To [IA Admin]

Concur with the discipline.

Comments/Response From [IA Admin]

[Forward to IAPro by LT Daniel Shivers]