

**VOLUSIA SHERIFF'S OFFICE
INTERNAL AFFAIRS**

REPORT OF INVESTIGATION

REPORT NUMBER: IA 21-010

PERIOD COVERED: August 24, 2021
DATE REPORTED: August 27, 2021
SUBJECT(S) NAME: Deputy Brant Lickiss #8316
INVESTIGATING OFFICER: Sergeant Andrew Calkins #7929

BASIS FOR INVESTIGATION:

On August 27, 2021, the Volusia Sheriff's Office received a formal citizen complaint from John James regarding Deputy Brant Lickiss' unprofessionalism while handling a call for service. In the complaint, James alleged Deputy Lickiss verbally berated his twelve-year-old grandson after Amy Farara, his grandson's mother, called 911 for a verbal disturbance. According to the complaint, Deputy Lickiss called the twelve-year-old a "punk," a "thug" and kept mentioning the word "Taliban." It was also alleged Deputy Lickiss escalated the situation by instigating the juvenile and inviting him into a physical confrontation. James, who was not on scene at the time, discovered the incident after he reviewed Ring Video surveillance of the incident.

On September 3, 2021, due to the nature of the allegations, Chief Deputy J. Gallagher initiated an internal affairs investigation.

OFFENSES:

Volusia Sheriff's Office General Orders:

GO-026-02.IV.B.3 – Any other conduct or action, on-duty or off-duty, of such seriousness that disciplinary action is considered warranted.

GO-026-02.IV.C.5.g – Failure to Follow General Order, Standard Operating Procedure, or Order – Employees shall adhere to all official general orders, standard operational procedures, and orders, and shall faithfully execute all the duties and responsibilities of their assigned position.

GO-026-02.IV.D.1.b – Courtesy – Employees shall be civil and respectful toward each other and toward the public in general. They shall be especially courteous to visitors, guests, speakers and instructors.

GO-026-02.IV.D.2.h – Harassment – Employees shall not use their official position to harass, threaten or coerce any person.

INVESTIGATION:

On September 3, 2021, Chief Deputy Joseph Gallagher assigned the above incident to the Internal Affairs Unit. This report details the Internal Affairs investigation conducted by Sergeant Andrew Calkins.

On September 3, 2021, Deputy Lickiss was served with a Notification of Internal Investigation, along with a copy of his Florida Law Enforcement Officer’s Bill of Rights.

Sergeant Calkins observed the initial citizen complaint, authored by James, was assigned to Sergeant Christy Sturup for investigation and follow-up. Sergeant Sturup documented her findings in citizen complaint number CC 21-025. Sergeant Calkins reviewed CC 21-025, and observed the following:

On August 24, 2021, Volusia Sheriff’s Office deputies responded to a 911 check at 3012 Viewpoint Street, Deltona. The call for service was documented in the Computer Aided Dispatch (CAD) under event number P212362268. The deputies who responded to the residence were later determined to be Deputy Lickiss and Deputy Jonathan Eveler. James indicated his daughter, Farara, called the Volusia Sheriff’s Office regarding behavioral problems with her twelve-year-old son. James alleged the responding deputy, Deputy Lickiss, repeatedly called the juvenile a thug, a punk, and kept saying the “Taliban” throughout the encounter. During Deputy Lickiss’ conversation with the juvenile, Deputy Lickiss told the juvenile that he was “nothing” and threatened to put his hands on the juvenile if he ever touched Farara. James elaborated in his written formal complaint about Deputy Lickiss consistently escalating the situation and lack of professionalism exhibited by Deputy Lickiss. Per James, the aforementioned incident was captured on a Ring video surveillance camera at the residence of 3012 Viewpoint Street, Deltona.

Sergeant Calkins reviewed the Body-Worn Camera (BWC) for event number P212362268. Sergeant Calkins noted the following:

Deputy Eveler and Deputy Lickiss made contact with Farara after she opened the garage door. Both deputies’ initial contact with Farara was stern and informative while providing parental

assistance and guidance. Farara expressed frustration and concern regarding her son's recent reckless behavior. As Farara was explaining the complicated situation involving her son, Deputy Lickiss responded by saying, *"Sounds like he just needs to be smacked around a little bit."* While deputies were talking with Farara, her son exited the house via the interior garage door and made contact with both deputies. Deputy Lickiss initiated contact with the juvenile, immediately raised the level of his voice, and asked if he ever touched his mother. The juvenile whispered, *"No,"* at which time Deputy Lickiss yelled, *"I can't hear you speak up, speak up, you want to be a man here speak up! Your talking to a man speak up! Talk! Speak up!"* Deputy Lickiss then proceeded to tell the juvenile, *"Let me tell you something, I come back here and your mom says you put your hands on her I'm putting my hands on you!"*

Afterwards, Deputy Lickiss attempted several times to get the juvenile to verbally acknowledge he understood the repercussions. Farara also attempted to gain acknowledgment by saying, *"That's not how you answer."* Deputy Lickiss inquired with the juvenile if he knew about corporal punishment. Deputy Lickiss then told the juvenile, *"She could beat you all she wants."* Deputy Lickiss continued to berate the juvenile for his recent behavior and potential future behavior.

The one-sided conversation continued between Deputy Lickiss and the juvenile and was periodically interjected by Farara. It was during these times, Farara attempted to gain respectful verbal compliance for Deputy Lickiss by instructing the juvenile to respond, *"Yes, sir."* During the conversation, Deputy Lickiss told the juvenile he had an "attitude" and needed an "adjustment." Deputy Lickiss continued to chastise the juvenile and asked if he [Deputy Lickiss] needed to be the one to adjust his attitude, and followed by saying, *"I fought people three times your size and beat them pretty bad. And I got no problem coming out here after you put your hands on you mom and doing it to you."* Deputy Lickiss concluded his conversation with the juvenile by instructing him to go inside and go to bed. As the juvenile walked away, Deputy Lickiss blurted out, *"Punk."* The juvenile went inside while both deputies continued to speak with Farara.

While both deputies were speaking with Farara the juvenile re-emerged a few minutes later from the house into the garage. Farara asks her son if he *"Has anything more to say?"* Deputy Lickiss, with an elevated tone, yells at the juvenile, *"Go back inside! Go back inside, that's twice! The third time you go to jail,"* indicating that he would place him under arrest if he did not go back inside the house after being told a third time. The juvenile appears to ask what he would be arrested for, to which Deputy Lickiss responds, *"For resisting, I'm giving you a lawful order go back inside!"* When the juvenile finally walked away, Deputy Lickiss said, *"Don't try me little boy,"* to which the juvenile asks, *"Why'd you call me a punk?"* Farara stated, *"I called you a punk too."*

Both the juvenile and Deputy Lickiss then become involved in a verbal altercation where they are talking over each other. It should be noted, due to the juvenile's distance from Deputy Lickiss and the fact both are talking over each other it is difficult to capture what the juvenile is saying to

Deputy Lickiss. It is apparent from the body camera footage that Deputy Lickiss instigated a verbal altercation with the juvenile, and antagonized him by walking in his direction while calling him a "punk" repeatedly. With an increasing elevated tone, Deputy Lickiss states, "*Punk, punk, punk...what are you going to do about it? What are you going to do about it? You going to put, come put your hands on me? You going to come put your hands on me? Yea punk, punk, punk, punk, punk, what are you going to do? What are you going to do?*" The juvenile states, "*You don't even know me though.*" Deputy Lickiss states, "*You're a punk I don't need to know you. I can tell by looking at you you're a punk. You ain't nothing, go inside, you are a punk. You are a punk.*"

As the verbal altercation between the juvenile and Deputy Lickiss continues, the juvenile states, "*That's what blue do.*" referring to "blue" as law enforcement. Deputy Lickiss responds, "*You are a punk, I'm not in blue, I'm in green. You colorblind? You colorblind? You colorblind? You're colorblind, you're a punk! You're a punk.*" As the verbal altercation continued, Deputy Lickiss tells the juvenile, "*We are about to know each other real well, get your ass in the house, or you're going to jail.*" Deputy Lickiss recited the aforementioned statement two more times before reverting to repeatedly saying "punk" before the juvenile walked into the house. Deputy Lickiss then provided more information regarding parental assistance and guidance to Farara.

On September 22, 2021, James provided two Ring Camera videos to Lieutenant Shivers. James indicated they were the videos Farara sent to him on the night of the incident. Sergeant Calkins reviewed the videos and observed both were 59 seconds in length. One of the videos captures the partial verbal altercation between Deputy Lickiss and the juvenile. Sergeant Calkins reviewed the videos and noted they were similar to what was captured on both deputies' body worn cameras. Sergeant Calkins did note that due to the audio quality when Deputy Lickiss says the word "colorblind" it sounds like the word "Taliban" in the Ring video, which was referenced by James in the complaint.

Interview with Deputy Jonathan Eveler

On September 27, 2021, at approximately 1025 hours, Lieutenant Shivers conducted a sworn recorded interview with Deputy Jonathan Eveler. The interview was conducted at 123 West Indiana Avenue, DeLand, at the Sheriff's Office Administration Building. Present for the interview was Deputy Eveler, Sergeant Calkins and Lieutenant Shivers. Below is a synopsis of the audio recorded interview:

Deputy Eveler advised on August 24, 2021, he was in field training, and was riding with Deputy Lickiss as his field training deputy for the shift. Deputy Eveler stated they received a 911 check at the aforementioned residence and responded. Deputy Eveler stated they knocked on the residence but nobody answered. A few minutes later, Farara opened the garage door and exited the residence. Farara told deputies she was in a verbal altercation with her son and that he was being very

disrespectful. As they were speaking with Farara, the juvenile exited the residence and made contact with Deputy Lickiss.

Deputy Eveler was asked about Deputy Lickiss' conversation with the juvenile. Deputy Eveler stated Deputy Lickiss "...spoke to him I guess, rather, frankly..." Deputy Eveler elaborated and stated, "*I think he was trying to illustrate to him [the juvenile] how people are going to talk to him on the street if he continues his pattern of behavior. And was, you know, using, I guess, somewhat colorful language.*"

Deputy Eveler was asked if he believed Deputy Lickiss handled the call appropriately, to which he stated, "*I think he was trying to illustrate to him that he needs to stop. Maybe he went a little verbally far but I think he was doing his best to prevent him from putting his hands on his mother.*" Deputy Eveler was asked if Deputy Lickiss actions reflected the standards of the Volusia Sheriff's Office to which he replied, "*No, he probably went a little bit far.*"

Interview with Sergeant Christy Sturup

On September 29, 2021, at approximately 0903 hours, Lieutenant Shivers conducted a sworn recorded interview with Sergeant Christy Sturup. The interview was conducted at 123 West Indiana Avenue, DeLand, at the Sheriff's Office Administration Building. Present for the interview was Sergeant Sturup, Sergeant Calkins and Lieutenant Shivers. Below is a synopsis of the audio recorded interview:

Sergeant Sturup advised she supervises Deputy Lickiss and completed the investigation into the citizen's complaint generated by James. The complaint was initially supposed to be investigated by Lieutenant Galarza, but due to his recent promotion, she was assigned the investigation. Sergeant Sturup reviewed the Computer Aided Dispatch (CAD) and observed Deputy Eveler was training with Deputy Lickiss at the time of the incident. Sergeant Sturup reviewed each deputies Body Worn Camera (BWC) footage and observed Deputy Eveler make contact with Farara while Deputy Lickiss made contact with the juvenile. Sergeant Sturup advised after watching the BWC's she noted that Deputy Lickiss made several inappropriate comments to the juvenile.

Sergeant Sturup summarized the encounter, stating that when Deputy Lickiss told the juvenile to go inside the residence he [Deputy Lickiss] called him a "punk" as the juvenile was walking away. She stated she observed the juvenile overheard the comment and engaged Deputy Lickiss in a verbal altercation. After a brief confrontation, the juvenile went inside, and emerged a few minutes later to reengage Deputy Lickiss verbally. The juvenile asked Deputy Lickiss why Deputy Lickiss called him a "punk," to which Deputy Lickiss stated, "*You are punk.*" After engaging the juvenile for several more minutes, Deputy Lickiss threatened to arrest him if he didn't go back inside.

Sergeant Sturup was asked if probable cause for an arrest existed in Deputy Lickiss' situation, which she stated "no."

Sergeant Sturup was asked if Deputy Lickiss' actions were appropriate while handling the call for service. Sergeant Sturup replied "no." Sergeant Sturup added, "*His issue in speaking with the juvenile was the manner in which he was he was way too aggressive. He, he could have told the juvenile who's acting out of line, which is what he was doing and telling him that one day potentially he's gonna say the wrong thing to the wrong person and it's gonna end up being bad. However, his approach, and his delivery was way too excessive for the child. I believe he was 12, 10 or 12 years old, who appeared frightened by the way the deputy was talking to him.*"

Sergeant Sturup also advised she felt Deputy Lickiss escalated the situation instead of utilizing Sheriff's Office de-escalation techniques.

Interview with Lieutenant Roy Galarza

On September 30, 2021, at approximately 0903 hours, Lieutenant Shivers conducted a sworn recorded interview with Lieutenant Roy Galarza. The interview was conducted at 123 West Indiana Avenue, DeLand, at the Sheriff's Office Administration Building. Present for the interview was Lieutenant Roy Galarza, Sergeant Calkins and Lieutenant Shivers. Below is a synopsis of the audio recorded interview:

Lieutenant Galarza advised he was initially assigned the complaint to investigate but due to a recent promotion, he wasn't able to complete it. Lieutenant Galarza stated he viewed a portion of Deputy Lickiss BWC video to the point where he called the juvenile a "punk." Lieutenant Galarza was asked if he had any conversation with Deputy Lickiss to which he replied the only conversation he recalled was telling Deputy Lickiss he received a complaint while passing each other in the hall. Lieutenant Galarza eventually watched the video in its entirety and advised he felt Deputy Lickiss' actions were inappropriate in handling the call for service.

Interview with John James

On October 5, 2021, at approximately 1550 hours, Sergeant Calkins conducted a sworn recorded interview with John James. The interview was conducted at his residence located at 1041 Stillwater Avenue, Deltona. Present for the interview was John James and Sergeant Calkins. Below is a synopsis of the audio recorded interview:

James advised Farara is his step-daughter and the juvenile Deputy Lickiss made contact with was his grandson. James advised he found out about the incident when Farara sent him the Ring video camera footage. James explained that Farara and her son have a troubled relationship and believes

she sent the footage to him to make herself look good. James stated Farara didn't send the video because of the actions of Deputy Lickiss but wanted to show James that she had called law enforcement to address her son's behavioral issues.

James stated he eventually viewed the video and observed Deputy Lickiss handling the situation in a completely unprofessional manner. James stated, *"Were there and they start questioning our grandson asking him what happened. They, well they actually never asked him what happened they just kept saying 'did you lay a hand on your mother' and they kept repeatedly call him a 'thug a punk a thug a punk' they says 'I can tell by looking at you you're nothing' and they kept repeating this over and over and over. And towards the end of the video they said 'Taliban' and one officer also threatened him saying 'I'll tell you right now we're going to get to know each other real good because if I have to come back here' he says 'I'm going to put my hands on you.'"*

After watching the video, James completed a citizen complaint form, which he brought to the district in Deltona. James stated the actions of Deputy Lickiss were completely inappropriate and unprofessional.

At the end of the interview Sergeant Calkins explained to James that Deputy Lickiss was saying the word "colorblind" and never said the word "Taliban." Sergeant Calkins explained that the audio on the Ring video was distorted and that the BWC audio captured the conversation clearly enough to hear the context of the conversation.

On October 20, 2021, Sergeant Calkins made contact with Farara who declined to be interviewed.

Interview with Deputy Brant Lickiss

On October 27, 2021, at approximately 1335 hours, Lieutenant Shivers conducted a sworn recorded interview with Deputy Brant Lickiss. The interview was conducted at 123 West Indiana Avenue, DeLand, at the Sheriff's Office Administration Building. Present for the interview was Deputy Lickiss, Sergeant Calkins and Lieutenant Shivers. Below is a synopsis of the sworn recorded interview:

Prior to conducting the interview, Deputy Lickiss signed a copy of his Garrity Warning, acknowledging his understanding of the document. This was completed in the presence of the previously mentioned personnel. Deputy Lickiss was read a Volusia Sheriff's Office Administration of Oath / Perjury Warning. This document was signed by Lieutenant Shivers in the presence of the same previously mentioned personnel.

Deputy Lickiss advised he was working Alpha shift on patrol when he responded to a call for service at 3012 Viewpoint Street, Deltona. Deputy Lickiss stated, *"The incident came out as a 911*

check or 911 disconnect. When we arrived on scene, knocked on the door no answer. Garage door opened made contact with the mother of the juvenile and this, made contact with her at the garage. She advised us of disciplinary and behavioral issues with the 12 year old to include at times and becoming physical with her. After making contact with her giving her advice and assistance in parenting and who she can reach out to the juvenile came into the garage. And that's when my contact with him took place."

Deputy Lickiss was asked if his behavior was appropriate while speaking to the juvenile. Deputy Lickiss stated, *"I don't believe it was inappropriate. Um, I believe the approach could have been better."* Deputy Lickiss was asked about calling the juvenile a "punk" and threatening to arrest him. Deputy Lickiss stated, *"As far as threatening to arrest him goes I should not have threatened to arrest him. Seeing as I had no grounds to. Calling him a punk, I do see where that can be viewed as inappropriate or shouldn't have been said however, circumstance situation, um, talking to his mother understanding this kid's behavior, and how his behavior has clearly been escalating to a point of getting out of control. I think that it was a fair statement to call him that."* Lieutenant Shivers asked Deputy Lickiss if calling him a punk corrected the issue to which Deputy Lickiss stated, *"I don't believe so. No."* Lieutenant Shivers asked Deputy Lickiss if he had any probable cause to arrest the juvenile to which he stated *"no."*

Deputy Lickiss was asked what he could have done better to have a more successful resolution to the call. Deputy Lickiss stated, *"Um, like I said, the approach the more of a conversation with him or communicating with him rather than basically coming down on him the way that I did."* Deputy Lickiss admitted to berating the juvenile from the beginning of his contact with him. Deputy Lickiss indicated the citizen's complaint filed by James did have merit.

Lieutenant Shivers asked Deputy Lickiss how the juvenile reacted to him, considering his tone and delivery. Deputy Lickiss stated, *"Well, he wasn't respectful, which again, understandably, I don't think age really has much of a difference. People feel cornered, you're going to react a certain way. But very, he's very mouthy back and forth, more or less under his breath, whispering, and I know you can't really hear it on BWC. But that's why I continue speaking to him in the garage. But again, looking back on it, and in hindsight, I can see why he reacted that way. And I think it would have probably been a more positive and better reaction and better outcome had been approached differently."*

Sergeant Calkins asked Deputy Lickiss if his actions that night escalated or de-escalated the situation. Deputy Lickiss stated, *"They escalated. There's no question about it..."*

Deputy Lickiss was asked if he violated the following General Orders, and his responses are detailed below –

GO-026-02.IV.B.3 – Any other conduct or action, on-duty or off-duty, of such seriousness that disciplinary action is considered warranted.	No
GO-026-02.IV.C.5.g – Failure to Follow General Order, Standard Operating Procedure, or Order	No
GO-026-02.IV.D.1.b – Courtesy	Yes
GO-026-02.IV.D.2.h – Harassment	No

On October 28, 2021, the Internal Affairs investigation was presented to Chief Deputy Joseph Gallagher and the executive command staff. Upon completion of the presentation, Chief Deputy Gallagher sustained the aforementioned General Order violations against Deputy Lickiss:

GO-026-02.IV.B.3 – Any other conduct or action, on-duty or off-duty, of such seriousness that disciplinary action is considered warranted.	Sustained
GO-026-02.IV.C.5.g – Failure to Follow General Order, Standard Operating Procedure, or Order	Sustained
GO-026-02.IV.D.1.b – Courtesy	Sustained
GO-026-02.IV.D.2.h – Harassment	Sustained

EXHIBITS:

- A. Report of Investigation
- B. Official Correspondence
- C. Citizen Complaint – CC 21-025
- D. CAD History
- E. Transcript of Interview with Lieutenant Roy Galarza
- F. Transcript of Interview with Sergeant Christy Sturup
- G. Transcript of Interview with Deputy Johnathan Eveler
- H. Transcript of Interview with Mr. John James
- I. Transcript of Interview with Deputy Brant Lickiss
- J. Digital Evidence

WITNESSES:

Lieutenant Roy Galarza
Volusia Sheriff's Office
123 W. Indiana Avenue
DeLand, FL 32720
(386) 736-5961

Sergeant Christy Sturup
Volusia Sheriff's Office
123 W. Indiana Avenue
DeLand, FL 32720
(386) 736-5961

Deputy Johnathan Eveler
Volusia Sheriff's Office
123 W. Indiana Avenue
DeLand, FL 32720
(386) 736-5961

Deputy Brant Lickiss
Volusia Sheriff's Office
123 W. Indiana Avenue
DeLand, FL 32720
(386) 736-5961

John James
1041 Stillwater Avenue
Deltona, FL 32725
(386) 956-1757

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: *[Signature]* 7979 DATE: 1/24/22

Sergeant Andrew Calkins
Internal Affairs Sergeant

STATE OF FLORIDA
COUNTY OF VOLUSIA

Sworn to (or affirmed) and subscribed before me by means of physical presence or online Notarization this 24th day of January, 2022 by Sergeant Andrew Calkins

[Signature]

SIGNATURE OF NOTARY PUBLIC-STATE OF FLORIDA



PRINT, TYPE, OR STAMP COMMISSIONED NAME OF NOTARY PUBLIC

PERSONALLY KNOWN OR PRODUCED IDENTIFICATION

TYPE OF IDENTIFICATION PRODUCED

APPROVED BY: *[Signature]* #2267 DATE: 01.23.2022

CHIEF DEPUTY JOSEPH GALLAGHER
VOLUSIA COUNTY, FLORIDA

Chief Deputy
JOSEPH GALLAGHER

OFFICE
(386) 736-5961



VOLUSIA COUNTY SHERIFF'S OFFICE

123 WEST INDIANA AVE • P.O. BOX 569 • DELAND, FLORIDA 32721-0569
(386) 740-5134 (FAX) • WWW.VOLUSIASHERIFF.ORG

November 9, 2021

Deputy Brant Lickiss, #8316
Volusia Sheriff's Office
LEOD / District Four

Final Suspension

Deputy Lickiss:

Volusia Sheriff's Office General Order GO-026-02 requires that all "Employees shall adhere to all official Directives and/or orders, and shall faithfully execute all the duties and responsibilities of their assigned position." Because of your actions or inactions documented in IA 21-010, I have determined you violated the following Sheriff's Office General Orders:

Volusia Sheriff's Office General Orders:

GO-026-02.IV.B.3 – Any other conduct or action, on-duty or off-duty, of such seriousness that disciplinary action is considered warranted.

GO-026-02.IV.C.5.g – Failure to Follow General Order, Standard Operating Procedure, or Order – Employees shall adhere to all official general orders, standard operational procedures, and orders, and shall faithfully execute all the duties and responsibilities of their assigned position.

GO-026-02.IV.D.1.b – Courtesy – Employees shall be civil and respectful toward each other and toward the public in general. They shall be especially courteous to visitors, guests, speakers and instructors.

GO-026-02.IV.D.2.h – Harassment – Employees shall not use their official position to harass, threaten or coerce any person.

To Wit:

On August 24, 2021, you responded to a 911 call regarding a possible disturbance. Upon arrival, you contacted a female, who advised her 12-year old juvenile son was acting aggressively, and being disrespectful. During the incident, the juvenile male exited the residence into the enclosed garage where you were standing, at which time you immediately engaged the juvenile with your voice elevated in an aggressive manner.

You continued to berate the juvenile for several minutes, which included making the statement, "I fought people three times your size and beat them pretty bad. And I got no problem coming out here after you put your hands on your mom and doing it to you."

During the encounter, you also threatened the juvenile with arrest if he did not return to the inside of the residence – to which you later stated in your interview with Internal Affairs that you had no probable cause to arrest, nor could you have effected any arrest on the juvenile.

After threatening the juvenile with arrest, the juvenile began to walk back inside the residence, at which time you called him a "punk." A few minutes later, the juvenile re-emerged into the garage to inquire as to why you called him a name, at which time you stated, "Don't try me little boy," and, "You're a punk, I don't need to know you. I can tell by looking at you. You're a punk. You ain't nothing."

The juvenile exchanged words with you due to your statements, at which time you told him, "We are gonna know each other really well. Get your ass in the house or you're going to jail." The juvenile began walking back into the residence, at which time you continued to call him "punk" several more times.

It is clear the juvenile did not respond in a positive manner to your actions, and you indicated in your interview that you believed the manner you spoke to him did not have the positive outcome you were expecting.

Your antagonizing and belittling behavior, coupled with the baseless threats to arrest the juvenile, is unacceptable. Deputies must be courteous and not use vulgar or otherwise antagonistic language towards any person, especially those who are of young age, and maintain command of their temper, patience and discretion. Your conduct is likely to have adversely affected the good order and reputation of the Volusia Sheriff's Office, and will not be tolerated.

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

02/19/2015	26.2.095	Handling Monies & Property	Sustained
06/25/2015	26.2.131	General Proficiency	Sustained

07/28/2015	26.2.095 26.2.161	Handling Monies & Property General Proficiency	Sustained
11/15/2015	26.2.098	Careless Handling Equipment & Vehicle	Sustained
12/02/2015	26.2.015	Failure to Respond to Subpoena	Sustained
02/10/2016	26.2.133 26.2.043	Repeated Failure to Maintain Required Skills Search of an Arrested Person	Sustained
03/11/2016	26.2.514	Tardiness	Sustained
07/20/2017	26.2.054 86-453(13)	Association with Criminals Any Conduct, On or Off Duty, that Reflects Unfavorably on the County as an Employer	Sustained
05/02/2018	26.2.156	Use of Equipment: Body Worn Camera	Sustained
07/06/2018	26.2.098	Careless Handling Equipment & Vehicle	Sustained
04/02/2020	26.2.124 26.2.131 26.2.31	Compliance With Direct Order of a Superior or Competent Authority General Proficiency Inattention to Duties, Loafing, Sleeping	Sustained
07/24/2020	26.2.155	Use of Equipment: BWC	Sustained
08/07/2020	26.2.98	Careless Handling of Equipment and Vehicles	Sustained
01/04/2021	86-453 (1) 86-453 (2) GO-026-02.IV.D.6.i	Willful neglect in the performance of the duties of the position to which the employee is assigned Disregard for or frequent violations of county ordinances, departmental policies, including safety rules Careless Handling of Equipment and Vehicles	Sustained

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.

Deputy Lickiss, you were served with an “Intent to Suspend” letter on October 29, 2021, advising you of Division Chief Brian Henderson’s intent to suspend you from duty without pay for sixteen (16) hours. You appeared before me on November 4, 2021, and had the opportunity

to offer any mitigating circumstances that should be considered prior to the final discipline. After earnest consideration, I have found proper cause to uphold Division Chief Brian Henderson's decision, and my final decision is to suspend you from duty **without pay for sixteen (16) work hours.**

However, in lieu of serving the suspension without pay for its entirety, you may elect to use **eight (8) hours** of your personal leave for a one-time maximum allotment of sixty hours (60). If you so elect, the remaining balance of your one-time allotment would be fifty-two hours (52). Your Captain will determine the date and times of your suspension.

You may not voluntarily work any additional hours (i.e., scheduled days off) during the pay period in which the suspension is taken.

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

The Volusia Sheriff's Office General Counsel and Human Resources Director have reviewed and concurred with this intended action.


Any subsequent activity of a similar nature will result in more severe administrative action, up to and including dismissal. Take due care and govern yourself accordingly. Be especially aware of **Progressive Discipline GO 26-01.**

Sincerely,



JOSEPH F. GALLAGHER
CHIEF DEPUTY

cc: VSO Human Resources
VSO General Counsel
Internal Affairs



This letter was read and received by:
Deputy Brant Lickiss, #8316
Date: 11/10/21
Time: 1343 hours

JG/arc 041L0061.21

Served by: A. Calkins @ District 4