

**VOLUSIA COUNTY SHERIFF'S OFFICE
INTERNAL AFFAIRS**

REPORT OF INVESTIGATION

REPORT NUMBER: IA-17-018

PERIOD COVERED: May 1, 2017
DATE REPORTED: May 4, 2017
SUBJECT(S) NAME: Telecommunicator Henry Sherlock #7532
INVESTIGATING OFFICERS: Detective Glen Bennett #1452
BASIS FOR INVESTIGATION:

On May 1, 2017, Telecommunicator Henry Sherlock was assigned to east side fire primary radio at the William R. Lee Communications Center in Daytona Beach, FL. Sometime between 3:32PM – 4:00PM, Telecommunicator Sherlock allegedly made a comment that was sexual in nature towards Shift Training Coordinator Laura Jewell. The alleged comment was reportedly overheard by a supervisor and fellow telecommunicator.

OFFENSES:

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

22.10.1 Sexual harassment and same sex harassment is unsolicited-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.

RE: 26.2.64 Sexual Harassment - Employees shall not engage in conduct, which is defined by Sec. 703, Title VII of the Civil Rights Act of 1964 as sexual harassment. *(Violation subject up to dismissal.)*

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

26.2.121 Respect Towards Superiors - Employees shall display respect and shall address supervisors and superior officers by proper rank or title. *(Violation subject up to a 1 day suspension.)*

26.2.125 Criticism of Orders or Policies - Employees shall not publicly criticize or ridicule the County or Department, its policies, orders or personnel in speech, writing or by other expression where such interferes with the maintenance of discipline or otherwise undermines the effectiveness of the Department or County. *(Violation subject up to a demotion.)*

26.2.133 General Proficiency - Repeated failure to maintain necessary skills, knowledge and abilities after counseling and instruction shall result in increasing the severity of disciplinary actions. *(Violation subject up to dismissal.)*

RE: 26.2.47 Courtesy – Employees shall be civil and respectful towards each other and towards the public in general. They shall be especially courteous to visitors, guests, speakers and instructors. *(Violation subject up to 1 day suspension)*

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: (13) Any conduct, on or off duty that reflects unfavorably on the County as an Employer.

INVESTIGATIVE SUMMARY:

On May 12, 2017 Deputy Chief John Creamer assigned the above incident to the Internal Affairs Unit.

On May 17, 2017, Telecommunicator Sherlock was served with a Notification of Internal Investigation. This report details the internal affairs investigation conducted by Detective Glen Bennett. *(See Tab – B for Official Correspondence)*

Detective Bennett reviewed the Supervisors Inquiry (113M0073.17) authored by Communications Supervisor (CS) Joseph Pozzo, which outlined the incident in question. On Monday May, 1, 2017, between 3:32PM – 4:00PM Shift Training Coordinator (STC) Laura Jewell, Telecommunicator (TC) Henry Sherlock, Telecommunicator (TC) Mathew Cresenzi and System Status Coordinator (SSC) EVAC Lieutenant Stephanie Outlaw were on duty at their

assigned work stations. At one point, TC Sherlock, STC Jewell and TC Cresenzi turn and face one another at a table positioned in the middle of their work area. The three were discussing promotions when STC Jewell informed TC Cresenzi that he should put in for the next supervisory position. STC Jewell explained that even if he did not get the supervisors position he could potentially be appointed as an assistant supervisor which was similar to how she achieved her position. At that time, TC Sherlock stated the following, *“Don’t get me started on that. Obviously you blew someone.”* Implying STC Jewell performed a sexual act to achieve her current supervisory position.

After TC Sherlock made the comment, the conversation stopped and all three turned around to their assigned work stations. SSC Outlaw was not part of the conversation: however, she did overhear the comment made by TC Sherlock.

Two days later on May 3, 2017, STC Jewell was in CS Pozzo’s office when she advised him of the comment made by TC Sherlock. Communications Director John Balloni was notified of the incident and an inquiry was conducted. *(See Tab – B for Official Correspondence)*

Detective Bennett researched TC Sherlock’s disciplinary history and discovered he received a Verbal Reprimand on May 31, 2016 and a Letter of Reprimand on January 14, 2017 for violation of Sheriff’s Office directive 26.2.47 Courtesy.

System Status Coordinator Stephanie Outlaw

On June 2, 2017, Detective Glen Bennett and Detective Tara Burke conducted a sworn recorded interview with SSC Stephanie Outlaw with EVAC Ambulance at the Sheriff’s Office communications center in Daytona Beach, FL. The following is a summary of that interview:

SSC Outlaw is the assistant status control officer assigned to the communications center where she is responsible for the placement of ambulances in and around Volusia County. SSC Outlaw has been with EVAC Ambulance since 2011 and has served as a lieutenant for the past three years.

SSC Outlaw was working alongside TC Cresenzi, TC Sherlock and STC Jewell in the eastside fire pod on Monday, May 1, 2017. The radio pod consists of four individual quadrants with a

round table in the middle which allows the operators the ability to turn around from their duty station and face one another in the center.

SSC Outlaw did not involve herself in the conversation between TC Sherlock, STC Jewell and TC Cresenzi which was taking place in the center of the pod. However, SSC Outlaw did hear a comment made by TC Sherlock, *“Oh it was something to the effect of who did you blow or sleep with... we all knew you blew to get the job or something like that.”* SSC Outlaw deemed the comment as, *“...uncalled for, rude, unprofessional;”* nonetheless, she believed he was trying to be funny and described his personality as *“pretty colorful.”*

SSC Outlaw was aware of the Sheriff’s Office and EVAC Ambulance sexual harassment policy and believed the comment made by TC Sherlock was sexual harassment. She did not report the incident to superiors nor did she discuss it with her fellow workers. *(See Tab – C for Official Transcript)*

Telecommunicator Matthew Cresenzi

On June 5, 2017, Detective Glen Bennett and Detective Tara Burke conducted a sworn recorded interview with TC Matthew Cresenzi at the Sheriff’s Office communications center in Daytona Beach, FL. The following is a summary of that interview:

TC Cresenzi has been a telecommunicator with the Sheriff’s Office since April of 2011 and was on duty Monday, May 1, 2017. On that date he was assigned to the eastside fire pod along with TC Sherlock, STC Jewell and Lieutenant Outlaw.

According to TC Cresenzi, he along with STC Jewell and TC Sherlock were engaged in a conversation about who was possibly going to be promoted within the communications center. It was during this discussion he heard TC Sherlock make the comment, *“...something to the effect of a fellatio reference in regards to receiving a promotion...”* which was directed toward STC Jewell. After the comment was made, everyone went silent and turned around towards their work stations.

TC Cresenzi has known TC Sherlock for four years and stated, *“I know he didn’t mean it maliciously...I know he meant it in a joking manner, however of course that joke was in poor taste.”* TC Cresenzi further stated that the comment was *“technically”* unacceptable in the work

place and the comment did not offend him as he wrote it off as a poor taste in jokes, but he did understand how someone could be offended.

TC Cresenzi was aware of the Sheriff's Office sexual harassment policy and stated, "*Under the technical definition of sexual harassment, yes that would qualify as sexual harassment.*" (See Tab – D for Official Transcript)

Shift Training Coordinator Laura Jewell

On June 5, 2017, Detective Bennet and Detective Burke conducted a sworn recorded interview with STC Laura Jewell at the Sheriff's Office communication center in Daytona Beach, FL. The following is a summary of that interview:

STC Jewell has worked for the Sheriff's Office since July of 2016 and has been Bravo Shift Assistant Supervisor and Shift Training Coordinator since March 1, 2017.

On May 1, 2017, STS Jewell was assigned to the eastside fire pod along with TC Sherlock, TC Cresenzi and Lieutenant Outlaw. Ms. Jewell, TC Sherlock and TC Cresenzi were gathered in the center of their pod discussing the upcoming promotions. According to Ms. Jewell, she was explaining to TC Cresenzi he should put in for more than one position; which is what she had done. Shortly after making that statement, STC Jewell explained;

"Hank Sherlock made the comment after I advised Matthew [TC Cresenzi] that he should apply for the TC4 position he said; because that's what I did. And Hank said, "Don't get me started. You obviously blew somebody."

After hearing the comment made by TC Sherlock, STC Jewell turned around in her chair and faced her work station. STC Jewell said of the comment, "*I found it offensive because I know it's not true. That's not how I got promoted...It made me feel uncomfortable and (crying – sorry)...It offended me in the aspect that I know I'm not that type of person.*"

STC Jewell tried to ignore TC Sherlock's comment because she didn't want to cause any issues or cause conflict. However, on May 3, 2017, STC Jewell, while discussing work related issues with her supervisor, advised him of the inappropriate comment made by TC Sherlock.

According to STC Jewell, this was not the first time TC Sherlock made a sexually based comment to her. Since September 10, 2016, which marked her return from academic training at the communications center, TC Sherlock has made “sexual comments” in passing during shift change. STC Jewell and TC Sherlock have never been involved in any kind of relationship, which made her wonder why he would be asking her to perform oral sex on him. These inappropriate comments were frequent during her shift, particularly when there was nobody present. TC Sherlock would never make these comments loud enough for others to hear; nonetheless, she kept it to herself and tried not to let it affect her work until just recently.

STC Jewell was aware of the Sheriff’s Office policy governing sexual harassment and knew how to file a complaint. *(See Tab – E for Official Transcript)*

On June 26, 2017, TC Sherlock submitted his resignation to the Sheriff.

On July 6, 2017, the Sheriff accepted TC Sherlock’s resignation making it effective July 11, 2017. Because of TC Sherlock’s resignation, he was not interviewed for this investigation. *(See Tab – B for Official Correspondence)*

EXECUTIVE SUMMARY:

On May 1, 2017, Telecommunicator (TC) Henry Sherlock, while on duty, was speaking to Shift Training Coordinator (STC) Laura Jewell and Telecommunicator (TC) Matthew Cresenzi in the center of their radio pod about upcoming promotions. STC Jewell had just advised TC Cresenzi he should put in for multiple supervisory positions; which was how she achieved her current supervisory status. At that point, TC Sherlock made the statement, “*Don’t get me started. You obviously blew somebody,*” referring to her having achieved her current position by performing a sexual act. After making the statement, the conversation abruptly ended as STC Jewell and TC Cresenzi turned around to face their work stations.

STC Jewell felt the statement was offensive as well as making her feel uncomfortable. STC Jewell did not immediately advise her supervisor of the comment; however, a few days later, while speaking to Communications Supervisor (CS) Joseph Pozzo, she advised him of the

incident and how it made her feel. CS Pozzo notified Sheriff's Office command staff and a supervisor's inquiry was conducted.

During interviews with internal affairs detectives, both TC Cresenzi and System Status Coordinator (SSC) Stephanie Outlaw confirmed the statement made by TC Sherlock. Furthermore, they both agreed the comment was unprofessional and inappropriate.

During STC Jewell's interview with internal affairs, she explained how TC Sherlock has made several inappropriate comments to her in the past. She explained how she kept the comments to herself and tried not to let it affect her work until just recently.

TC Sherlock submitted his resignation prior to being interviewed for this investigation. Upon reviewing TC Sherlock's disciplinary history, it was discovered he received a Verbal Reprimand in May of 2016 and a Letter of Reprimand in January of 2016 for violating Sheriff's Office directive 26.2.47 Courtesy.

CONCLUSION:

On August 7, 2017, this investigation was presented to the Sheriff. After review, the Sheriff determined the violation of the below listed department and county policies to be:

22.10.1 Sexual harassment and same sex harassment is unsolicited- **Not Sustained**
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.

RE: 26.2.64 Sexual Harassment - Employees shall not engage in conduct, which is defined by Sec. 703, Title VII of the Civil Rights Act of 1964 as sexual harassment. *(Violation subject up to dismissal.)*

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

26.2.121 Respect Towards Superiors - Employees shall display respect and shall address supervisors and superior officers by proper rank or title. **Sustained**
(Violation subject up to a 1 day suspension.)

26.2.125 Criticism of Orders or Policies - Employees shall not publicly criticize or ridicule the County or Department, its policies, orders or personnel in speech, writing or by other expression where such interferes with the maintenance of discipline or otherwise undermines the effectiveness of the Department or County. **Sustained**
(Violation subject up to a demotion.)

26.2.133 General Proficiency - Repeated failure to maintain necessary skills, knowledge and abilities after counseling and instruction shall result in increasing the severity of disciplinary actions. **Sustained**
(Violation subject up to dismissal.)

RE: 26.2.47 Courtesy – Employees shall be civil and respectful towards each other and towards the public in general. They shall be especially courteous to visitors, guests, speakers and instructors. *(Violation subject up to 1 day suspension)*

Volusia County Merit Rules and Regulations 86 – 453

RE: (13) Any conduct, on or off duty that reflects unfavorably on the County as an Employer. **Sustained**

EXHIBITS:

- A. Report of Investigation
- B. Official Correspondence/Supervisor Inquiry
- C. Official Transcript of System Status Coordinator Stephanie Outlaw
- D. Official Transcript of Telecommunicator Matthew Cresenzi
- E. Official Transcript of Shift Training Coordinator Laura Jewell
- F. Miscellaneous Documents
- G. Digital Media

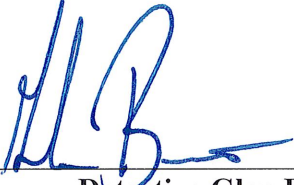
WITNESSES:

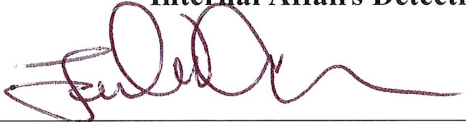
Telecommunicator Matthew Cresenzi
Volusia County Sheriff's Office
386-736-5961

Shift Training Coordinator Laura Jewell
Volusia County Sheriff's Office
386-736-5961

System Status Coordinator Stephanie Outlaw
Volusia County Sheriff's Office
386-736-5961

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.

INVESTIGATOR:  DATE: 8/7/17
Detective Glen Bennett
Internal Affairs Detective

APPROVED BY:  DATE: 8/10/17
Chief Deputy John Creamer
SHERIFF MICHAEL J. CHITWOOD
VOLUSIA COUNTY FLORIDA