

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

REPORT OF INVESTIGATION

REPORT NUMBER: IA-17-028

PERIOD COVERED: January through December 2017
DATE REPORTED: December 8, 2017
SUBJECT(S) NAME: Evidence Manager Harold "Jody" Thomas #7364
INVESTIGATING OFFICERS: Lieutenant Thomas Tatum

BASIS FOR INVESTIGATION:

On December 8, 2017, a complaint was received by Chief Deputy John Creamer regarding possible workplace harassment at the Evidence Section in the Volusia County Sheriff's Office. The complaint alleged unwanted comments of a sexual nature and hostile work environment. Due to the nature of the allegations, Chief Creamer 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:

22.10.15 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.

Volusia County Merit System Rules and Regulations 86-453 (13). Any conduct, on or off duty, that reflects unfavorably on the County as an employer. *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.*

INVESTIGATIVE SUMMARY:

On December 8, 2017, Chief Deputy John Creamer assigned the above incident to the Internal Affairs Unit to gather further facts related to the allegations. Mr. Thomas was served with his Notice of Internal Investigation at the Evidence Section in Deland, FL. This report details the internal affairs investigation conducted by Lieutenant Thomas Tatum. *(See Tab A for ROI)*

On December 11, 2017, Evidence Manager Thomas submitted his letter of retirement to Sheriff Chitwood. Sheriff Chitwood accepted the retirement letter and waived the two week notice. *(See Tab B for letter)*

On December 18, 2017, Lieutenant Tatum met with Captain David Brannon who was assigned to the Evidence Section to take the place of Mr. Thomas as the Evidence Manager. Captain Brannon located a file with memos signed by the Evidence personnel dated October 22, 2014. The memo, which was authored by Mr. Thomas, was an order for any employee who had any type of notes documenting the performance and/or actions of Evidence Section employees or other Volusia County Government members to turn them in to the Evidence Manager (Mr. Thomas) no later than Friday October 24, 2014. The names of Evidence personnel were listed on the memo and each employee was to sign the memo and return it to him. *(See Tab K for Memos)*

James Whitaker

On December 12, 2017, Lieutenant Tatum conducted a sworn recorded interview with James Whitaker in the Internal Affairs Unit office in Deland, FL. The following is a summary of the interview.

Mr. Whitaker is a civilian employee of the Volusia County Sheriff's Office and is currently assigned as the Assistant Evidence Manager in the Evidence Section. He has been employed with the Volusia County Sheriff's Office for 28 years. He has held the position of Assistant Evidence Manager for the past 8 years.

Mr. Whitaker has worked with Evidence Manager Harold (Jody) Thomas for approximately eight years. When asked if he had witnessed any behavior that may make for a hostile work environment over the past twelve months, he said yes. According to Mr. Whitaker, Mr. Thomas would yell out the name of another employee, April Jenkins, loudly and proceed to pick on her in front of other employees. There was a lot of “banter” back and forth between the two. When asked to be more specific, Mr. Whitaker said it had to do with job performance but could not be more specific.

Mr. Whitaker said Mrs. Jenkins would often “vent” to him about decisions Mr. Thomas was making. As long-term employees of the Evidence Section, they would question between themselves decisions that were being made. Mr. Whitaker explained that there are over 200,000 pieces of property in evidence, and over the years things have not been accounted for and they would list the items as Unable to Locate (UTL). Mr. Thomas wanted to do away with the UTL and made a new category named “Unknown.” Mr. Whitaker stated Mr. Thomas wanted as many items as he could out of the computer system. Mr. Whitaker was not saying the items were stolen, but they were at Evidence somewhere but could not be located.

Mr. Whitaker explained how Mr. Thomas authored a memorandum saying that nobody will keep notes on performance or what happens at Evidence, and if they should exist, they would need to turn them in to him by a specific date and time. To Mr. Whitaker’s knowledge, nobody turned in notes. Mr. Thomas had each employee sign the memorandum.

On one occasion, Mr. Whitaker, Mrs. Jenkins and Mr. Thomas were working a late night due to evidence seized in a grow house operation. Mr. Whitaker said Mr. Thomas wanted him to write something specific in a report regarding a deputy who may have unintentionally miscounted money that was turned in. Mr. Whitaker did not feel comfortable writing the report because he didn’t witness the deputy counting the money. According to Mr. Whitaker, Mr. Thomas slammed his fist on the desk so hard he thought it was going to break the desk. Mr. Thomas was adamant that nobody was leaving until the report was written. Mrs. Jenkins wrote the report as directed by Mr. Thomas just to get them out of the building.

On another occasion, the Sheriff's Office Public Information Officer, Andrew Gant, called evidence to set an appointment for the news media to take photos of firearms that were taken from a Baker Act subject. Mr. Whitaker said it was not unusual for the media to come out there and take photos. The next day the media showed up and was asking where Sheriff Chitwood was, a short time later the Sheriff arrived and gave a statement. Mr. Whitaker took a photo and sent it to Mr. Thomas via text. Mr. Thomas was not happy that he was not notified that the Sheriff was coming out to Evidence and according to Mr. Whitaker, Mr. Thomas felt someone (Mr. Whitaker) was trying to out maneuver him and make him look bad. Mr. Thomas told Mr. Whitaker that he didn't feel he was being loyal to him. Mr. Whitaker stated Mr. Thomas was yelling at him in front of the evidence employees. Mr. Whitaker thought, *"Yeah, it just like, yell all you want. That's fine I don't care you're not hurting me. You're just blowing off steam. Blow it off and get it out of your system."*

When asked if he enjoyed working at evidence under Mr. Thomas he said, *"The job yes. Working for Jody as time progressed over the years? Not so much."* Mr. Whitaker was asked if he felt the work environment was hostile, and he said, *"Yeah I would think possible. Um, yes there were items I mean. We have a pretty good group and a lot of them do banter back and forth and tease at times and it can get out of hand but sometimes he made it pretty fairly I guess I don't know like I said I grew up under the other. That other whole group and it's and I'm probably not nearly as sensitive to that as a lot of people."*

Mr. Whitaker did not witness any sexual harassment other than Mr. Thomas *"leering"* at the mail lady through the window. Mr. Whitaker commented on something that took place recently in the office. Someone had sculpted a mini male appendage, they were commenting back and forth, and they asked Mr. Thomas what it looked like. Mr. Whitaker said they were just having fun. *(See Tab E for complete Transcript)*

Rachael Jemison

On December 18, 2017, Lieutenant Tatum and Sergeant McKnight conducted a sworn recorded interview with Rachael Jemison at the Evidence Section located at 2564 W. New York Ave. in Deland, FL. The following is a summary of the interview.

Ms. Jemison has been employed with the Volusia County Sheriff's Office for the past 17 years and is currently assigned to the Evidence Section. Ms. Jemison has held this position for the past four years.

Ms. Jemison has worked with Mr. Thomas since she moved to the Evidence Section approximately four years ago. Ms. Jemison was asked if she witnessed any behavior that may have made for a hostile work environment and/or behavior that would be perceived as harassment based upon age, gender, race or religion, she said "Yes." According to Ms. Jemison, Mr. Thomas would make sexual comments towards her about her body and things she should do sexually to her boyfriend to keep him happy. When asked for specific comments made by Mr. Thomas, Ms. Jemison said, "*He'd tell me when I gain a little weight my tits and ass would fill out and it makes me look a lot better.*" When asked if she was offended by the comments, Ms. Jemison replied, "*Yes, I'd tell him he was fucking disgusting and tell him to shut up.*" Ms. Jemison said that comment took place near the key box outside Mr. Thomas' office. They would have to sign the key out and sign a log, it got to the point where Ms. Jemison would ask another employee to get the key so she could avoid Mr. Thomas. Ms. Jemison said there were no witnesses to that comment.

Ms. Jemison said she recently had a cast on her leg for two month and had to use a knee scooter to get around. She recalled a few weeks ago, she was in the hallway and was going to the front office and Mr. Thomas was behind her and asked where she was going, she told him she was going up front and he commented, "*Yeah, that's where you belong on your knees.*" Ms. Jemison said Mr. Thomas almost had a heart attack because another employee was coming out of the bathroom and when he made the comment, but she wasn't sure if she heard him. When asked if

she said anything to Mr. Thomas about his comment, she said she would tell him to “*Fuck Off.*” Ms. Jemison said she knows that is not a way to talk to your boss, but there were no boundaries.

Ms. Jemison was asked about the clay or playdough modeled into the form of a male appendage as indicated by Mr. Whitaker. Ms. Jemison recalled that she came into the office and the playdough was in the form of a penis and it was on her desk. She believed it came from Jim Kennedy who she works with. When asked if she was offended by Mr. Kennedy placing it on her desk, she said “*No, I didn’t really care. But had I known it came from Jody? Yes I would have been annoyed. I can’t think of the word you know just; if it were to come from him yes I would have been pissed because he’s already a pervert.*” Ms. Jemison said Mr. Kennedy would not make comments about her body and she said he treats her like her father would.

Lieutenant Tatum asked Ms. Jemison if she ever made notifications on the sexual harassment document employees fill out each year that would indicate a problem; Ms. Jemison said no because she didn’t want to get any “shit” from him and he would have made her life a living hell. *(See Tab F for complete transcript)*

April Jenkins

On December 18, 2017, Lieutenant Tatum and Sergeant McKnight conducted a sworn recorded interview with April Jenkins at the Evidence Section located at 2564 W. New York Ave in Deland, Fl. The following is a summary of the interview.

Mrs. Jenkins has been with the Volusia County Sheriff’s Office for the past nineteen years and is currently assigned to the Evidence Section as an Evidence Technician. She has held that position since 2001.

Mrs. Jenkins worked with Mr. Thomas on a daily basis since he took over as the Evidence Manager. Mrs. Jenkins informed detectives that she has witnessed behavior from Mr. Thomas that may make for a hostile working environment. Mrs. Jenkins stated one incident where Mr. Thomas “emasculated” a co-worker, Jim Whitaker, in front of a group of employees. According

to Mrs. Jenkins, within the past month during a meeting, Mr. Thomas “*called him (Mr. Whitaker) out and basically said he wasn’t worth managing or couldn’t manage the Evidence Section.*” Mrs. Jenkins advised she and two other employees felt “*really bad*” for Mr. Whitaker to the point where she just wanted to get up and leave. Mrs. Jenkins stated that was not the first time Mr. Thomas had done that. When asked what that comment was concerning, Mrs. Jenkins stated that Mr. Thomas was talking about loyalty because Mr. Whitaker either applied for or was offered a job in professional standards and he was upset during the meeting.

While on the topic of loyalty, Lieutenant Tatum discussed the memo written by Mr. Thomas in 2014. Mrs. Jenkins did not recall specifically the memo until she was shown a copy and identified her signature. Mrs. Jenkins believed the memo was concerning Lauryn Mandese allegedly keeping notes on activities taking place at Evidence.

Mrs. Jenkins recalled an incident where Mr. Thomas wanted Mr. Whitaker to write a report about something (she didn’t recall) and Mr. Whitaker refused to write the report because he didn’t witness the incident and didn’t agree with what Mr. Thomas wanted him to write. According to Mrs. Jenkins, Mr. Thomas slammed his hand on the table. Mrs. Jenkins then decided she would write the report just to avoid any further issues even though she agreed with Mr. Whitaker. Mrs. Jenkins said she didn’t feel comfortable writing the report, but she did because Mr. Thomas was mad.

When asked if Mr. Thomas showed favoritism with certain employees, Mrs. Jenkins said it would be her and Rachael Jemison because they had been there the longest and he would call on them to take care of things. Mrs. Jenkins was asked if she witnessed Mr. Thomas sexually harass any employee; she said he would always say things in jest. During a Thanksgiving gathering, Mr. Thomas made a comment to Ms. Jemison who in turn told him to leave her personal life out of the conversation. According to Mrs. Jenkins, if Ms. Jemison didn’t like something that was said she would let it be known. *(See Tab G for complete transcript)*

Lauren Mandese

On February 1, 2018, Lieutenant Tatum and Detective Glen Bennett conducted a sworn recorded interview with Evidence Technician Lauren Mandese at 2564 W. New York Ave. in Deland, FL. The following is a summary of the interview.

Mrs. Mandese has been employed by the Volusia County Sheriff's Office since May 5, 2008. Prior to her current assignment at the Evidence Section, Mrs. Mandese worked in Central Communications. Mrs. Mandese became an Evidence Technician in May of 2012. Mrs. Mandese advised she had worked with Mr. Thomas at the Evidence Section since she was assigned there in 2012. Mrs. Mandese was asked if she had witnessed any behavior that may have made for a hostile work environment and/or behavior that could be perceived as harassment based on gender, race, religion, etc., she said yes.

According to Mrs. Mandese, Mr. Thomas held a meeting with the evidence employees and scolded them because they did not tell him that the Sheriff was on property with the news media. During the meeting, Mr. Thomas turned to Mr. Whitaker and began scolding him in front of the group and according to Mrs. Mandese basically told him that if he wanted to go work elsewhere then do it. Mr. Thomas was big on loyalty and knew that Mr. Whitaker was interested in a job position "upstairs" (4th floor Sheriff's Admin). Mrs. Mandese said you could hear a pin drop when Mr. Thomas was scolding the employees.

On another occasion, Mrs. Mandese applied for a position in the Latent Print division of the Sheriff's Office. Mr. Thomas found out and treated her like "scum" after. Mrs. Mandese provided several examples of the way she was treated and felt she was picked on more than other people. If she was gone for lunch longer than usual, it would be pointed out but nothing was said about others who did the same. She had her van taken away for a short time because Mr. Thomas said she was taking too long on her evidence pick-ups, however when others would take longer they did not receive the same punishment. Mrs. Mandese stated she had to alter the way she acted at work so Mr. Thomas would leave her alone.

Mrs. Mandese stated Mr. Thomas would make inappropriate comments to her and about other females. Mr. Thomas would make comments about a female's (former employee) buttocks and how nice it was. Mr. Thomas made a comment to Mrs. Mandese about her changing the color of her hair from a blond color to black. Mr. Thomas made the comment to her the next day about how it must make her husband really excited because it's like a new women. She didn't feel that was an appropriate comment to make. According to Mrs. Mandese, Mr. Thomas would also make comments about Ms. Jemison and her physique and he would do it in front of the whole office. Mrs. Mandese said there is a line when you can joke with friends that you work with but he crossed the line. Mrs. Mandese opinion was that as a manager Mr. Thomas' comments were inappropriate for the workplace. There was always banter back and forth between the employees that was made to be fun, but Mr. Thomas would take it to the next level.

Mrs. Mandese explained that Mr. Thomas would brag about a story how he and Ms. Jamison went to do a jewelry drop off or a money exchange out of town. When they were walking next to each other in the parking lot Mr. Thomas reached for her hand and tried to hold it and said let's pretend we are together. He would laugh about it but Ms. Jemison would say get off me that's disgusting. He thought it was all a joke, but Mrs. Mandese thought it was "weird" and "creepy".

Mrs. Mandese was asked about the Memorandum that Mr. Thomas authored and had each employee sign it stating they will not keep notes on co-workers. Mrs. Mandese advised she was training an employee in evidence and was keeping notes on her progress. She was also keeping notes on another employee who she felt was bullying her. Mrs. Mandese told investigators that she notified her immediate supervisor of the bullying but nothing was done. Mr. Thomas found out about the notes and told her to turn them in or destroy the notes because it was against County Rules of Merit and she could lose her job. Mrs. Mandese said she was dumb enough to believe that there was a policy regarding keeping notes. Mr. Thomas told her to shred her notes and get rid of them. Mrs. Mandese was asked if the employee that was bullying her is still working at Evidence, she said yes, but there are no ongoing issues. Detectives advised Mrs. Mandese that she could notify the Internal Affairs Unit or Human Resources if the issue continues.

Mrs. Mandese summed it up by saying:

“Um just it’s like overall shady actions type of thing. Like it was just a culmination. He, like I said, he would always you know preach about loyalty and there were two specific employees that would always just go and you know talk in his ear if they had a complaint to make; real or made up in their head. He would just take their word at it and that was it and he would come down on whatever employee that complaint was about and he would just, he’d make people feel like they’d lose their job if they went further with something he would make people feel like they would get transferred.”
(See Tab H for official transcript)

EXECUTIVE SUMMARY:

On December 8, 2017, a complaint was received by Chief Deputy John Creamer regarding possible workplace harassment at the Evidence Section in the Volusia County Sheriff’s Office. The complaint alleged unwanted comments of a sexual nature and hostile work environment. Due to the nature of the allegations, Chief Creamer initiated an internal affairs investigation.

On December 11, 2017, Evidence Manager Thomas submitted his letter of retirement to Sheriff Chitwood. Sheriff Chitwood accepted the retirement letter and waived the two week notice.

On December 18, 2017, Lieutenant Tatum met with Captain David Brannon who was assigned to the Evidence Section to take the place of Mr. Thomas as the Evidence Manager. Captain Brannon located a file with memos signed by the Evidence personnel dated October 22, 2014. The memo, which was authored by Mr. Thomas, was an order for any employee who had any type of notes documenting the performance and/or actions of Evidence Section employees or other Volusia County Government members to turn them in to the Evidence Manager (Mr. Thomas) no later than Friday October 24, 2014. The names of Evidence personnel were listed on the memo and each employee was to sign the memo and return it to him.

On December 12, 2017, Lieutenant Tatum conducted a sworn interview with the Assistant Evidence Manager James Whitaker. Mr. Whitaker advised he believed there was a hostile work environment under Mr. Thomas at the Evidence Section. On one occasion, Mr. Whitaker, Mrs. Jenkins and Mr. Thomas were working a late night due to evidence seized in a grow house operation. Mr. Whitaker said Mr. Thomas wanted him to write something specific in a report regarding a deputy who may have unintentionally miscounted money that was turned in. Mr. Whitaker did not feel comfortable writing the report because he didn't witness the deputy counting the money. According to Mr. Whitaker, Mr. Thomas slammed his fist on the desk so hard he thought it was going to break the desk. Mr. Thomas was adamant that nobody was leaving until the report was written. Mrs. Jenkins wrote the report as directed by Mr. Thomas just to get them out of the building.

Mr. Whitaker explained how Mr. Thomas authored a memorandum saying that nobody will keep notes on employee performance or what happens at Evidence, and if they should exist, they would need to turn them in to him by a specific date and time. To Mr. Whitaker's knowledge, nobody turned in notes. Mr. Thomas had each employee sign the memorandum.

According to Mr. Whitaker, Mr. Thomas would yell out the name of another employee, April Jenkins, loudly and proceed to pick on her in front of other employees. There was a lot of "banter" back and forth between the two. When asked to be more specific, Mr. Whitaker said it had to do with job performance but could not be more specific.

On December 18, 2017, Lieutenant Tatum conducted a sworn recorded interview with Rachael Jemison, an evidence Technician at the Evidence Section. The following is a summary of her statement.

Ms. Jemison has worked with Mr. Thomas since she transferred to the Evidence Section approximately four years ago. Ms. Jemison was asked if she witnessed any behavior that may have made for a hostile work environment and/or behavior that would be perceived as harassment based upon age, gender, race or religion, she said "Yes." According to Ms. Jemison,

Mr. Thomas would make sexual comments towards her about her body and things she should do sexually to her boyfriend to keep him happy. When asked for specific comments made by Mr. Thomas, Ms. Jemison said, *"He'd tell me when I gain a little weight my tits and ass would fill out and it makes me look a lot better."* When asked if she was offended by the comments, Ms. Jemison replied, *"Yes, I'd tell him he was fucking disgusting and tell him to shut up."* Ms. Jemison said that comment took place near the key box outside Mr. Thomas' office. They would have to sign the key out and sign a log, it got to the point where Ms. Jemison would ask another employee to get the key so she could avoid Mr. Thomas. Ms. Jemison said there were no witnesses to that comment.

Ms. Jemison said she recently had a cast on her leg for two month and had to use a knee scooter to get around. She recalled a few weeks ago, she was in the hallway and was going to the front office and Mr. Thomas was behind her and asked where she was going, she told him she was going up front and he commented, *"Yeah, that's where you belong on your knees."* Ms. Jemison said Mr. Thomas almost had a heart attack because another employee was coming out of the bathroom and when he made the comment, but she wasn't sure if she heard him. When asked if she said anything to Mr. Thomas about his comment, she said she would tell him to *"Fuck Off."* Ms. Jemison said she knows that is not a way to talk to your boss, but there were no boundaries.

Ms. Jemison was asked about an incident that involved clay or playdough modeled into the form of a male appendage as indicated by Mr. Whitaker. Ms. Jemison recalled that she came into the office and the playdough was in the form of a penis and it was on her desk. She believed it came from Jim Kennedy who is a co-worker. When asked if she was offended by Mr. Kennedy placing it on her desk, she said *"No, I didn't really care. But had I known it came from Jody? Yes I would have been annoyed. I can't think of the word you know just; if it were to come from him yes I would have been pissed because he's already a pervert."* Ms. Jemison said Mr. Kennedy would not make comments about her body and she said he treats her like her father would.

Lieutenant Tatum asked Ms. Jemison if she ever made notifications on the sexual harassment document employees fill out each year that would indicate a problem; Ms. Jemison said no because she didn't want to get any "shit" from him and he would have made her life a living hell.

On December 18, 2017, Lieutenant Tatum conducted a sworn recorded interview with April Jenkins who is an Evidence Technician. Mrs. Jenkins provided the following information.

Mrs. Jenkins worked with Mr. Thomas on a daily basis since he took over as the Evidence Manager. Mrs. Jenkins informed detectives that she has witnessed behavior from Mr. Thomas that may make for a hostile working environment. Mrs. Jenkins stated one incident where Mr. Thomas "emasculated" a co-worker, Jim Whitaker, in front of a group of employees. According to Mrs. Jenkins, within the past month during a meeting, Mr. Thomas *"called him (Mr. Whitaker) out and basically said he wasn't worth managing or couldn't manage the Evidence Section."* Mrs. Jenkins advised she and two other employees felt *"really bad"* for Mr. Whitaker to the point where she just wanted to get up and leave. Mrs. Jenkins stated that was not the first time Mr. Thomas had done that. When asked what that comment was concerning, Mrs. Jenkins stated that Mr. Thomas was talking about loyalty because Mr. Whitaker either applied for or was offered a job in professional standards and he was upset during the meeting.

Mrs. Jenkins recalled an incident where Mr. Thomas wanted Mr. Whitaker to write a report about something (she didn't recall) and Mr. Whitaker refused to write the report because he didn't witness the incident and didn't agree with what Mr. Thomas wanted him to write. According to Mrs. Jenkins, Mr. Thomas slammed his hand on the table. Mrs. Jenkins then decided she would write the report just to avoid any further issues even though she agreed with Mr. Whitaker. Mrs. Jenkins said she didn't feel comfortable writing the report, but she did because Mr. Thomas was mad.

When asked if Mr. Thomas showed favoritism with certain employees, Mrs. Jenkins said it would be her and Rachael Jemison because they had been there the longest and he would call on them to take care of things. Mrs. Jenkins was asked if she witnessed Mr. Thomas sexually harass

any employee; she said he would always say things in jest. During a Thanksgiving gathering, Mr. Thomas made a comment to Ms. Jemison who in turn told him to leave her personal life out of the conversation. According to Mrs. Jenkins, if Ms. Jemison didn't like something that was said she would let it be known.

On February 1, 2017, Lieutenant Tatum conducted a sworn recorded interview with Lauren Mandese who is an Evidence Technician in the Evidence Section. Mrs. Mandese provided the following statement.

Mrs. Mandese became an Evidence Technician in May of 2012. Mrs. Mandese advised she had worked with Mr. Thomas at the Evidence Section since she was assigned there in 2012. Mrs. Mandese was asked if she had witnessed any behavior that may have made for a hostile work environment and/or behavior that could be perceived as harassment based on gender, race, religion, etc., she said yes.

Mrs. Mandese explained how she applied for a position in the Latent Print division of the Sheriff's Office. Mr. Thomas found out and treated her like "scum" after. Mrs. Mandese provided several examples of the way she was treated and felt she was picked on more than other people. If she was gone for lunch longer than usual, it would be pointed out but nothing was said about others who did the same. She had her van taken away for a short time because Mr. Thomas said she was taking too long on her evidence pick-ups, however when others would take longer they did not receive the same punishment. Mrs. Mandese stated she had to alter the way she acted at work so Mr. Thomas would leave her alone.

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CONCLUSION:

On March 20, 2018, this investigation was presented to the Sheriff. After review, the Sheriff determined the violation of the below listed department and county policies to be: **SUSTAINED**

22.10.15 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.

Volusia County Merit System Rules and Regulations 86-453 (13). Any conduct, on or off duty, that reflects unfavorably on the County as an employer. *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.*

WITNESSES:

James Whitaker

2564 West State Road 44
DeLand, FL 32720
386-822-6458

Rachael Jemison

2564 West State Road 44
DeLand, FL 32720
386-822-6458

April Jenkins

2564 West State Road 44
DeLand, FL 32720
386-822-6458

Lauren Mandese

2564 West State Road 44
DeLand, FL 32720
386-822-6458

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:  DATE: 04/27/18

**Lieutenant Thomas Tatum
Internal Affairs Investigator**

APPROVED BY:  DATE: 5/1/18

**Chief Deputy John Creamer
SHERIFF MICHAEL J. CHITWOOD
VOLUSIA COUNTY FLORIDA**