

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

REPORT OF INVESTIGATION

REPORT NUMBER: IA-13-018

PERIOD COVERED: June 25, 2013
DATE REPORTED: June 28, 2013
SUBJECT(S) NAME: Deputy William Mather #7751
INVESTIGATING OFFICER: Investigator Glen Bennett #1452

BASIS FOR INVESTIGATION:

On June 25, 2013, Deputy William Mather conducted two traffic stops on Timothy Roy within fifteen minutes of each other. Mr. Roy was issued one Uniform Traffic Citation (UTC) for following too closely during the first traffic stop and two UTC's; running a stop sign and failing to produce his driver's license, during the second traffic stop.

On June 28, 2013, the Volusia County Sheriff's Office (VCSO) received a written complaint on Deputy Mather. The complainant, Mr. Roy, outlined in his written complaint several issues he had with Deputy Mather. Mr. Roy claimed Deputy Mather illegally stopped him, illegally detained him, did not provide him an opportunity to speak to his supervisor and Deputy Mather never gave his name upon request.
(See Tab – C For Written Complaint)

On July 19, 2013, Sergeant Albert Perrotta conducted a supervisor's inquiry (CC-13-021) on the events surrounding the traffic stops Deputy Mather conducted on Mr. Roy. The inquiry was completed and based on the findings it was determined further investigation was needed by the Internal Affairs Unit. *(See Tab – D For Supervisors Inquiry)*

OFFENSE:

This investigation is relevant to an alleged violation of Department Standards Directive:

26.2.132 Failure to maintain required skills, knowledge and abilities within acceptable levels shall result in counseling, instruction or training.
(Violation subject up to a written reprimand.)

Re: FS 901.151 Stop and Frisk Law

26.2.56 Name Given upon Request - Employees, while on duty or in uniform, or when otherwise recognized as a member of the Department, shall give their name, rank or position in a respectful and courteous manner to any person requesting such identification

unless engaged in covert duties. (*Violation subject up to a 1 day suspension.*)

INVESTIGATIVE SUMMARY:

On August 16, 2013, Chief Deputy Mike Coffin assigned the above case to the Internal Affairs Unit for investigation. This report details the investigation conducted by Investigator Glen Bennett.

Investigator Bennett reviewed the written complaint and supervisor inquiry (CC-13-021), which included two DVD's. One DVD, provided by Timothy Roy, contained a portion of a self recorded video of Deputy Mather during the second traffic stop. The second DVD, provided by Daytona Beach Shores Department of Public Safety (DBSDPS); contained video footage from a patrol car dash camera of the second traffic stop's conclusion. (*See Tab – K For Digital Media*)

In the supervisor's inquiry, Sergeant Perrotta described how Mr. Roy did not cooperate with his investigation. Sergeant Perrotta attempted to contact Mr. Roy on six different occasions and left a phone number and message to call him back. Only on one occasion did Sergeant Perrotta speak to Mr. Roy and a meeting was scheduled but Mr. Roy did not show. The supervisor inquiry also described another video that Mr. Roy possessed of the first traffic stop. Mr. Roy said the video was incomplete because he dropped his phone and received a phone call while it was recording. Sergeant Perrotta asked for a copy of the video in its entirety; however, it was never provided by Mr. Roy.

On August 19, 2013, Investigator Bennett reviewed police reports from DBSDPS (13-600306), VCSO (13-17505) and the computer aided dispatch (CAD) printouts from both traffic stops. (*See Tab – J For Miscellaneous Documents*)

The DBSDPS report #13-600306, written by public safety Officer Jason Turner, explained how he responded to Deputy Mather's location on a call for assistance from VCSO. DBSDPS was requested so their in-car camera could record the remainder of Deputy Mather's traffic stop on Mr. Roy. The report further stated Mr. Roy was known to video tape his interactions with law enforcement while being disrespectful and verbally abusive towards officers. Mr. Roy would then post the videos on YouTube.com.

VCSO report #13-17505, authored by Deputy Mather, details his actions, coupled with Mr. Roy's behavior during both traffic stops. Deputy Mather describes his probable cause for the two traffic stops and the reasons why Mr. Roy was detained. The report further described, how during the second traffic stop, Mr. Roy refused to exit the vehicle upon command and how he verbally and physically resisted Deputy Mather.

According to CAD, the first traffic stop was conducted on June 25, 2013 at 20:36 hours and concluded at 20:51 hours. The second traffic stop was conducted on the same day at 20:51 hours. Sergeant Raymond Dominy, with the Ponce Inlet Police Department (PIPD), arrived at 21:15 hours and Officer Turner arrived at 21:16 hours as back up. Deputy Mather obtained his case number for the incident at 21:24 hours and went back in

service concluding the traffic stop at 21:31 hours. The second traffic stop, which included waiting for back up units and supervisor advice from Sergeant Perrotta, lasted approximately forty minutes.

On August 20, 2013, Investigator Bennett served Deputy Mather his Notice of Internal Investigation and he was provided a copy of the Law Enforcement Officer Rights at XXXXXXXXXXXXXXX in South Daytona, FL. *(See Tab – B For Official Correspondence)*

On August 21, 2013, Investigator Bennett obtained a copy of an e-mail sent by Deputy Mather on June 26, 2013, to VCSO Legal Advisor John MacConnell. The e-mail contained the complete narrative of Deputy Mather's incident report. At the end of the e-mail Deputy Mather explained his decision not to arrest Mr. Roy and asks whether or not he should file charges against Mr. Roy. Mr. MacConnell's e-mail response was that Deputy Mather did have enough probable cause to arrest Mr. Roy the minute Mr. Roy refused to exit the vehicle; however, based on the circumstances, Deputy Mather showed good restraint in not making an arrest. *(See Tab – J For Miscellaneous Documents)*

On August 26, 2013, Investigator Bennett attempted to contact Mr. Roy using the telephone number he provided on the written complaint. Investigator Bennett was unable to reach Mr. Roy and a message was left for him to contact Investigator Bennett.

On August 27, 2013, Investigator Bennett did not receive a call back from Mr. Roy. Investigator Bennett called Mr. Roy for the second time and he answered the phone. Investigator Bennett explained to Mr. Roy that he wanted to meet and conduct a formal interview surrounding the circumstances of his written complaint. Mr. Roy stated he did not see it necessary to meet with Investigator Bennett and he was a busy man working two jobs. Investigator Bennett told Mr. Roy that an interview was essential to the investigation; however, the investigation would proceed with or without his cooperation. Mr. Roy stated he wished to consult with his attorney and agreed to call Investigator Bennett the following day. Mr. Roy never called Investigator Bennett back.

On August 28, 2013, Investigator Bennett called Mr. Roy and he did not answer the telephone. Investigator Bennett left a message with Mr. Roy explaining the investigation will continue and if he had any further questions or concerns to contact him at any time. Mr. Roy was never interviewed by Investigator Bennett or Sergeant Perrotta.

Deputy Jason Turner

On September 4, 2013, Investigator Bennett conducted a sworn recorded interview with Deputy Jason Turner at the Stephen Saboda Training Center in Daytona Beach, FL. The following is a summary of that interview:

Deputy Turner explained he worked as a Public Safety Officer with the DBSDPS for approximately five years before becoming a Deputy Sheriff with the Volusia County Sheriff's Office on August 5, 2013. As a public safety officer, Deputy Turner's duties

included law enforcement, firefighting and emergency medical services within the City of Daytona Beach Shores.

Deputy Turner was asked if he knew Timothy Roy and he stated that he did. When asked how he knew Timothy Roy, Deputy Turner stated, *“Several encounters with him on traffic stops.”* Deputy Turner explained that almost every public safety officer at DBSDPS either has encountered Mr. Roy or knows of him. Investigator Bennett asked Deputy Turner how the DBSDPS public safety officers knew Mr. Roy and he said,

“Because every time that a Shores (DBSDPS) officer would contact him on a traffic stop he would become so irate, yelling, cursing at us, belittling the officers, video recording us with his cell phone and so much to the point that it causes an officer safety issue that we would always have a back up officer there.”

Investigator Bennett asked Deputy Turner if he believed Mr. Roy may have intentionally violated traffic laws in order to be stopped and he stated,

“Yes as a...as a matter of fact I can think of one incident just before I left the department (DBSDPS) where the speed limit on Atlantic Avenue (S.R.- A1A) is 35 miles an hour. When I was on patrol I was doing 35 miles an hour. I looked in my rear view mirror and I saw him closing up onto my bumper as if to initiate a traffic stop on himself for some odd reason.”

Deputy Turner was asked if he stopped Mr. Roy after he came up on his bumper and Deputy Turner said, *“I did not, because I’ve had like I said, I’ve had multiple dealings with him and it almost seems like he’s trying to initiate the contact in order to possibly cause harm to the officer with his job career.”*

Deputy Turner confirmed he was working with DBSDPS on June 25, 2013. Deputy Turner explained he responded as a backup unit to Deputy Mather’s location. Deputy Turner stated when he arrived on scene he observed Deputy Mather standing outside his marked patrol unit writing out citations.

Deputy Turner said when he contacted Deputy Mather; he was asked if his in-car video camera could be utilized to record the remainder of the traffic stop. Deputy Turner said he was told by Deputy Mather that Mr. Roy was being uncooperative.

Investigator Bennett asked Deputy Turner if he knew how long Mr. Roy was secured in the back seat of Deputy Mathers patrol unit and he replied, *“...I would say less then five minutes by the time I got there and got my camera set up and Deputy Mathers was done writing his citations.”* Deputy Turner was then asked if Mr. Roy complained to Deputy Mather to adjust his handcuffs and he said, *“Not that I recall.”* Deputy Turner described Mr. Roy’s demeanor while he sat in the back seat of the patrol unit as, *“He was very much calm, did not antagonize any of the officers there on scene.”* Deputy Turner was

asked if he recalled what Mr. Roy said to Deputy Mather when he was issued the citations and Deputy Turner said, Mr. Roy stood there complaining about the citations for a minute or two. (*See Tab – F For Official Transcript of Interview*)

Sergeant Albert Perrotta

On August 6, 2013, Investigator Bennett and Sergeant Tatum conducted a sworn recorded interview with Sergeant Albert Perrotta at the District-5 office in New Smyrna Beach, FL. The following is a summary of that interview:

Sergeant Perrotta has been in law enforcement for approximately twenty-eight years. Twenty-four of those years have been with the Sheriff's Office and the last eight of those years he has held the rank of sergeant. Before coming to the Sheriff's Office, Sergeant Perrotta was a police officer with the New Smyrna Beach Police Department for approximately four years.

Sergeant Perrotta stated he has been Deputy Mather's supervisor for approximately two years. In that time, Sergeant Perrotta described Deputy Mather's performance as, "*Exceeds standards to outstanding, he's a very good deputy.*" Sergeant Perrotta confirmed he was working the night of June 25, 2013 and he recalled Deputy Mather stopping Mr. Roy.

Sergeant Perrotta stated he spoke to Deputy Mather twice by phone while Mr. Roy was stopped. Sergeant Perrotta explained Deputy Mather called him to explain the first of two traffic stops he conducted on Mr. Roy. After a brief conversation about the first traffic stop their phone call was interrupted because Sergeant Perrotta accidentally spilled Au jus sauce on his uniform while eating dinner.

According to Sergeant Perrotta, approximately fifteen minutes had transpired until he was able to call Deputy Mather back. Sergeant Perrotta explained it was during the second phone call Deputy Mather made reference to stopping Mr. Roy a second time and detaining him. Sergeant Perrotta continued to say that it was during that same phone call he learned Mr. Roy had been non compliant during the traffic stops.

Sergeant Perrotta stated he had two concerns with the second traffic stop performed on Mr. Roy. One concern was Mr. Roy's failure to provide his driver's license upon request; the second was Mr. Roy's furtive movements that made Deputy Mather feel nervous he was concealing something within his vehicle. Sergeant Perrotta stated he didn't feel there was probable cause for an arrest based solely on not providing the drivers license since Mr. Roy was identified in the prior traffic stop. However, Sergeant Perrotta said he did advise Deputy Mather, he had sufficient grounds to detain Mr. Roy based on his furtive movements, attitude and noncompliance within his vehicle.

Sergeant Perrotta was asked if Deputy Mather notified him that Mr. Roy was requesting a supervisor and he replied, "*Yes, he did tell me that...That was on the second call.*" Sergeant Perrotta went on to explain he informed Deputy Mather to get Mr. Roy's phone

number and he would call him. Deputy Mather told Mr. Roy at the conclusion of the traffic stop, that if he wanted to talk to his supervisor he could.

Investigator Bennett asked Sergeant Perrotta if he advised Deputy Mather to have a DBSDPS patrol unit respond to record the remainder of the traffic stop. Sergeant Perrotta replied, *"...I think we should get this, the departure video, just to show that the reason why we stopped him explained the reason for his temporary detention, issue him his citations and send him on his way..."*

Investigator Bennett explained to Sergeant Perrotta that under "Florida Stop and Frisk" the time period in reference to detaining an individual is usually no longer than fifteen to twenty minutes. Sergeant Perrotta was asked, in his opinion, did Deputy Mather detain Mr. Roy longer than necessary and he stated, *"In my opinion, no."*

Sergeant Perrotta stated fifteen to twenty minutes is reasonable if no probable cause is established; *"However, I think in this case because of the furtive movements because of the non compliance because of the way Deputy Mather felt that he was in danger, that he did have Mr. Roy get out of the vehicle and he had probable cause at that point to arrest him if he wanted to, based for resisting without (Resisting an Officer without Violence to his or her person – FSS 843.02)."* Sergeant Perrotta pointed out that Deputy Mather did not have probable cause to arrest Mr. Roy based on him not providing his drivers license since it was provided to him moments prior to the second stop. Sergeant Perrotta went on to say, *"I told him I thought he was well within his guidelines to remove him and detain him for the furtive movements and everything like that which and it would have been probable cause should he chosen to arrest him for that."* Investigator Bennett then asked Sergeant Perrotta if Deputy Mather advised him that Mr. Roy physically resisted him and he said he did not.

Sergeant Perrotta stated Mr. Roy filed a written complaint a couple days after the traffic stops. He added that Mr. Roy also dropped off a DVD video Mr. Roy had taken of the second traffic stop. Sergeant Perrotta never received the video of the first traffic stop Mr. Roy told him he had made.

Sergeant Perrotta said Mr. Roy did not cooperate with his investigation. Sergeant Perrotta tried to contact Mr. Roy for an interview six times. During the one and only short conversation with Mr. Roy, Sergeant Perrotta said he scheduled a time and date to meet Mr. Roy but he did not show for their scheduled appointment.

Sergeant Perrotta learned Deputy Mather e-mailed the Sheriff's Office legal advisor, John MacConnell a couple days after the incident.

Sergeant Perrotta informed Investigator Bennett that upon the backup officer's arrival; Deputy Mather was advised who Mr. Roy was and his past history with other police agencies. Sergeant Perrotta believed that after learning of Mr. Roy's history with law enforcement, Deputy Mather made the decision to write Mr. Roy two citations and send him on his way. *(See Tab – G For Official Transcript of Interview)*

Sergeant Raymond Dominy

On September 11, 2013, Investigator Bennett conducted a sworn recorded interview with Sergeant Raymond Dominy with the Ponce Inlet Police Department at his headquarters. The following is a summary of that interview:

Sergeant Dominy has worked for PIPD for twenty-two years and he was working as the patrol supervisor the night of June 25, 2013. Sergeant Dominy remembered hearing on the radio Deputy Mather calling for a back up unit, so he responded. Sergeant Dominy stated when he arrived on scene he made contact with Deputy Mather who explained the circumstances why he called for back up.

Sergeant Dominy said he was familiar with Mr. Roy; however, he never personally dealt with him. Sergeant Dominy went on to explain, “...I’ve just heard YouTube videos that he likes to tape traffic stops with patrol his traffic stops and put them on YouTube.” Investigator Bennett asked Sergeant Dominy if he watched any of the YouTube videos and he stated that he did, but it was well before Deputy Mathers’ traffic stops on Mr. Roy.

Investigator Bennett asked Sergeant Dominy if Mr. Roy complained about his handcuffs while he was in the back seat of Deputy Mathers’ patrol unit, and he said, “Not at all.” Sergeant Dominy did remember Mr. Roy saying to Deputy Mather, since he and a DBSDPS officer were present, “...he says oh you’re acting tough now with your (Deputy Mather’s) buddies present.” Sergeant Dominy was asked if Deputy Mather was professional in his actions and he stated, “Absolutely.”

Sergeant Dominy was asked if Mr. Roy made any complaint while he was on scene and Sergeant Dominy replied, “Nothing at all, no.” Sergeant Dominy said Mr. Roy was in the back seat of Deputy Mather’s patrol car while he was there, “Probably no more than five minutes.”

Sergeant Dominy explained that Deputy Mather told him Mr. Roy did not provide proper identification when he was stopped and that was why Mr. Roy was detained. Sergeant Dominy said that Deputy Mather did not tell him that Mr. Roy actively resisted him when asked to exit the vehicle. (See Tab – H For Official transcript of Interview)

Deputy William Mather

On September 26, 2013, Investigator Bennett and Sergeant Thomas Tatum conducted a sworn recorded interview with Deputy William Mather at the Sheriff’s Office administrative offices in Deland, FL. Also present during the interview were Teamsters Business Agent Bob Walker and Teamsters Representative Keith Dalton. The following is a summary of that interview:

Deputy Mather has been with the Sheriff's Office for approximately three years. During those three years Deputy Mather has been assigned to patrol duties. Deputy Mather confirmed he was working on June 25, 2013 and was assigned to zone 51 in District 5, New Smyrna Beach, FL.

Investigator Bennett asked Deputy Mather if he remembered conducting a traffic stop on Timothy Roy and he replied, "Yes sir." Deputy Mather stated he never had any interaction with Mr. Roy prior to stopping him on June 25, 2013. Deputy Mather explained that he stopped Mr. Roy the first time for following a vehicle too closely. Deputy Mather continued saying that Mr. Roy's vehicle initially caught his eye because the window tint appeared a bit too dark. Deputy Mather said when he pulled in behind Mr. Roy; Mr. Roy started to follow the vehicle in front of him too closely. Deputy Mather stated Mr. Roy was, "...5 to 10 feet off the bumper" from the vehicle in front of him. Deputy Mather said it was possible that Mr. Roy saw him sitting in his patrol unit on the side of the road as he passed by, which may have been the reason why Mr. Roy began to follow the vehicle in front of him so closely.

Deputy Mather was asked to describe Mr. Roy's demeanor during the first traffic stop and he said, "*Argumentative. Extremely argumentative...Um, somewhat borderline combative as we saw in the video (Mr. Roy's video), he wasn't as bad as that, but he was getting near there.*" Investigator Bennett asked Deputy Mather if Mr. Roy provided his drivers license, registration and insurance card when asked and Deputy Mather said he did. Deputy Mather stated he was aware Mr. Roy was video taping him because, "*He put his iPhone (recording device) straight up, up in his car, in the middle of the window.*" Deputy Mather stated that he issued Mr. Roy a citation for following too closely which he refused to sign.

At the conclusion of the first traffic stop, Deputy Mather said Mr. Roy drove away traveling at approximately fifteen miles an hour in a public parking lot and continued through a stop sign onto S.R.-A1A. At that point, Deputy Mather explained he made the decision to stop Mr. Roy a second time for failing to stop at the stop sign.

Deputy Mather said after Mr. Roy went through the stop sign, "*...I got in my vehicle and followed him. That, because there was more traffic, it was further back, but I wanted to make sure I got in behind him and he sped away.*" Deputy Mather said he was the only vehicle behind Mr. Roy after he went through the stop sign.

Deputy Mather told investigators he was aware Mr. Roy was video taping him during the second traffic stop. Deputy Mather explained Mr. Roy was holding the recording device in his right hand while he was asking for his driver's license. Deputy Mather was asked if Mr. Roy produced his driver's license upon request and he said, "*He did not, no sir.*" Deputy Mather explained Mr. Roy's demeanor during the second traffic stop:

"[Mr. Roy] continued being argumentative, confrontational, I perceived it as. He sitting there his, I think he knew that I had my flash light on and so

in his right hand he was moving the camera around, his body was now, instead of seated facing the steering wheel, he was more kind of bladed towards me and his hand, his left hand, was down on the arm rest.”

Deputy Mather explained he was unable to see Mr. Roy’s left hand that was behind the driver door. Deputy Mather said he asked Mr. Roy to exit the vehicle for, *“Officer Safety, as well as, I took him failing to provide his Driver’s License; I looked at it as, resisting or obstructing.”* Deputy Mather went on explaining, *“how do I know now he’s not baiting me to plan an attack or whatever ever else, I have no idea.”*

Deputy Mather stated Mr. Roy resisted his orders both verbally and physically when asked to exit the vehicle. Deputy Mather was asked, when Mr. Roy was out of the vehicle handcuffed, if he notified VCSO communications he had an adult male in custody and he said he did not. Deputy Mather explained why he didn’t advise VCSO Communications Mr. Roy was in custody:

“I hadn’t had the time yet. Um, and I hadn’t, a lot of times when I do something new, or I encounter things that I haven’t encountered before, I like to throw things by the supervisor, my sergeant. So I called him up, let him know, hey this is what I’ve got, and make sure that we are all in agreement that what I did was, so that being said no I had not called it on the radio for that purpose.”

After securing Mr. Roy in his patrol unit, Deputy Mather stated that was when he called Sergeant Perrotta. Deputy Mather explained he contacted his supervisor because he was seeking advice and guidance on how to deal with Mr. Roy, based on the unusual circumstances he was encountering. Deputy Mather described how Sergeant Perrotta was eating dinner and had to cut the phone call short and Sergeant Perrotta said he would call back. Deputy Mather explained the situation he was in was new to him; however, he was confident in his decision to secure Mr. Roy in his patrol unit.

Deputy Mather stated when Sergeant Perrotta called him back it was suggested that he request a back up unit, preferably a DBSDPS unit so the remainder of the traffic stop could be recorded. It was during that second phone call Deputy Mather advised Sergeant Perrotta that Mr. Roy wanted to speak to him. Deputy Mather said Sergeant Perrotta informed him that he would have an extended response time and to get Mr. Roy’s phone number and Sergeant Perrotta would call him back.

Deputy Mather said Mr. Roy asked him for his name during the first traffic stop. Deputy Mather was asked what he told Mr. Roy and he replied, *“...after I had given him his copy of the citation, he continued to be verbally abusive, what’s your name? I said sir it’s on the bottom of the citation.”*

Investigator Bennett showed Deputy Mather a copy of an e-mail he sent to Mr. MacConnell the morning after the traffic stops. Deputy Mather confirmed he sent the e-mail to get some clarification on his decision on handling Mr. Roy. Deputy Mather felt

that Mr. MacConnell's response coincided with how he handled the incident.
(See Tab – I For Official Transcript of Interview)

Deputy Mather was questioned if he felt he violated the below listed policies regarding this investigation.

26.2.132 Failure to maintain required skills, knowledge and abilities within **No** acceptable levels shall result in counseling, instruction or training.
(Violation subject up to a written reprimand.)

Re: FS 901.151 Stop and Frisk Law

26.2.56 Name Given upon Request - Employees, while on duty or in uniform, or **No** when otherwise recognized as a member of the Department, shall give their name, rank or position in a respectful and courteous manner to any person requesting such identification unless engaged in covert duties.
(Violation subject up to a 1 day suspension.)

On October 11, 2013, Investigator Bennett reviewed Mr. Roy's Florida Division of Driver's License transcript. The record consisted of three pages of violations. Mr. Roy was found guilty twenty-eight times for various traffic infractions from 2009 – 2013.
(See Tab – I Miscellaneous Documents)

The disposition of the three citations Deputy Mather issued Mr. Roy on June 25, 2013:

UTC #A0A41JP - issued on the first traffic stop; Mr. Roy was found guilty in a traffic court hearing.

UTC #A0A82PP and UTC #A0A82QP - issued on the second traffic stop; were dismissed based on a clerical error for an improper date.

CONCLUSION:

On October 29, 2013, this investigation was presented to the Sheriff and his administrative staff. After review, the Sheriff determined the violations of the below listed Department Standards Directive to be:

26.2.132 Failure to maintain required skills, knowledge and abilities **Unfounded** within acceptable levels shall result in counseling, instruction or training.
(Violation subject up to a written reprimand.)

Re: FS 901.151 Stop and Frisk Law

26.2.56 Name Given upon Request - Employees, while on duty or in **Sustained** uniform, or when otherwise recognized as a member of the Department, shall give their name, rank or position in a respectful and courteous manner to any person requesting such identification unless engaged in covert duties. (Violation subject up to a 1 day suspension.)

After earnest consideration; the Sheriff's final decision was to issue Deputy Mather an Employee Performance Notice - Counseling for not providing his name upon request.

On December 3, 2013, Deputy Mather was given an Employee Performance Notice - Counseling for not providing his name to Mr. Roy; a violation of department policy 26.2.56 Name Given upon Request.

EXHIBITS:

- A. Report Of Investigation
- B. Official Correspondence
- C. Written Complaint
- D. Supervisors Inquiry
- E. Advisement Administration Of Oath/Perjury Warning/Garrity Warning
- F. Official Transcript Of Deputy Jason Turner
- G. Official Transcript Of Sergeant Albert Perrotta
- H. Official Transcript Of Sergeant Raymond Dominy
- I. Official Transcript Of Deputy William Mather
- J. Miscellaneous Documents
- K. Digital Media

WITNESSES:

Deputy Jason Turner
Volusia County Sheriff's Office
386-736-5961

Sergeant Albert Perrotta
Volusia County Sheriff's Office
386-736-5961

Sergeant Raymond Dominy
Ponce Inlet Police Department
386-236-2160

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: _____

**Investigator Glen Bennett
Internal Affairs Investigator**

APPROVED BY: _____ DATE: _____

**Chief Deputy Mike Coffin
SHERIFF BEN F. JOHNSON
VOLUSIA COUNTY FLORIDA**