

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

**REPORT OF INVESTIGATION**

**REPORT NUMBER: IA-13-021**

**PERIOD COVERED:** October 4, 2013  
**DATE REPORTED:** October 4, 2013  
**SUBJECT(S) NAME:** Pilot Greg Brooks #1509  
**INVESTIGATING OFFICER:** Sergeant Thomas Tatum #2405

**BASIS FOR INVESTIGATION:**

On October 4, 2013, Pilot Greg Brooks was the pilot in command for the Volusia County Sheriff's Office Air One helicopter. Pilot Brooks landed at the Halifax Medical Center in Daytona Beach, FL. and picked up Dr. Peter Springer who is the Emergency Medical Services Director for Volusia County. The purpose of the flight was to observe skydivers who were conducting a charity jump above Ponce Inlet, FL. and landing on Disappearing Island in the Halifax River.

At 1449 hours, Volusia County Sheriff's Office Central Communications attempted to reach Air One for a 15 minute status check several times by the radio with no response. In an effort to locate Air One, Sergeant Mike Frederick contacted the Coast Guard Station in New Smyrna Beach, FL. and he requested Central Communications to contact the air traffic control tower in Daytona Beach, FL. Air One replied to the Central Communications hailing after approximately 15 minutes.

Air One returned from the flight and landed on the pad at the Volusia County Sheriff's Office Special Services hangar at the Deland Municipal airport. Sergeant Mike Frederick spoke with Pilot Brooks who, through conversation, informed him he landed on Disappearing Island in Ponce Inlet, FL. Sergeant Frederick said he gave Pilot Brooks instruction, prior to the flight to Ponce Inlet, not to land on Disappearing Island but to land at the Coast Guard Station in New Smyrna Beach.

**OFFENSE:**

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

**26.2.37 Employees to Monitor Radio** - Employees shall monitor the appropriate active talk group of the Communications Center when operating a radio-equipped vehicle, on or off duty. *(Violation subject up to a 1 day suspension.)*

**26.2.41 Negligence Associated with Safety of Persons or Property** - Employees shall be attentive to job duties and shall not violate official Directives, orders, supervisory instructions, or knowingly refrain and cause another to refrain from the performance of lawful duties required for the safety of persons or property. *(Violation subject up to a demotion.)*

**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.)*

**26.2.123 Prompt Compliance With Lawful Order** - Employees shall promptly execute the lawful orders and/or instructions of a supervisor or superior officer of the Department and shall not delay or fail to carry out such orders or instructions. *(Violation subject up to a 5 day suspension.)*

**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. *(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 October 11, 2013, Sheriff Johnson assigned the Internal Affairs Unit an investigation of an allegation against Pilot Brooks for being neglectful in his duties as the pilot in command of Air One by landing in the sand on Disappearing Island in the area where skydivers were possibly descending. It was also alleged Pilot Brooks did not follow instructions given by Sergeant Frederick not to land the aircraft on Disappearing Island. This report details the internal affairs investigation conducted by Sergeant Thomas Tatum. The following is a summary of the investigation.

Sergeant Tatum conducted research on Google and the website YouTube to see if any videos were posted from the charity skydive jump on October 4, 2013. Sergeant Tatum located several videos related to the jump, none of which showed Air One on the ground or in the air.

On October 11, 2013, Sergeant Tatum served Pilot Brooks with his Notification of Internal Investigation at the Special Services hanger in Deland, FL. *(See Tab B for Official Correspondence)*

On October 15, 2013, Sergeant Tatum received a phone call from Pilot Brook who was concerned about a conversation he had with Sergeant Frederick on the phone earlier this date. Pilot Brooks said Sergeant Frederick was asking him if he was served with his internal affairs investigation and began talking about the alleged violations. Pilot Brooks

said he felt intimidated by Sergeant Frederick because he was told the directive for prompt compliance came from his (Sergeant Frederick) instruction not to land on the island. Pilot Brooks stated Sergeant Frederick said something to the effect of “*Remember I told you not to land there.*” Pilot Brooks just wanted Sergeant Tatum to be aware of the conversation.

**Dr. Peter Springer**  
**EMS Medical Director for Volusia County**

On October 30, 2013, Sergeant Tatum conducted a sworn recorded interview with Dr. Peter Springer at Halifax Medical Center in Daytona Beach, FL. The following is a summary of the interview.

Dr. Springer has been the EMS Medical Director for Volusia County for the past seven years. Dr. Springer works at Halifax Medical Center and is a service line administrator for the emergency services, hospital services, intensive services and trauma services. Dr. Springer oversees the flight paramedics for Air One and is required to ride with EMS personnel occasionally.

Dr. Springer has known Pilot Greg Brooks for more than seven years. Dr. Springer estimated he has flown with Air One approximately 20 times over the past seven years. Dr. Springer stated there was a skydiving event taking place in Ponce Inlet on October 4, 2013, and thought it would be a good opportunity to be in the area in case of a medical emergency. Dr. Springer said one of his physicians was taking part in the jump.

Dr. Springer said Air One had landed on the helicopter pad at Halifax Medical Center after they transported a medical patient. Dr. Springer said he rode along with the Air One crew to Ponce Inlet. Once in the area of Ponce Inlet Dr. Springer said he asked the air crew if they could land someplace where they could have a good vantage point of the skydivers. Dr. Springer said contact was made with the Coast Guard Station in New Smyrna Beach and they waited approximately 10 minutes for a response to get approval to land on their landing pad before looking for another location. The final decision on where to land was made by Pilot Brooks, but Dr. Springer said it was with his encouragement. Dr. Springer said there were no skydivers descending at the time they landed on the island just south of what’s known as Disappearing Island. Dr. Springer stated if he had known there was anything wrong with landing on the island they certainly would not have done it. Dr. Springer said Pilot Brooks is a “*pretty stand up guy*” and he couldn’t imagine him landing on the island if he was told not to by his supervisor.

Dr. Springer was shown a satellite map of Ponce Inlet. He circled an area on the west side of the south island and stated the helicopter landed in that area. Dr. Springer described the terrain as compacted sand covered by some kind of sea grass or vegetation. Dr. Springer explained the skids settled in about an inch, then Pilot Brooks readjusted the aircraft about 10 feet back to the west and it seemed solid. Dr. Springer said he had no concerns about the helicopter being unstable. Dr. Springer stated they landed a safe

distance from the people on the south island and nobody came close to the aircraft.

Dr. Springer said once they lifted off the ground, he heard Central Communications trying to call them on the radio. Dr. Springer stated Flight Paramedic John Oldham was trying to contact Central but had radio difficulties. *(See Tab E for complete transcript)*

### **Flight Paramedic John Oldham**

On November 1, 2013, Sergeant Tatum conducted a sworn recorded interview with Flight Paramedic John Oldham at the Volusia County Sheriff's Office Special Services hangar in Deland, FL. The following is a summary of the interview.

Flight Paramedic Oldham has been employed with the Volusia County Sheriff's Office for the past seven years. His duties are to provide medical assistance and aid to persons injured and he serves as the observer for the aircraft.

Flight Paramedic Oldham stated on October 4, 2013, he was in the pilot's room along with Sergeant Frederick, Deputy Mark Willetts and Pilot Brooks prior to receiving a medical call. They had a conversation about picking up Dr. Springer and taking him to Disappearing Island and possibly landing on the island. Flight Paramedic Oldham said they even talked about previous landings on the island for medical calls. Sergeant Tatum asked Flight Paramedic Oldham if Sergeant Frederick gave the order or instruction during that conversation not to land on the island and he replied, *"No, he never said that."*

Flight Paramedic Oldham explained they picked up Dr. Springer at Halifax Medical Center in Daytona Beach, FL. after they dropped off a medical patient to the trauma unit. Flight Paramedic Oldham said they flew south to Ponce Inlet for a large skydive event over Ponce Inlet and Dr. Springer had a co-worker participating in the jump. There was also a paraplegic making the jump. He said according to Dr. Springer they were also there as a *"quazi-standby"* in case anything unusual happened to the skydivers.

Flight Paramedic Oldham said once they were in the area he contacted the Coast Guard Station in New Smyrna Beach, FL. and requested permission to land on their landing pad. He said the Coast Guard Station told him to stand by. Flight Paramedic Oldham stated he was not sure how long they waited for a response after initial contact, but they started looking for another place to land. Flight Paramedic Oldham said he did not recall hearing Dr. Springer making any suggestions where to land. Flight Paramedic Oldham said once they decided to land, he (Oldham) made a few recommendations to Pilot Brooks and they landed on the west side of the south island. Flight Paramedic Oldham stated they chose that location because it does not get covered with water and the sand was covered with tall grass. Flight Paramedic Oldham said no sand was stirred up when they landed.

Flight Paramedic Oldham explained there were people on Disappearing Island, which he estimated at approximately 150 to 200 yards from the aircraft. He said at no time did anybody from the island come close to the aircraft while it was on the ground. He stated there were no skydivers descending during the time they were on the ground. Flight

Paramedic Oldham estimated the aircraft was on the ground for approximately 8 minutes. He advised when the aircraft lands, he usually notifies Central Communication so they know where they are, but in this instance, he forgot. Flight Paramedic Oldham said he did have his portable radio with him when he exited the aircraft, but he stayed under the rotors and could not hear it. He advised he was having radio problems in the aircraft earlier because he was plugged into the wrong receptacle (Carter Box) and he could not transmit to Central Communications. Flight Paramedic Oldham stated he did not hear Central Communications calling him until they lifted off the island and heard Sergeant Frederick say something about contacting the Daytona Tower. Flight Paramedic Oldham said the problem with the aircraft radio resulted in only about a 30 second delay in responding to Central Communications once he realized the issue.

Flight Paramedic Oldham stated Pilot Brooks did not know what the policy violation for prompt compliance with a lawful order was on his investigation until he received a phone call from Sergeant Frederick. When asked if Pilot Brooks elaborated on the conversation, Flight Paramedic Oldham said,

*“No, he really didn’t. I think it was just uh this is you know this is where this kind of probably came from and then he asked me like did, you know, he asked did, did uh while we were sitting up there prior to the flight, did I ever hear anything or did Sgt. Frederick ever mention anything to us, to specifically telling us not to land on the island and I’m going no he did not. If he did, neither one of us would have landed there... ..you know, if one of us heard it we wouldn’t have landed there... ..but if both of us heard it, there’s no way we would have landed there.” (See Tab F for complete transcript)*

### **Sergeant Mike Frederick**

On November 4, 2013, Sergeant Tatum and Lieutenant Erik Eagan conducted a sworn recorded interview with Sergeant Mike Frederick at the Special Services hanger in Deland, FL. The following is a summary of the interview.

Sergeant Frederick has been with the Volusia County Sheriff’s Office for the past 25 years. He was promoted to sergeant in 1992. His current assignment is sergeant in Special Services and he supervises the flight crew of Air One.

Sergeant Frederick advised he was working on October 4, 2013, when Pilot Brooks received a phone call from Dr. Springer who asked to do a ride along to see skydivers jump at Ponce Inlet. Sergeant Frederick said when Pilot Brooks received the phone call they were in the day room where the aircrew is on stand by. Also present was Deputy Willetts and Flight Paramedic Oldham. Sergeant Frederick said he told Pilot Brooks if they were going to watch skydivers, either stay in the air or land at the heliport (Coast Guard Station), don’t land on the island. Sergeant Frederick stated this conversation took place at the lunch table and it was a very informal setting. Sergeant Frederick said there were several reasons he did not want Air One to land on the beach. First was the safety of the skydivers, second was sand getting into the engine of the aircraft and the maintenance nightmare and third was Disappearing Island is at the end of New Smyrna

Beach's Airport airspace. Another concern according to Sergeant Frederick is the landing zone was not secured by deputies. Sergeant Frederick said when the aircraft lands typically there are deputies or other personnel on scene securing the landing zone for safety.

Sergeant Frederick explained he was monitoring the radio on the Air One channel and heard the Volusia County Sheriff's Office Central Communication dispatcher attempting to contact them for a status check. After three attempts by Central Communications to contact Air One with no response, Sergeant Frederick said he became concerned. Sergeant Frederick stated he had Central Communications contact the Daytona Airport Tower and New Smyrna Beach Airport Tower to see if they had a location for the aircraft. Sergeant Frederick said the last location the Daytona Tower had for Air One was along the Intracoastal Waterway south of Port Orange, FL. but north of Ponce Inlet, FL. Sergeant Frederick stated he became more concerned the aircraft may have crashed in the water. Sergeant Frederick contacted the Coast Guard Station in New Smyrna Beach to see if Air One was on their pad, which they were not. Sergeant Frederick explained to investigators the Air One crew has a mobile computer (MDC) which is equipped with automatic vehicle locator (AVL); however, the air crew did not take the MDC so he could not check their location. Sergeant Frederick said Air One finally responded after approximately 20 minutes.

Sergeant Frederick told investigators he waited until Air One returned to the Sheriff's Office hangar from their flight and he met them on the landing pad. Sergeant Frederick stated he questioned Pilot Brooks about not responding to the status check and he said once they lifted off they could transmit. Sergeant Frederick said, "*What do you mean when you lifted off?*" Sergeant Frederick stated that is when he found out they landed on Disappearing Island and he said he told them specifically not to land on the island, to land at the Coast Guard Station. Sergeant Frederick advised Pilot Brooks went on to tell him the helicopter began sinking in the sand and he had to move it forward. Sergeant Frederick said the conversation turned to the radios and if the helicopter's radio wasn't working, the portable radios should still work. Sergeant Frederick said Flight Paramedic Oldham left his portable in the hangar and once he walked away from the aircraft he was not able to communicate with Pilot Brooks. Sergeant Frederick said each member of the air crew has their own portable radio they should carry with them. He stated the Flight Paramedics don't always carry the portable with them on flights because they may have to render aid in an automobile and they don't need the extra equipment hindering them. Sergeant Frederick explained when the aircraft lands off site (not at hospital or designated landing zone) the Flight Paramedics should carry a radio so they can be in communication with the pilot.

Sergeant Frederick said the attitude of Pilot Brooks was very carefree about the incident. He stated Pilot Brooks' attitude was that of "*whatever*" as if it were absurd. Sergeant Frederick said he told Pilot Brooks how serious it was that they were missing for 20 minutes and the issue is not going away. Sergeant Frederick explained Pilot Brooks said "*Fucking write me up*" which Sergeant Frederick took offense to the attitude because Deputy Willetts was also present during the conversation. Sergeant Frederick stated Pilot

Brooks did not acknowledge he was told not to land on the island.

Sergeant Tatum asked Sergeant Frederick about the phone conversation he had with Pilot Brooks on October 15, 2013. Sergeant Frederick did not recall the date, but said he did talk to Pilot Brooks about timecard issues then the conversation turned to the internal investigation. Sergeant Frederick said Pilot Brooks was asking him if, in his opinion, he needed a lawyer. Sergeant Frederick stated he told Pilot Brooks he didn't think there was anything criminal involved but call Sergeant Tatum or Lieutenant Eagan if he has questions. Sergeant Frederick said he is still Pilot Brooks' supervisor and he wanted to give him guidance if he needed it and told him to be truthful in the investigation. Sergeant Frederick said he did not question Pilot Brooks about the investigation, but Pilot Brooks began to read him the alleged violations and he stopped him. Sergeant Frederick said he told Pilot Brooks he originally prepared an Employee Performance Notice (EPN) before the internal affairs investigation and the failure to follow order came from him. Sergeant Frederick stated he did not talk specifics about the investigation with Pilot Brooks.

Sergeant Frederick told investigators that Pilot Brooks is a very safe pilot and he would not knowingly endanger the lives of anybody. *(See Tab G for complete transcript)*

#### **Deputy Garfield "Mark" Willetts**

On November 5, 2013, Sergeant Tatum conducted a sworn recorded interview with Deputy Garfield "Mark" Willetts in the Internal Affairs office in Deland, FL. The following is a summary of the interview.

Deputy Willetts has been with the Volusia County Sheriff's Office for the past 17 years. His current position is with the Special Services river unit where he has served for the past 7 years. Deputy Willetts had prior assignments in Civil and on road patrol.

Deputy Willetts stated he was present during a conversation in the Special Services hangar on October 4, 2013, between Sergeant Frederick, Pilot Brooks and Flight Paramedic Oldham. Deputy Willetts said the conversation was about skydivers jumping at Disappearing Island. Deputy Willetts advised during the conversation, Sergeant Frederick told Pilot Brooks if he was going to land, it would be better to land at the Coast Guard Station on the proper landing pad. Deputy Willetts said he does not recall exactly what Sergeant Frederick said about landing on the island, but they talked about another occasion when Air One had an emergency landing on the sand and Sergeant Frederick said it was not a good idea.

Deputy Willetts stated he was present when Air One returned from their patrol flight on October 4, 2013, to the hangar at Special Services in Deland, FL. Deputy Willetts explained he met with the air crew on the pad along with Sergeant Frederick. Deputy Willetts said Sergeant Frederick asked the air crew why they didn't respond to Central Communications when they were being called. Deputy Willetts stated Pilot Brooks said he was on the New Smyrna Tower channel talking to them about the air traffic and Flight

Paramedic Oldham either didn't have his portable or didn't have it turned on. Deputy Willetts said there was sand in the foot trays for the aircraft and they said they landed on the island. Deputy Willetts advised Sergeant Frederick's response was;

*"I think he said didn't I tell you not, that it wouldn't have been a good idea not to land on the island, I don't remember the exact wording, but he did bring it up with, didn't I tell you it wasn't a good idea to do it..."*

Deputy Willetts stated the air crew's response was defensive. He said as the conversation between Sergeant Frederick and Pilot Brooks became more of a supervisor to subordinate discussion so he walked away. (See Tab H for complete transcript)

### **Pilot Greg Brooks**

On November 13, 2013, Sergeant Tatum served Pilot Brooks with an amended notice of investigation. Sergeant Tatum and Lieutenant Eagan conducted a sworn recorded interview with Pilot Greg Brooks at 951 Singleton Dr., Deland, FL. Also present during the interview was Pilot Brooks' personal representative Michael Markovich. The following is a summary of the interview.

Pilot Brooks has been with the Volusia County Sheriff's Office for approximately 10 years. He began his career with VCSO as a flight paramedic and has been a pilot for Air One for the past 2 years. Brooks is also the Infection Control Officer for VCSO.

Pilot Brooks stated on October 4, 2013, he received a phone call from Dr. Peter Springer who requested to fly with them to the area of Disappearing Island in Ponce Inlet to observe skydivers. Dr. Springer told Pilot Brooks he knew some of the doctors who were going to participate in the skydive jump. Pilot Brooks said Dr. Springer wanted to take pictures and be in the area in case of a medical emergency. Pilot Brooks stated the landing zone for the skydivers was on the smaller island just south of what is commonly known as Disappearing Island. Pilot Brooks told investigators when he received the call from Dr. Springer he was in the day room at the hangar (951 Singleton Dr. Deland, FL) and Sergeant Frederick, Deputy Willetts and Flight Paramedic Oldham were also present. Pilot Brooks stated a casual conversation took place. Pilot Brooks said he vaguely remembers the conversation because they were sitting around the lunch table talking. Pilot Brooks said he mentioned how Dr. Springer wanted to land in the area of Disappearing Island and he said Sergeant Frederick suggested to land at the Coast Guard Station. Pilot Brooks said he may have said something to Sergeant Frederick about landing on the island. Sergeant Tatum asked Pilot Brooks if Sergeant Frederick told him not to land on the island and he replied, *"No he did not."*

Pilot Brooks said they picked up Dr. Springer at Halifax Medical Center after they dropped off a trauma patient and flew to Ponce Inlet. Pilot Brooks stated once they were in the area of Ponce Inlet, Flight Paramedic Oldham contacted the Coast Guard Station and requested to land on their landing pad. Pilot Brooks said the Coast Guard Station told them to stand by. Pilot Brooks said he orbited the area and saw 2 groups of



skydivers make their jump from the plane. Pilot Brooks stated there were about 12 skydivers and they watched them make their descent and landing from a safe distance. Pilot Brooks said he heard the Pilot in the skydive plane say he was going back to Deland, FL to get another group of skydivers. Pilot Brooks explained they still had not heard back from the Coast Guard Station and Dr. Springer mentioned he wanted to talk to someone on the island. Pilot Brooks said he was not sure if Dr. Springer suggested to land on the island but the ultimate decision where to land was made by him (Pilot Brooks). Pilot Brooks said he scouted the area and picked a location that appeared to be hard packed sand on the smaller south island. Pilot Brooks stated he hovered over the landing zone to ensure no sand was stirred up and set it down very slowly. Pilot Brooks explained during the time he was orbiting the area, he muted the police radio so he could talk to the New Smyrna Beach Airport Tower. Pilot Brooks said once he was on the ground he exited the aircraft to assess the area he chose and noticed the skids began to settle in the sand slightly. At that time he decided to move the aircraft forward approximately 10 feet. Pilot Brooks said Dr. Springer and Flight Paramedic Oldham exited the aircraft for a few minutes; he kept the aircraft *"light on the skids"* which means coming into contact with the ground but not putting all of the weight down. Pilot Brooks said he was on the ground for a few minutes and told Flight Paramedic Oldham to get Dr. Springer because he didn't want to take any chances with the skids settling in the sand. Pilot Brooks said they then departed and orbited south of the island.

Pilot Brooks stated during the time he was on the ground, no skydivers were in the area descending on the island. Pilot Brooks said it was never his intention to be on the ground with the engine running while skydivers were in the area. Pilot Brooks said at no time did anybody on the ground come close to the aircraft and he estimated he was approximately 3 football fields away from the people.

Pilot Brooks stated since he muted the police radio in the aircraft, he did not hear Central Communications calling them until they lifted off the ground. Once airborne, Flight Paramedic Oldham tried to respond to Central Communications but the transmission did not go through until Oldham plugged into another radio receptacle in the aircraft. Pilot Brooks said he did not have his portable radio when he exited the aircraft; he typically leaves it behind his seat because he can't hear it while the helicopter is running and his helmet is on. When asked, Pilot Brooks stated he did not advise Central Communications they were on the ground, typically Flight Paramedic Oldham makes that call but he did not believe Central was notified.

Pilot Brooks stated he dropped Dr. Springer off at Halifax Medical Center and returned to the hangar where he was met by Sergeant Frederick and Deputy Mark Willetts. Pilot Brooks said Sergeant Frederick asked where they were because he was trying to find them on the radio. Pilot Brooks explained he told Sergeant Frederick they had radio issues and mentioned they didn't hear the radio until they took off from the island. Pilot Brooks said Sergeant Frederick questioned him for landing on the island by saying,

*"He said you landed at the island or something, something to that effect and I said yeah and he's like, he said how did he word it. They're not gonna be happy with that about*

*you landing on the island and I'm like, I'm like why, what was the problem. To me it was such surprise and shock because in the beginning I didn't hear him say anything about that it was gonna be an issue for me to land on the island and I don't even remember if we really talked about it that much or if at all and when I got back and he addressed that to me I was kind of like surprised, I was you know I was kind of like what are you talking about. You know, here I thought it was all gonna be about the radio which, and that seemed to be what he was discussing a lot was about the radio problem, the radio situation."*

Pilot Brooks said that was the first time he realized there was an issue with him landing on the island. Pilot Brooks stated he did not recall Sergeant Frederick tell him not to land on the island. Pilot Brooks said he and Sergeant Frederick continued the conversation and he tried to defend his actions to Sergeant Frederick and there was an exchange back and forth. Pilot Brooks explained to investigators how Sergeant Frederick has a laid back management style; he didn't think he was instructed not to land on the island when Sergeant Frederick suggested he land at the Coast Guard Station. Pilot Brooks said Sergeant Frederick became more serious during the conversation and said they were going to write him up with an Employee Performance Notice (EPN). Pilot Brooks said he told Sergeant Frederick that if he felt he did something wrong then go ahead and write him up. Pilot Brooks said he never used curse words as stated by Sergeant Frederick.

Sergeant Tatum addressed the concern Pilot Brooks had with a phone conversation he had with Sergeant Frederick on October 15, 2013. Pilot Brooks said after he was served with his notice of investigation, Sergeant Frederick called him with timecard questions and the conversation turned to his internal investigation. Pilot Brooks said he could not recall if he was asked what the violations were or if he told Sergeant Frederick there were three violations. Pilot Brooks said Sergeant Frederick commented he knew what the second violation was referring to being told not to land on Disappearing Island. Pilot Brooks said he told Sergeant Frederick he did not know what he was talking about because he didn't recall being instructed not to land on the island. Pilot Brooks was concerned because the notice of internal investigation says not to discuss the investigation with anybody. Pilot Brooks stated he felt intimidated by Sergeant Frederick because he told him, *"Remember I told you not to land on the island."* Pilot Brooks again said he would never intentionally violate an order given by a supervisor. *(See Tab I for complete transcript)*

When questioned, Pilot Brooks had the following response as to whether he felt he violated the following policies:

**26.2.37 Employees to Monitor Radio** - Employees shall monitor the appropriate active talk group of the Communications Center when operating a radio-equipped vehicle, on or off duty. *(Violation subject up to a 1 day suspension.)* **No**

**26.2.41 Negligence Associated with Safety of Persons or Property** - Employees shall be attentive to job duties and shall not violate official Directives, orders, supervisory instructions, or knowingly refrain and cause another to refrain from **No**

the performance of lawful duties required for the safety of persons or property.  
*(Violation subject up to a demotion.)*

**26.2.121 Respect Towards Superiors** - Employees shall display respect and shall address supervisors and superior officers by proper rank or title. **No**  
*(Violation subject up to a 1 day suspension.)*

**26.2.123 Prompt Compliance With Lawful Order** - Employees shall promptly execute the lawful orders and/or instructions of a supervisor or superior officer of the Department and shall not delay or fail to carry out such orders or instructions. **No**  
*(Violation subject up to a 5 day suspension.)*

**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. **No**  
*(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.)*

**CONCLUSION:**

On December 17, 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:

<b>26.2.37 Employees to Monitor Radio</b>	<b>Sustained</b>
<b>26.2.41 Negligence Associated with Safety of Persons or Property</b>	<b>Unfounded</b>
<b>26.2.121 Respect Towards Superiors</b>	<b>Not Sustained</b>
<b>26.2.123 Prompt Compliance With Lawful Order</b>	<b>Not Sustained</b>
<b>Volusia County Merit System Rules and Regulations 86-453 (13)</b>	<b>Unfounded</b>

After earnest consideration, Sheriff Johnson determined the discipline to be a written verbal reprimand for Pilot Brooks. The Employee Performance Notice will be prepared by Sergeant Frederick and forwarded via Chain of Command.

**EXHIBITS:**

- A. Report Of Investigation
- B. Official Correspondence
- C. Complaint
- D. Advisement Administration Of Oath/Perjury Warning/Garrity Warning
- E. Official Transcript Of Dr. Peter Springer
- F. Official Transcripts Of Flight Paramedic John Oldham
- G. Official Transcript Of Sergeant Mike Frederick
- H. Official Transcript Of Deputy Garfield “Mark” Willetts
- I. Official Transcript of Pilot Greg Brooks
- J. Miscellaneous Documents
- K. Digital Media

**WITNESSES:**

Dr. Peter Springer  
EMS Medical Director for Volusia County  
386-254-4000

Flight Paramedic John Oldham  
Volusia County Sheriff’s Office  
386-239-6542

Sergeant Mike Frederick  
Volusia County Sheriff’s Office  
386-239-6542

Deputy Garfield “Mark” Willetts  
Volusia County Sheriff’s Office  
386-239-6542

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: \_\_\_\_\_

**Sergeant Thomas Tatum  
Internal Affairs Investigator**

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

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