

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

REPORT OF INVESTIGATION

REPORT NUMBER: IA-14-018

PERIOD COVERED: July 25, 2014
DATE REPORTED: July 25, 2014
SUBJECT(S) NAME: Senior Deputy Joseph Kearsch ID 2465
Senior Deputy Brian Brown ID 2413
INVESTIGATING OFFICER: Sergeant Thomas Tatum ID 2405

BASIS FOR INVESTIGATION:

On July 25, 2014, at approximately 0428 hours, Senior Deputies Joseph Kearsch and Brian Brown responded to a report of a security breach at the Daytona Beach International Airport in Daytona Beach, FL. Deputies met with airport Operations Agent Phil Farnstrom on the terminal ramp who directed them to a male who was in a restricted area near the taxiway. Contact was made with the male who was identified as William Smiley. Mr. Smiley told deputies his vehicle was stuck in a ditch on Bellevue Avenue behind the airport and he needed help. Mr. Smiley was taken inside the airport office by deputies and later released with his information documented on a field contact card. Deputy Brown transported Mr. Smiley in his patrol car to Mr. Smiley's vehicle. Deputy Brown called for a tow truck at the request of Mr. Smiley. The tow truck later arrived and removed Mr. Smiley's vehicle. Mr. Smiley left the scene in the cab of the tow truck and his vehicle was in tow.

Several hours later, upon further inspection of the airport property, Operations Agent Farnstrom discovered four (4) blue taxiway lights broken. According to Operations Agent Farnstrom, the lights appeared to have been damaged by someone kicking them, not as a result of aircraft activity. The lights were in a path consistent with the direction Mr. Smiley would have walked, while on the taxiway to find assistance. The estimated replacement cost of the damaged lights was \$600.00. As a result of the damaged lights and the trespassing incident, Deputy Kearsch was directed to complete an affidavit charging Mr. Smiley with trespass to property and felony criminal mischief.

Sergeant David Ingram completed a supervisor inquiry into the aforementioned incident and documented his findings in memorandum number 053M0037.14. Due to the serious nature of the alleged violation and the past discipline history of Senior Deputies Kearsch and Brown, the supervisor inquiry was forwarded to the Internal Affairs Unit for further investigation. *(See Tab C for Supervisor Inquiry)*

OFFENSE(S):

26.2.35 Submission of Reports and Documents - Employees shall originate, complete, and submit all reports and documents required in the execution of their duties prior to concluding a tour of duty except as authorized by a supervisor. *(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.)*

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

INVESTIGATIVE SUMMARY:

On July 30, 2014, Chief Deputy Mike Coffin assigned the above described incident to the Internal Affairs Unit for investigation. This report details the investigation conducted by Sergeant Tatum.

On August 1, 2014, Sergeant Tatum received a copy of the supervisor inquiry submitted by Sergeant Ingram.

On August 5, 2014, Sergeant Tatum contacted Sergeant Ingram in reference to video surveillance mentioned in the supervisor inquiry that was not attached to the memo. Sergeant Ingram advised the video was burned on a disc and sent to evidence. Sergeant Ingram advised he would make another copy and forward it to Sergeant Tatum for review. *(See Tab J for Video Surveillance)*

On August 6, 2014, Sergeant Tatum received the video footage from the south perimeter fence line on Bellevue Avenue. The video captured Mr. Smiley shaking the fence and several minutes later he was observed climbing over the seven (7) foot security fence. The security fence is equipped with barbed wire on the top to prevent unlawful entry to the Daytona Beach International Airport property.

On August 18, 2014, Sergeant Tatum served Deputy Brown with his Notification of Internal Investigation and provided him with a copy of the law enforcement officer rights. Service was made at the S. James Foxman Justice Center in Daytona Beach, FL. *(See Tab B for Official Correspondence)*

Philip Farnstrom (DBIA Airport Operations Agent)

On August 20, 2014, Sergeant Tatum conducted a sworn recorded interview with Daytona Beach International airport Operations Agent Philip Farnstrom at the Daytona Beach International Airport in Daytona Beach, FL. The following is a summary of the interview:

Operations Agent Farnstrom has worked at the Daytona Beach International Airport for one year and four months. His duties as an operations agent include monitoring and inspecting the airfield for foreign objects and ensuring the safety of aircraft on the airfield. Operations Agent Farnstrom stated he was working on July 25, 2014, when a male climbed the perimeter fence at the airport and breached security. Operations Agent Farnstrom advised he was surprised to find the male identified as William Smiley walking up from the taxiway onto the ramp where the aircraft were parked. Operations Agent Farnstrom said the area where Mr. Smiley was located was restricted to people who were required to have a "Red Badge." The red badge or SIDA (Security Identification Display Area) badge is to be displayed above the waist of employees and readily available for inspection. Operations Agent Farnstrom stated he was called by a maintenance employee who told him he heard someone yelling from the airfield. Operations Agent Farnstrom stepped outside from his office to the airfield and could hear a male yelling "Hey, hey, hey!" He could see the silhouette of someone in the dark walking from the airfield to the ramp. Operations Agent Farnstrom stated he told Mr. Smiley to stop and remain there while he contacted the airport deputies. He said Mr. Smiley did not get any closer than approximately 100-120 feet from the aircraft that were parked on the ramp.

Operations Agent Farnstrom advised that Deputy Kearsch arrived within one minute of his call and Deputy Brown was a short distance behind Deputy Kearsch. Operations Agent Farnstrom said he stood by while the deputies contacted Mr. Smiley. He heard Deputy Kearsch ask Mr. Smiley what he was doing there on the airfield and Mr. Smiley told him his truck was broke down and he hopped over the fence. He heard Deputy Brown ask Mr. Smiley if he realized he jumped the fence to the airport and Mr. Smiley told him, yes. Operations Agent Farnstrom stated Deputy Kearsch grabbed Mr. Smiley by the arm and took him to the office in the airport out of the secured area. Operations Agent Farnstrom explained that he did not recall seeing the deputies search or pat down Mr. Smiley before escorting him to the office. Operations Agent Farnstrom said Mr. Smiley mentioned something about a female who took off on him which raised his suspicion of possibly a female on the airport property. He described the behavior and attitude of Mr. Smiley as being upset and agitated because he was walking and could not find anybody to tend to his needs. Operations Agent Farnstrom stated he began a security sweep of the airfield to make sure nobody else was on the property.

Operations Agent Farnstrom said when he was conducting his security sweep, he located Mr. Smiley's vehicle approximately 300-400 yards west of the Brown and Brown hanger on Belleview Avenue. The vehicle was between the security fence and the drainage canal on airport property and sitting at an angle. He stated at some point Deputy Brown transported Mr. Smiley back to his vehicle on Belleview Avenue. Operations Agent Farnstrom said he had a conversation with Deputy Brown about calling a tow truck. Operations Agent Farnstrom explained through the nature of the conversation, it dawned on him Mr. Smiley was not going to be arrested, which changed the way he handled the tow. Operations Agent Farnstrom said he called his security coordinator, Jamie Ford, because he did not want to call for a tow truck if the male was not arrested because the county would have to pay the tow bill. Operations Agent Farnstrom stated Deputy Brown asked Mr. Smiley to give him a phone number or tow company he wanted to call to tow his vehicle. He said they contacted a towing company at which time he (Farnstrom) asked a curbside agent named Carl Conte

to remain with Mr. Smiley and his vehicle in case there was a problem.

Operations Agent Farnstrom stated at approximately 0608 hours, he received a call from Mr. Conte requesting assistance with Mr. Smiley because he was acting erratically by kicking his vehicle and the fence, then attempted to climb the fence once again but only got about half way up and then came back down. Operations Agent Farnstrom said he met with Mr. Smiley who appeared very agitated and was using profanity. Operations Agent Farnstrom stated he was close enough to Mr. Smiley when speaking that he could smell the odor of alcohol and thought he was possibly sobering up. Operations Agent Farnstrom said he requested a deputy to assist them, but when the deputy arrived the tow truck was also on scene. Mr. Smiley calmed down and the tow truck removed the vehicle and drove Mr. Smiley away from the scene with the vehicle in tow.

Operations Agent Farnstrom stated it was approximately mid-morning when he was able to conduct a more thorough inspection of the airfield and discovered several lights broken in sequence on taxiway November 5. He had the assumption that the lights were kicked over due to the mounting bracket inside the lights were pushed over and the lenses were broken. Operations Agent Farnstrom said the damage was not consistent with an aircraft running over them because that would have crushed the lights completely. He advised the lights were in close proximity to where Mr. Smiley walked up to the ramp. *(See Tab E for Official Transcript)*

Carl Conte (Daytona Beach International Airport Curbside Agent)

On August 20, 2014, Sergeant Tatum conducted a sworn recorded interview with curbside agent Carl Conte at the Daytona Beach International Airport in Daytona Beach, FL. The following is a summary of the interview:

Mr. Conte has worked at the Daytona International Airport for five months and his duties include parking enforcement, checking the parking lots and conducting an outside perimeter check of the airfield, gates and fence. Mr. Conte stated he was working the morning of July 25, 2014, when he heard traffic on the radio about a male on the airfield yelling. Mr. Conte said he was already on Belleview Avenue headed towards where the vehicle was off the road, so he went to check it out. Upon his arrival he found the vehicle in the ditch with the radio blaring and the door was wide open. He was then met by Operations Agent Farnstrom and told to unlock a gate (M20) for a maintenance worker. He then returned to the vehicle and was met by Deputy Brown and Mr. Smiley who were already on scene. After Operations Agent Farnstrom and Deputy Brown were finished talking to Mr. Smiley, he was asked to stand by with the vehicle and Mr. Smiley until the tow truck arrived. Mr. Conte said both Operations Agent Farnstrom and Deputy Brown left the scene. Mr. Conte stated he did not see Deputy Brown search Mr. Smiley's vehicle.

Mr. Conte said Mr. Smiley asked if he had a rope and asked him to tow him because he had to go to work. Mr. Conte said he told Mr. Smiley that towing him out of the ditch was against their policy and he refused. Mr. Conte said Mr. Smiley became upset. Mr. Conte said Mr. Smiley returned to his vehicle and became erratic by kicking the door from the inside. Mr. Smiley then opened the door and threw himself on the ground and just laid there for a minute or two near the fence. Mr. Conte

said at that point Mr. Smiley then jumped on the fence and began to climb it. Mr. Conte stated he then called airport operations and told them he needed assistance because Mr. Smiley was acting very erratic and strange. After approximately five minutes, airport Operations Agent Farnstrom arrived. Mr. Conte said the tow truck arrived before a deputy could make it there.

Mr. Conte stated Mr. Smiley appeared to be impaired but he could not smell the odor of an alcoholic beverage on his breath. He described Mr. Smiley as having glassy eyes, acting erratic and having mood swings. *(See Tab F for Official Transcript)*

On August 25, 2014, Senior Deputy Kearsch was served with his Notification of Internal Investigation and provided with a copy of the law enforcement officer rights. Senior Deputy Kearsch was served at the Daytona Beach International Airport in Daytona Beach, FL. *(See Tab B for Official Correspondence)*

Senior Deputy Brian Brown

On August 25, 2014, Sergeant Tatum and Lieutenant Erik Eagan conducted a sworn recorded interview with Senior Deputy Brown in the Sheriff's Administrative Office conference room. Teamster Representatives Josh Vedder and Joel Turney were also present during the interview. The following is a summary of the interview:

Deputy Brown has been with the Volusia County Sheriff's Office for sixteen years and is currently assigned to Judicial Services as a bailiff for Judge Marriott at the S. James Foxman Justice Center in Daytona Beach, FL. Deputy Brown is a Field Training Officer (FTO) in the court system. He has previous law enforcement experience with the Daytona Beach Police Department and Port Orange Police Department. Deputy Brown has worked overtime at the Daytona Beach International Airport two times a week for the past three years.

Deputy Brown told investigators he was working overtime at the Daytona Beach International Airport, Daytona Beach, FL, on July 25, 2014. His scheduled work hours that night were from midnight to 0600 hours. Deputy Brown advised he and Deputy Kearsch were called on the airport radio by Airport Operations Agent Farnstrom regarding a male who could be heard yelling near the taxiway and ramp. Deputy Brown said he was approximately twenty to thirty seconds behind Deputy Kearsch when they made contact with the male identified as William Smiley. Deputy Brown said he took a position behind Mr. Smiley as Deputy Kearsch was speaking with him. Deputy Brown stated Mr. Smiley told Deputy Kearsch his vehicle was stuck in the ditch and he was looking for help. Deputy Brown described Mr. Smiley as agitated because his truck was stuck and nobody was helping him. Deputy Brown stated he did not search Mr. Smiley. When asked why he did not search Mr. Smiley, Deputy Brown said, *"I just didn't. No explanation, I just didn't."* Deputy Brown said he did not see Deputy Kearsch search Mr. Smiley either. Deputy Brown said they escorted Mr. Smiley to the deputies' room in the operation area of the airport.

Deputy Brown stated he sat Mr. Smiley in a chair and watched him as Deputy Kearsch left the room for a few minutes. During that time, Deputy Brown said he was talking with Mr. Smiley and asked

him how he got there. Mr. Smiley told Deputy Brown that he was watching airplanes land and he got his vehicle stuck. They waited for close to an hour thinking someone would drive by but nobody did. Mr. Smiley said his girlfriend was getting agitated because his phone was dead and she began to walk towards Clyde Morris. Deputy Brown said Mr. Smiley made reference to being late for work and how he saw the airport lights and began shaking the fence thinking an alarm would go off and knew there were cameras on the property. When nobody came he decided to hop the fence, hoping he would run into somebody. That is when he came into contact with the operations agent.

Deputy Brown said Deputy Kearsch returned with a field contact card book and stood by with Mr. Smiley while he [Deputy Brown] stepped out to run a warrant check on Mr. Smiley, which came back negative. Mr. Smiley's information was documented on the field contact card. Deputy Brown told investigators he did not run a criminal history on Mr. Smiley. Sergeant Tatum informed Deputy Brown of the criminal history for Mr. Smiley which included twenty-three misdemeanor charges and two felony charges. The charges ranged from assault/battery to drug possession and resisting officers. Deputy Brown stated that if he had known the criminal history of Mr. Smiley, it could have changed his mind about not making the arrest. Deputy Brown said there was no direct discussion with Deputy Kearsch about making an arrest and he was just going with the flow and didn't know whether an arrest was going to be made or not. Deputy Brown told investigators that Deputy Kearsch asked him to take Mr. Smiley to the back side of the airport and verify the vehicle was stuck and there was no damage to the fence.

Deputy Brown said he transported Mr. Smiley in the back seat of his patrol car to Mr. Smiley's vehicle. Deputy Brown said Operations Agent Farnstrom was already there on the inside of the fence. Deputy Brown stated he did not pat down Mr. Smiley prior to transporting him in his patrol car and said, "*No excuse LT. I just didn't do it.*" Deputy Brown told investigators he could not smell the odor of an alcoholic beverage on Mr. Smiley and he appeared to answer all questions when asked. He described the vehicle as having its lights on but could not recall if the radio was playing or if the doors were open. When asked, Deputy Brown said he did not think it was odd at the time but, "*Hindsight being 20/20, yes sir. At the time and place, the time and place, no sir. Hindsight's always 20/20 as I know well.*" Deputy Brown said he did not search Mr. Smiley's vehicle even though it was on airport property without authorization and said, "*No sir. I did not ask for a consent for search the vehicle.*" Deputy Brown said he left Mr. Smiley with the airport operations agent and he cleared the scene. Deputy Brown stated he did not see any signs of injury on Mr. Smiley from climbing the fence and crossing the barbed wire. Deputy Brown said when he left Mr. Smiley he was calm, relaxed and quiet. He said Mr. Smiley was not acting as described by Mr. Conte. If he had acted that way in front of him it would have been a different scenario.

Deputy Brown said he returned to the airport office and Deputy Kearsch was making notifications to Lieutenant Quigley, the FBI and TSA about the security breach. Deputy Brown said he sent an email to Sergeant David Ingram outlining the incident with Mr. Smiley. Deputy Brown said he did not complete a supplement until later in the day when he received direction from Sergeant Ingram to complete one. Deputy Brown stated since a field contact card was completed he did not complete a supplement and said he had no excuses. Deputy Brown told investigators he was not aware of any lights being damaged on the airfield. (*See Tab G for Official Transcript*)

Deputy Brown was asked to respond to the following policy violations:

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| 26.2.35 Submission of reports and documents- | Yes |
| 26.2.41 Negligence associated with the safety of persons or property- | No |
| 26.2.133 Repeated failure to maintain necessary skills- | No |

Senior Deputy Joseph Kearsch

On August 26, 2014, Sergeant Tatum and Lieutenant Eagan conducted a sworn recorded interview with Senior Deputy Joseph Kearsch in the Sheriff's conference room in the Sheriff's administrative building in Deland, FL. Also present during the interview was Teamster representatives Josh Vedder and Austin Littleton.

Deputy Kearsch has been with the Volusia County Sheriff's Office for 13 years and is currently assigned to Law Enforcement Services Division at the Daytona Beach International Airport. Prior to his current assignment, Deputy Kearsch was a school resource deputy at Seabreeze High School. He has previous law enforcement experience with the Ormond Beach Police Department where he served as a patrol officer for twenty years. He also served with the Holly Hill Police Department as a patrol officer for three years.

Deputy Kearsch stated he was working at the Daytona Beach International Airport on July 25, 2014, and was called on the radio regarding a possible security breach. Deputy Kearsch responded and made contact with the male identified as William Smiley. Deputy Kearsch stated Mr. Smiley said he was stuck and needed help. Deputy Kearsch said Mr. Smiley told him his vehicle was stuck on Beville or Belleview extension and said he climbed the fence looking for help. He appeared to be frustrated and agitated according to Deputy Kearsch. Deputy Kearsch told investigators that Mr. Smiley said he was shaking the fence trying to get someone's attention, but nobody responded so he climbed the fence and headed toward the terminal where he knew people were. Deputy Kearsch said Deputy Brown was a few steps or seconds behind him when they made contact. Deputy Kearsch explained that Deputy Brown was the backup deputy and helped keep an eye on Mr. Smiley while he spoke with him.

Deputy Kearsch stated it appeared Mr. Smiley had been drinking due to his mannerisms, the hint of an odor of an alcoholic type beverage and his eyes were watery and bloodshot. Deputy Kearsch would not classify Mr. Smiley as being intoxicated because he was able to answer questions and was steady on his feet. He felt the alcohol may have had an influence on his poor decision to climb the fence. Deputy Kearsch could not recall if he searched Mr. Smiley for weapons, although he thinks he may have, but he could not recall. Deputy Kearsch explained that Mr. Smiley told him he left his identification in his vehicle along with his cell phone. Deputy Kearsch stated he did not see Deputy

Brown search or pat down Mr. Smiley.

Deputy Kearsch stated he escorted Mr. Smiley back to the airport office where he attempted to access the DAVID system to verify the identity of Mr. Smiley. Deputy Kearsch said he was having password problems due to the DAVID system changes and therefore he could not verify the identity of Mr. Smiley at that time. Deputy Kearsch asked Deputy Brown to start a field contact card and to check for warrants on Mr. Smiley. Deputy Kearsch told investigators he then asked Deputy Brown to escort Mr. Smiley back to his vehicle that was stuck in the ditch in order to verify his story and obtain his identification.

Deputy Kearsch stated he received a telephone call from Deputy Brown who was looking at Mr. Smiley's identification and provided him with his driver's license number. Deputy Kearsch said he did not run a criminal history on Mr. Smiley and was not aware of the twenty-three misdemeanor charges and two felony charges on his record. When asked if the criminal history would have changed his mind on making an arrest, he said it possibly would have. When asked why an arrest was not made, Deputy Kearsch explained,

"Well I was more concerned with verifying the story, verifying who he said he was, making sure that he wasn't lying along those lines. Just, I kind of you know, empathy that he was looking for help. He was frustrated. I didn't feel like he had any criminal intent or any like terrorist intent or anything like that. He wasn't a real threat to you know business taking place at that airport other than being on a ramp which we wanted to make sure we escorted him off the ramp immediately."

Deputy Kearsch took full responsibility for making the decision to release Mr. Smiley without making an arrest. He could not recall any conversation with Deputy Brown about whether to make the arrest or just fill out a field contact card and release him.

Deputy Kearsch told investigators that while he was talking with Deputy Peter Palazzotto at shift change, he heard radio traffic from Mr. Conte advising that Mr. Smiley was shaking the fence. Deputy Palazzotto advised he would respond to the scene. Deputy Kearsch stated he was listening to the radio on the way home and heard Deputy Palazzotto arrive on scene and said everything was alright and went back in service.

Deputy Kearsch was asked if there was anything in writing from TSA or Homeland Security that would indicate when a report is required for a breach of security. Deputy Kearsch stated he would usually do a report when there is a security breach and he didn't know why he didn't do a report that morning. Deputy Kearsch said he was extremely fatigued that morning and didn't know if that was a factor on his decision making process. He said he realized afterward that he should have written a report. Deputy Kearsch stated he made notifications to TSA, FBI and Lieutenant Tim Quigley. *(See Tab H for Official Transcript)*

Deputy Kearsch was asked to respond to the following policy violations:

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| 26.2.35 Submission of reports and documents- | Yes |
| 26.2.41 Negligence associated with the safety of persons or property- | No |
| 26.2.133 Repeated failure to maintain necessary skills- | No |

CONCLUSION:

On September 3, 2014, this investigation was presented to the Sheriff and his administrative staff. After review, the Sheriff determined the alleged policy violations to be:

Deputy Brown:

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| 26.2.35 Submission of Reports and Documents - | Sustained |
| 26.2.41 Negligence Associated with Safety of Persons or Property - | Sustained |
| 26.2.133 Repeated failure to maintain necessary Skills - | Not Sustained |

Deputy Kearsch:

- | | |
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| 26.2.35 Submission of Reports and Documents - | Sustained |
| 26.2.41 Negligence Associated with Safety of Persons or Property - | Sustained |
| 26.2.133 Repeated failure to maintain necessary Skills - | Not Sustained |

Sheriff Johnson tentatively determined the discipline for Deputy Brown to be a sixteen (16) hour suspension without pay and he is suspended from working overtime at the Daytona Beach International Airport for six months. Deputy Brown was served with his "Intent to Suspend" letter on September 8, 2014. *(See Tab B for Official Correspondence)*

Senior Deputy Brown scheduled a pre-discipline hearing with Sheriff Johnson on September 24, 2014. Senior Deputy Brown attended the meeting with Teamster representative Brodie Hughes and Bob Walker. Also in attendance were Chief Coffin, Major Jones, Major Mandizha, Lieutenant Paugh and Sergeant Tatum. Senior Deputy Brown accepted responsibility for his actions. After earnest consideration; Sheriff Johnson determined the final discipline to be a Letter of Reprimand and Senior Deputy Brown will be allowed to work overtime at the Daytona Beach International Airport.

Sheriff Johnson tentatively determined the discipline for Senior Deputy Kearsch to be a forty (40)

hour suspension without pay and a loss of Senior Deputy status. Senior Deputy Kearsch was served with his "Intent to Suspend and Demote" letter on September 8, 2014. *(See Tab B for Official Correspondence)*

Senior Deputy Kearsch scheduled a pre-discipline hearing with Sheriff Johnson on September 24, 2014. Senior Deputy Kearsch attended the meeting with Teamster representative Brodie Hughes and Bob Walker. Also in attendance were Chief Coffin, Major Jones, Major Mandizha, Lieutenant Paugh and Sergeant Tatum. Senior Deputy Kearsch accepted responsibility for his actions. After earnest consideration; Sheriff Johnson determined the final discipline to be a twenty-four (24) hour suspension without pay and Senior Deputy Kearsch will keep his Senior Deputy status.

On September 26, 2014, Investigator Glen Bennett served Senior Deputy Kearsch with his final letter of suspension at the Daytona Beach Courthouse Annex in Daytona Beach, FL. Investigator Bennett also served Senior Deputy Brown his Letter of Reprimand in the parking lot of the Ormond Beach Performing Arts Center in Ormond Beach, FL. *(See Tab B for Official Correspondence)*

EXHIBIT(S):

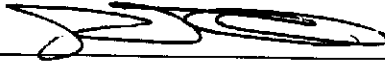
- A. Report of Investigation
- B. Official Correspondence
- C. Complaint-Supervisor Inquiry
- D. Advisement of Rights for Disciplinary Interview/Oath-Perjury Warning
- E. Official Transcript of Interview with Operations Agent Philip Farnstrom
- F. Official Transcript of Interview with Curbside Agent Carl Conte
- G. Official Transcript of Interview with Senior Deputy Brian Brown
- H. Official Transcript of Interview with Senior Deputy Joseph Kearsch
- I. Misc. documents
- J. Digital Media

WITNESSES:

Operations Agent Philip Farnstrom
Daytona Beach International Airport
700 Catalina Dr.
Daytona Beach, FL
386-248-8030

Curbside Agent Carl Conte
Daytona Beach International Airport
700 Catalina Dr.
Daytona Beach, FL
386-248-8030

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: 10/08/14

**Sergeant Thomas Tatum
Internal Affairs Investigator**

APPROVED BY:  DATE: 10/10/14

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