

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

REPORT OF INVESTIGATION

REPORT NUMBER: IA-16-006

PERIOD COVERED: January 2016 – June 2016

DATE REPORTED: May 23, 2016

SUBJECT(S) NAME: Deputy Bryan “Scott” Barnett #1410

INVESTIGATING OFFICERS: Investigator Glen Bennett #1452

BASIS FOR INVESTIGATION:

On June 8, 2016, the Internal Affairs Unit received a supervisor’s inquiry authored by Sergeant Jamie Grunder, a court security supervisor at the S. James Foxman Justice Center in Daytona Beach, FL. The inquiry outlined two incidents where it was alleged that Deputy Bryan Barnett had allowed a female drug court participant to ride in the front seat of his marked patrol car and exchanged material items for “sexual favors” with another.

OFFENSES:

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

26.2.118 Code of Ethics for Public Officers and Employees - Employees shall strictly adhere to the code of ethics for public officers and employees and shall not violate the Code of Ethics for Public Officers and Employees as set forth in Florida law and the County Merit System. *(Violation subject up to dismissal.)*

26.2.34 Failure to Follow Directive or Order - Employees shall adhere to all official Directives and/or orders, and shall faithfully execute all the duties and responsibilities of their assigned position. *(Violation subject up to a 5 day suspension.)*

RE: 41.3.71 Transportation of other than department personnel or authorized observers - In each instance involving the transport of a prisoner, victim, witness or aided citizen of the opposite sex or juvenile in a Department vehicle, the operator shall contact the Communications Dispatcher and advise:

- A. Location and odometer mileage at the start of the transport:
- B. Intended destination:
- C. Odometer mileage and actual location at the end of the transport.

26.2.54 Association with Criminals - Employees shall avoid regular or continuous association or dealings with persons who they know or should know are under criminal investigation or indictments, or persons who have a criminal or immoral reputation in the community, except as necessary in the performance of official duties. Immediate family members are exempt from this provision, providing the situation is immediately reported to the Sheriff. *(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.*

INVESTIGATIVE SUMMARY:

On June 8, 2016, Chief Deputy Eric J. Dietrich assigned the above incident to the Internal Affairs Unit to gather further facts related to the allegations. This report details the internal affairs investigation conducted by Investigator Glen Bennett. *(See Tab – B Book One for Official Correspondence)*

Investigator Bennett reviewed the supervisor’s inquiry authored by Sergeant Grunder. The inquiry outlined two events that were brought to the attention of Sergeant’s Grunder and Hansard, both of whom are court security supervisors at the S. James Foxman Justice Center in Daytona Beach, FL. The following is a summary of that inquiry:

The first incident, reported on May 23, 2016, involved a deputy, later identified as Deputy Bryan Barnett, allowing a female drug court participant, Jessica Estes, to ride in the front seat of his marked patrol car on the afternoon of Friday, May 20, 2016. The incident was reported by two drug court employees, Jessica Black and her supervisor Melissa Cuccoro. It was stated in the inquiry that Ms. Cuccoro felt, “...*this was suspicious in nature, as Jessica Estes was a drug court participant and she was allowed to ride in the front seat of a Sheriff’s Office vehicle.*”

At the time the incident was reported to Sergeants Grunder and Hansard, it was unknown who the deputy was. The two drug court employees were shown a photograph of deputy's matching the description provided but failed to identify the deputy seen with Ms. Estes. Sergeant Hansard ran a call history given the date and time the alleged incident was believed to have occurred and found no call history involving the transportation of a female civilian from the Justice Center.

Later that same day, Sergeant's Hansard and Grunder contacted Deputy Barnett in hopes of identifying the deputy involved. Deputy Barnett acknowledged he was the one that contacted Ms. Estes that Friday afternoon in the parking lot. He explained that she requested a ride to the local Steak 'n Shake restaurant in Daytona Beach. He further advised that he was unaware Ms. Estes was a drug court participant and he was just trying to help a citizen in need. Deputy Barnett admitted to allowing Ms. Estes to ride in the front seat of his patrol car and that he never notified central dispatch. Based on what information the sergeants had at the time, Deputy Barnett was "informally verbally counseled" for not following proper procedure in the transportation of a female civilian.

It was later discovered that Ms. Estes was released from jail that Friday, May 20, 2016, failed a drug test and admitted to drug court personnel that she ingested narcotics while traveling from the jail to the Justice Center. Through further investigation, Sergeant Grunder learned that Ms. Estes had an open felony warrant for violation of drug court sanctions which was issued on May 23, 2016, three days after riding in the front seat of Deputy Barnett's patrol car.

The second incident documented in the supervisor's inquiry centered on a separate female drug court participant by the name of Brooke Whitford. On Sunday, May 29, 2016, Deputy Barnett attempted to contact Sergeant Hansard, but Sergeant Hansard was out of town on vacation and did not immediately respond. Having been unable to reach Sergeant Hansard, Deputy Barnett called Sergeant Grunder to ask for advice concerning a female drug court participant whom he did not name. According to Sergeant Grunder, Deputy Barnett said the female, Ms. B. Whitford, had an open arrest warrant, and her sister, Gina Whitford, along with Ms. B. Whitford's boyfriend, Mike Fantone, came to his residence that Sunday inquiring as to Ms. Whitford's whereabouts.

Ms. G. Whitford and Mr. Fantone asked Deputy Barnett about a cell phone he purchased for Ms. B. Whitford. They wanted him to unlock the phone in hopes of possibly gathering some information on Ms. B. Whitford's whereabouts. Sergeant Grunder told Deputy Barnett, as a deputy sheriff, he was obligated to report any information he may have on an individual with an open arrest warrant.

When Sergeant Hansard returned to work Tuesday, May 31, 2016, he contacted Deputy Barnett in relation to the text he received over the weekend. Deputy Barnett told him he consulted Sergeant Grunder and began to inquire about using family medical leave for some personal issues he was having. During that conversation, Deputy Barnett began discussing the issue involving Ms. B. Whitford and further commented on some recent bad decisions. Deputy Barnett continued explaining how he was contacted via Yahoo Messenger by a Ms. B Whitford requesting his assistance. According to Deputy Barnett, Ms. B. Whitford, was due to graduate drug court so he gave her \$200 along with a cell phone in order to help her out. Deputy Barnett explained that Ms. B. Whitford's sister and ex-boyfriend came to his house inquiring as to her whereabouts and the cell phone he purchased. At the time, neither he nor the sister had the cell phone, so Deputy Barnett had a friend who worked at a beachside bar in Daytona Beach, acquire the phone and return it to him.

Then on Wednesday, June 1, 2016, Alan Mashaw, a drug court participant, contacted Heather Mosler, a drug court services officer, and advised her of a transport deputy named "Barnett," who was allegedly having sex with female drug court participants. Sergeant Hansard was notified of the allegation and immediately made contact with Ms. Mosler.

According to the inquiry, Ms. Mosler asked Mr. Mashaw if the sex was voluntary or obligatory and his response was obligatory. It was also learned that Deputy Barnett was believed to be exchanging "sexual favors" for a cell phone which he purchased for Ms. B. Whitford. Ms. B. Whitford was known to Ms. Mosler as a drug court participant wanted on a felony warrant issued on May 24, 2016 for violation of drug court sanctions. *(See Tab – B Book One for Supervisors Inquiry*

Sergeant Richard Hansard

On June 9, 2016, Investigator Bennett and Sergeant Justine Sawicki conducted a sworn recorded interview with Sergeant Richard Hansard at the Sheriff's Operations Center in Daytona Beach, FL. The following is a summary of that interview:

Sergeant Hansard has been with the Sheriff's Office for twenty one years and has held the rank of sergeant for the last thirteen. He has been assigned to the S. Foxman Justice Center in Daytona Beach as a court security supervisor for the last twelve years.

Sergeant Hansard was requested to meet with drug court personnel on Monday, May 23, 2016, in reference to an incident involving a deputy. Sergeant Hansard and Sergeant Grunder met with both Jessica Black and Melissa Cuccoro, a drug court supervisor.

According to Sergeant Hansard, Ms. Black observed an unknown deputy along with a female drug court participant, Jessica Estes, engaged in conversation in the dirt parking area of the courthouse. She said after a short conversation, Ms. Estes walked away from the deputy only to turn around, walk back, get into the front seat of his patrol car and drive off together.

Ms. Estes was new to drug court and she was at the courthouse that Friday, May 20, 2016, for her orientation into the drug court program. Sergeant Hansard explained the incident was reported to have occurred after work hours when Ms. Black was walking to her personal vehicle parked adjacent to the dirt parking lot.

Sergeant Hansard explained that he and Sergeant Grunder contacted Deputy Barnett in reference to the information they received. Deputy Barnett was asked if he had given a ride to a female the previous week and he replied, "*Oh yeah, a female asked me for a ride so I gave her a ride. I was trying to help her out. She wanted to go to Steak 'n Shake in Daytona so I gave her a ride.*" Deputy Barnett claimed to not know the females name or that she was a drug court participant. It was explained to Deputy Barnett that he needed to follow proper protocol when transporting civilian personnel and that the Sheriff's Office was not a taxi service.

A few days later on Sunday, May 29, 2016, Deputy Barnett attempted to contact Sergeant Hansard but he was out of town for the Memorial Day weekend holiday. Since Deputy Barnett could not reach Sergeant Hansard he contacted Sergeant Grunder asking for advice on what to do

about Ms. B. Whitford's ex-boyfriend and sister coming to his house. Sergeant Hansard was unaware of this conversation until Sergeant Grunder returned from vacation on Wednesday, June 1, 2016. *(See Tab - J Book Two for Text Message)*

The following work day, Tuesday, May 31, 2016, Deputy Barnett came to Sergeant Hansard to discuss some personal issues. According to Sergeant Hansard, Deputy Barnett proceeded to tell him that he had made a poor decision in giving the girl in the parking lot a ride.

The conversation then turned to why Deputy Barnett attempted to contact Sergeant Hansard the prior Sunday while on vacation. Deputy Barnett explained that he received a message on his phone from a female drug court participant, later identified as Ms. B. Whitford, requesting help. Deputy Barnett told him that he gave the female \$200 to help her with rent along with purchasing her a cell phone. It should be noted that Sergeant Hansard was unaware of the female's identity at the time and when he asked if Deputy Barnett would tell him, Deputy Barnett replied, "*No, not yet.*"

Deputy Barnett explained that the ex-boyfriend and sister showed up at his residence that Sunday looking for Ms. B. Whitford and accusing him of harboring her. They apparently obtained Deputy Barnett's home address from the cell phone receipt he said he purchased for her.

According to Sergeant Hansard, it was that Sunday, Deputy Barnett learned of Ms. B. Whitford's warrant from the ex-boyfriend and sister. Deputy Barnett also claimed to have possession of the cell phone he purchased for Ms. B. Whitford, which was obtained by a friend of his that works as a bartender at a beachside bar in Daytona Beach. Not having all the information, and knowing Sergeant Grunder was returning to work the following day, he elected to wait and discuss the matter with Sergeant Grunder before taking further action.

On the following Wednesday, June 1, 2016, Sergeant Hansard was notified that a drug court employee named Heather Mosler wanted to speak to him. Sergeant Hansard, along with Sergeant Grunder, met with Ms. Mosler in her office; however, Sergeant Hansard said he was only in the meeting for a short time. During the time he was present, he learned of a man named Alan Mashaw that expressed his concerns about Deputy Barnett trading "sexual favors" with female drug court participants. *(See Tab - D Book One for Official Transcripts)*

Sergeant Jamie Grunder

On June 9, 2016, Investigator Bennett and Sergeant Sawicki conducted a sworn recorded interview with Sergeant Jamie Grunder at the Sheriff's Office Operations Center in Daytona Beach, FL. The following is a summary of that interview:

Sergeant Grunder started his law enforcement career with the Holly Hill Police Department before coming to the Sheriff's Office in 1998. He has been assigned to the S. Foxman Justice Center as a court security supervisor for approximately ten years.

Sergeant Grunder, along with Sergeant Hansard, were contacted by drug court personnel on Monday, May 20, 2016, in reference to a deputy allowing a female drug court participant, Jessica Estes, to ride in the front seat of his patrol car. At the time the two drug court employees, Melissa Cuccoro and Jessica Black, were unable to positively identify the deputy in question. Using the description given to them, the sergeants narrowed it to two possible deputies assigned to the courthouse, one of them being Deputy Barnett.

Later that day, Sergeant's Grunder and Hansard contacted Deputy Barnett in the parking lot of the courthouse. According to Sergeant Grunder, Deputy Barnett confirmed he did in fact allow a female to ride in the front seat of his patrol car. Deputy Barnett told him that Ms. Estes had approached him in the parking lot asking for a ride to the Steak 'n Shake restaurant in Daytona Beach; Furthermore, Deputy Barnett claimed to have no knowledge of Ms. Estes being in the drug court program. Sergeant Grunder researched Deputy Barnett's Computer Aided Dispatch (CAD) history and discovered that he never notified dispatch he was transporting a female civilian, which is required by department policy.

Sergeant Grunder learned that on May 20, 2016, Ms. Estes was at the courthouse to attend her first day of orientation into the drug court program. And there was a felony arrest warrant issued for her three days later on May 23, 2016 for violating drug court sanctions.

Sergeant Grunder was contacted by Deputy Barnett on Sunday, May 29, 2016, after he couldn't reach Sergeant Hansard, telling him it was very important they talked. According to Sergeant Grunder, Deputy Barnett, "*...needed some advice on someone that he helped, which was a drug court girl [Ms. B. Whitford] and he was looking for advice because the girl, which he knew was*

a drug court girl had absconded and had a warrant for her...” Deputy Barnett further stated to Sergeant Grunder, *“...that girl [Brooke Whitford] absconded and this girl's sister [Gina Whitford] and ex-boyfriend [Mike Fantone] were trying to locate her because of other reasons besides the warrant.”* Deputy Barnett was looking for advice from Sergeant Grunder since the ex-boyfriend and sister found his address off the invoice from a cell phone he purchased for Ms. B. Whitford; however, Sergeant Grunder, at the time, was unaware Ms. G. Whitford and Mr. Fantone had already physically gone to Deputy Barnett’s residence. Sergeant Grunder did not gather further information from Deputy Barnett because he was off duty with his family and friends.

It wasn’t until he spoke to Sergeant Hansard, upon returning from his vacation, that he was informed of the money Deputy Barnett had given Ms. B. Whitford and the cell phone exchange involving Deputy Barnett’s friend, a beachside bartender named “Mike.”

A few days later on Wednesday, June 1, 2016, Sergeant Grunder was requested to contact drug court personnel in reference to a deputy allegedly engaging in sexual activities with female drug court participants. Alan Mashaw, a drug court participant, reported to drug court personnel that Deputy Barnett had been exchanging “sexual favors” for money and/or gifts with females in the drug court program. Sergeant Grunder set up a meeting with Mr. Mashaw; however, Mr. Mashaw only wanted to speak to the Sheriff’s Office Internal Affairs Unit. Since Mr. Mashaw didn’t provide a statement, Sergeant Grunder gathered no further information in reference to the complaint.

Sergeant Grunder completed a supervisor’s inquiry into the alleged activities involving Deputy Barnett and sent the inquiry up his chain of command. *(See Tab – D for Official Transcripts)*

On June 14, 2016, Investigator Bennett and Sergeant Sawicki served Deputy Barnett with a notice of internal investigation and officer bill of rights at 250 North Beach Street in Daytona Beach. *(See Tab – B Book One for Official Correspondence)*

Mike Fantone

On June 14, 2016, Investigator Bennett and Sergeant Sawicki conducted a sworn recorded interview with Mike Fantone at the Port Orange Police Department Headquarters in Port Orange, FL. The following is a summary of that interview:

Mr. Fantone has known Ms. B Whitford for approximately two years and the two have been involved in a relationship for the past nine months. Mr. Fantone attended drug court meetings on behalf of Ms. B. Whitford, who has been a drug court participant for approximately two years. Mr. Fantone was aware of Ms. B. Whitford's felony warrant and has been looking for her since she absconded.

Ms. B. Whitford resided with Mr. Fantone until she learned of the felony arrest warrant. Upon leaving the residence, she left behind several personal items to include a Cricket cell phone box which contained the purchasing invoice. Mr. Fantone looked over the invoice and said he recognized Ms. B. Whitford's cell phone number; however, the name and address of whom it was registered to was unknown to him. The invoice had the name, Bryan Scott Barnett, with an address and what appeared to be his signature. At the time, Mr. Fantone was unaware Bryan Scott Barnett was a deputy sheriff assigned to the courthouse. *(See Tab – J Book Two for Cell Phone invoice)*

Mr. Fantone contacted Ms. B. Whitford's sister, Gina Whitford, and the two went to the address indicated on the cell phone invoice on the afternoon of Saturday, May 28, 2016. When they arrived at the residence, Mr. Fantone saw a Sheriff's Office patrol car parked in the driveway; *"I knocked on the door and Mr. Barnett answered the door. I recognized him as soon as I saw him I knew who he was... He recognized me also from being in the courtroom and he stated that."* Mr. Fantone said every time he went with Ms. B. Whitford to drug court he saw Deputy Barnett in the courtroom.

Mr. Fantone introduced himself to Deputy Barnett and said he was looking for Ms. B. Whitford who recently absconded. Mr. Fantone further inquired as to why Deputy Barnett would purchase a cell phone for her. Deputy Barnett told Mr. Fantone that, *"He [Deputy Barnett] ran into her [Brooke Whitford] at 7-Eleven and saw her there. She said she needed help. He decided to help, took her and purchased her a cellphone."* Mr. Fantone showed the receipt to Deputy Barnett,

“He [Deputy Barnett] grabbed the receipt out of my hand. I did not give it to him. He grabbed it out of my hand. I said I would like that receipt back. And he said no, that’s not your receipt.”

Mr. Fantone asked to look through the cell phone he purchased in hopes of finding some helpful information as to Ms. B. Whitford’s whereabouts. Deputy Barnett said the phone was with a friend named “Mike” who works at Crusin’ Café, a restaurant on beachside Daytona Beach. Deputy Barnett told Mr. Fantone that he would get the cell phone from his friend and when he does, he would turn it over to him.

Mr. Fantone asked Deputy Barnett if he had been in contact Ms. B. Whitford and he said he has spoken to her on the phone. Mr. Fantone then suggested he call the police to sort the situation out and Deputy Barnett replied, *“He said you know, don’t do that, don’t do that. Let’s just work on this together. We don’t need to get [police]; he said I’m not trying to get in trouble.”*

Mr. Fantone and Gina Whitford left Deputy Barnett’s residence. All the while Mr. Fantone believed Ms. B. Whitford may have been inside his residence with the cell phone. He figured Deputy Barnett was going to destroy the cell phone since it contained communication between him and Ms. B. Whitford.

Mr. Fantone began to send Deputy Barnett text messages telling him he was lying about his relationship with Ms. B. Whitford. A relationship Deputy Barnett claimed was no more than friendship. *(See Tab – D Book Two for Text Messages)*

Mr. Fantone still had communications with Ms. B. Whitford, via an old cell phone she had. During one of those calls he asked about Deputy Barnett. Ms. B. Whitford told Mr. Fantone that Deputy Barnett was a transport deputy and during the ride to the courthouse, the two would engage in conversation. The majority of the communication between Deputy Barnett and Ms. B. Whitford was done through Facebook messaging;

“She told me that he Facebook messaged her and, and they had plans to meet up, um, there was supposedly sex involved for money, is what it was. And um, she told me that they made plans to meet up at 7-Eleven. She told me that they had a deal set up where she would go to his house once a week and they would have sex and he would keep giving her money. ”

Mr. Fantone had no evidence nor did he believe that Deputy Barnett used his authority as a deputy sheriff to influence the court on Ms. B. Whitford's behalf. Furthermore, to his knowledge, Deputy Barnett did not promise any favors for Ms. B. Whitford as a result of their relationship. According to Mr. Fantone, Deputy Barnett's relationship with Ms. B. Whitford was business, sex for money.

Since Ms. B. Whitford absconded from drug court with an open felony warrant, Mr. Fantone has asked her to turn herself in but she has been reluctant to do so. According to Mr. Fantone, she told him;

"I talked to her this morning she told me that she's scared and she's afraid to turn herself in because he [Deputy Barnett] threatened her. She's afraid to turn herself in with her warrant that she has because he told her if you tell anybody about this, if anything happens and comes from this, I also work at the jail a little bit. I have friends of mine that work at the jail a little bit and we're gonna make your life hell there."

Mr. Fantone turned over copies of Facebook and text messages between himself, Ms. B. Whitford and Deputy Barnett to Internal Affairs investigators. *(See Tab – E Book One for Official Transcript)*

Heather Mosler

On June 15, 2016, Investigator Bennett and Sergeant Sawicki conducted a sworn recorded interview with Heather Mosler at 250 North Beach Street in Daytona Beach, FL. The following is a summary of that interview:

Ms. Mosler is a drug court supervision officer assigned to the S. Foxman Justice Center in Daytona Beach, FL. She has been assigned to drug court for the past three years where she supervises the cases of several drug court participants.

Ms. Mosler was approached by a drug court participant named Alan Mashaw who was not one of her cases; however, she had known Mr. Mashaw for the last year and a half since he started with the program. Mr. Mashaw explained that Deputy Barnett was engaging in inappropriate behavior with female drug court participants. Mr. Mashaw believed the girls may have felt

obligated to do some sort of “sexual favors” for him because he was a deputy. Ms. Mosler was familiar with Deputy Barnett, remembering that he was a bailiff in drug court on several occasions. Initially, during their first conversation, Mr. Mashaw was reluctant to come forward with the names of the girls, none the less; Ms. Mosler reported the information to her supervisors.

By the time Ms. Mosler had spoken with Mr. Mashaw the second time, she had already provided a preliminary statement to Sergeant’s Grunder and Hansard. She advised Mr. Mashaw to come forward with the girls names, which he elected to do. Mr. Mashaw told Ms. Mosler that the girl in question was Ms. B. Whitford. He stated that Deputy Barnett had purchased Ms. B. Whitford a cell phone and her boyfriend, Mr. Fantone, had a receipt showing proof of the purchase.

Ms. Mosler was asked if Mr. Mashaw believed the girls were forced into having sex with Deputy Barnett and she explained the relationship seemed more, “...*you do for me I do for you. If I buy you the cell phone, I can have sex with you. Something to that effect.*”

Ms. Mosler was also aware of the incident involving Ms. Estes, a drug court participant riding in the front seat of Deputy Barnett’s patrol car. She did not witness the incident but it was brought to her attention by Jessica Black, a fellow drug court employee. Ms. Mosler received a phone call from Ms. Black telling her she witnessed Ms. Estes getting into an unidentified deputy’s patrol car. Ms. Black further explained that it was Ms. Estes first day in the drug court program, and was there that Friday to attend her orientation into the program.

Upon her release from jail that Friday May 20, 2016, Ms. Estes was to report to the drug court offices located at the S. Foxman Justice Center for orientation into the program. When Ms. Estes arrived, she admitted to drug court personnel that she had taken Dilauded, a controlled narcotic, while on her way to their office from the jail. Part of her orientation included a urinalysis which ultimately showed positive for the presence of opiates; which meant she was possibly under the influence at the time she rode in Deputy Barnett’s patrol car. Having tested positive, a felony arrest warrant was issued for Ms. Estes on May 23, 2016. (*See Tab – F Book One for Official Transcript, See Tab – O Book One for Ms. Estes Criminal History*)

Jessica Black

On June 15, 2016, Investigator Bennett and Sergeant Sawicki conducted a sworn recorded interview with Jessica Black, a staff assistant with the drug court program. The following is a summary of that interview:

Ms. Black has worked in drug court for approximately three years and on May 20, 2016, as she walked to her car parked in the front main parking lot of the courthouse, she observed a deputy speaking to a female drug court participant named Jessica Estes.

Ms. Black described how the deputy was standing next to his patrol car which was parked in the dirt parking area adjacent to the main parking lot talking to Ms. Estes. According to Ms. Black, the two engaged in conversation until Ms. Estes began to walk west towards Ridgewood Avenue. Ms. Estes got no more than approximately twelve steps away then quickly turned around and got into the front passenger seat of the deputy's patrol car and the two drove off together.

Ms. Black had spoken with Ms. Estes earlier in the day and knew she was admittedly under the influence of a narcotic. Ms. Black stated, *"I thought it was very inappropriate. Just because I mean, one because I already knew that she was under the influence, two and then to see that they were talking and then like she got into the front seat of the [patrol] car and I just thought that was totally inappropriate."* Upon observing what had just occurred, Ms. Black notified fellow drug court employees including her supervisor, Melissa Cuccoro.

During her interview with Sergeant's Grunder and Hansard, Ms. Black was shown photographs of courthouse deputies matching her description; she was unable to make a positive identification. *(See Tab – G Book One for Official Transcripts)*

Melissa Cuccoro

On June 16, 2016, Investigator Bennett and Sergeant Sawicki conducted a sworn recorded interview with Melissa Cuccoro at the Sheriff's administrative offices in Deland, FL. The following is a summary of that interview:

Ms. Cuccoro has worked in the drug court program for fifteen years and is currently the program coordinator.

Ms. Cuccoro was advised by her coworkers of the incident involving Ms. Estes along with the information Mr. Mashaw provided Ms. Mosler. She notified her supervisor along with Judge Will, who oversees drug court, and contacted Sergeant's Grunder and Hansard for further follow up investigation.

Ms. Cuccoro sat in on the interview between Sheriff's Office supervisors and both Ms. Black and Ms. Mosler. Ms. Cuccoro had never met Ms. Estes but was aware she had admitted to being under the influence when she arrived for her drug court orientation on Friday, May 20, 2016. She was also advised of the information that Mr. Mashaw brought to light involving Deputy Barnett and female drug court participants. *(See Tab – H Book One for Official Transcripts)*

Alan Mashaw

On June 28, 2016, Investigator Bennett and Investigator James Gabriel conducted a sworn recorded interview with Alan Mashaw at the Sheriff's administrative offices in Deland, FL. The following is a summary of that interview:

Mr. Mashaw has been in the drug court program located at the S. Foxman Justice Center in Daytona Beach since August 3, 2015. While in the program, Mr. Mashaw befriended several female participants and learned that Deputy Barnett had become sexually involved with several of them upon their release from jail. Feeling this was inappropriate, Mr. Mashaw reported this information to Ms. Mosler.

Mr. Mashaw knew Deputy Barnett from when he was incarcerated and Deputy Barnett would transport him to and from the courthouse. According to Mr. Mashaw, Deputy Barnett would engage in conversation with the girls while in transport to and from the woman's correctional facility. Mr. Mashaw believed this started around May of 2016, and named Brooke Whitford and Kristina Stevenson as the two female drug court participants of whom he had firsthand knowledge.

Mr. Mashaw was giving a ride to both Ms. B. Whitford and Ms. Stevenson in his truck one day when they openly discussed their involvement with Deputy Barnett. Mr. Mashaw simply stated, *"Deputy Barnett pays for sex and he solicits these woman while in transport."*

According to Mr. Mashaw, Ms. B. Whitford first met Deputy Barnett while in transport from the jail to the courthouse. He believed she sat on the bench seat located directly behind the driver in the transport van. Separating the transport deputy from the inmates was an opening which allowed for communication between the two parties. Ms. B. Whitford told him, *"Uh, she had mentioned the fact that he said he spent a large sum of money on prostitution per year. And um, the conversation went, escalated from there."* It was believed that during one of these transports, Deputy Barnett provided Ms. B. Whitford his phone number for her to contact him upon her release.

During their conversation in Mr. Mashaw's truck, Ms. B. Whitford said she and Deputy Barnett had two sexual encounters, *"Uh she had um, intercourse with Deputy Barnett. She said she uh, physical intercourse also oral sex uh, in exchange he had um, given her some money and as well as bought her a cellphone and put her on his cellphone plan...I, I just know that she said he owed her money."* Since Ms. B. Whitford had no means of transportation, he believed that Deputy Barnett picked her up and brought her to his house. Ms. B. Whitford described Deputy Barnett's house, *"Uh, she said he lived off of LPGA, I believe it was [REDACTED] or something close to that. Described he had a motorcycle and a boat so she described, she was at the house... [REDACTED]"*

During the same conversation, Ms. B. Whitford mentioned to Ms. Stevenson, *"Um, she had mentioned to Kristina that Deputy Barnett pays for sex."* According to Mr. Mashaw, Ms. Stevenson replied, *"...she was going to meet with him [Deputy Barnett] um, a couple days later."* As far as Mr. Mashaw knew, Ms. Stevenson had met Deputy Barnett while in the transport van, similar to Ms. B. Whitford. Like Ms. B. Whitford, Ms. Stevenson had sexual relations with Deputy Barnett at his house where he paid her, *"...and I want to say to my knowledge, somewhere around \$200 he usually pays for sex."*

Like Ms. B. Whitford, Mr. Mashaw believed Deputy Barnett picked Ms. Stevenson up and brought her to his house, *"She [Ms. Stevenson] mentioned he had a lot of, "toys," was her word as far as uh, vehicles, boats uh, motorcycles. He had a nice house and lived um, [REDACTED] [REDACTED]"*

Mr. Mashaw believed all the sexual encounters between the two girls and Deputy Barnett were while he was off duty and consensual. Mr. Mashaw explained, “...*Deputy Barnett's been doing this for quite some time. He's known to uh, pay for sex with woman that he transports, not just in the drug court program but um, woman that have been arrested for uh, prostitution, solicitation.*” While Mr. Mashaw was incarcerated at the Branch Jail, he said it was known to many inmates that Deputy Barnett engaged in this type of activity. Mr. Mashaw said Deputy Barnett was named specifically, “...*he goes by Scott, Scott Barnett, I think his name is Bryan but he goes by Scott. That's the knowledge that I have...I would say at least uh, that first I heard of it was four years ago...*”

Mr. Mashaw heard of other girls, Morgan Shephard, whom he never met, and Patricia Bohannon, who he said was in custody at the woman's correctional facility in Daytona Beach. These girls were believed to have received gift cards by mail from Deputy Barnett while in a rehabilitation center. Mr. Mashaw had no knowledge of them engaging in sexual relations for money with Deputy Barnett, only that they may have received gift cards by mail.

Mr. Mashaw was asked if he was reluctant to speak to investigators and he replied, “*There is a little bit uh, just my past, is I don't deal well with speaking to law enforcement and I'm trying to change that and uh, you know I gotta start doing the right thing and you develop a heart in this program and you start caring about people and when you feel that these people are being manipulated by a person in authority you know, I want to make a change.*” (See Tab – I Book One for Official Transcripts)

Patricia Bohannon

On June 29, 2016, Investigator Bennett and Investigator Gabriel conducted a sworn recorded interview with Patricia Bohannon at the Volusia County Correctional Facility in Daytona Beach, FL. The following is a summary of that interview:

Ms. Bohannon is twenty-nine years old and has been in the drug court program at the S. Foxman Justice Center in Daytona Beach for approximately two years. Ms. Bohannon was presently incarcerated at the correctional facility preparing to serve a twenty-nine month sentence.

Ms. Bohannon knew of Deputy Barnett, she often saw him during transport to and from the courthouse and as a bailiff in the court room. Her first encounter with Deputy Barnett was approximately two years ago when she was placed in the drug court program.

Ms. Bohannon never had direct conversation with Deputy Barnett nor did she hear any other female in custody speak to him, but she did hear rumors about Deputy Barnett involving female inmates. She recalled speaking with Ms. B. Whitford who told her that she went out to dinner with Deputy Barnett, *"She told me that they've met up before and he gave her money."* According to Ms. Bohannon, *"The only thing she [Ms. B. Whitford] has personally told me is that her boyfriend [Mr. Fantone] got mad at her and called and said that her and Barnett have met up and he's gave her money."* Further adding, *"She just told me that she's seen him [Deputy Barnett] a couple times. She didn't say what they did or anything like that. She just said that they met a few times and that he gave her money to help her out. That's all she said."*

Ms. Bohannon heard a lot of rumors about Deputy Barnett while in jail, *"...I've just overheard people say you know um, Barnett was with girls or he uh, gives money to girls but I've never, like I said I've never seen it. I've just heard it from people in here."* Ms. Bohannon was never propositioned nor did she receive any benefits from Deputy Barnett. Ms. Bohannon claimed to have had contact with Deputy Barnett, only engaging in brief conversation while she was being transported to and from the courthouse.

Ms. Bohannon described how the walls in the female holding cell at the S. Foxman Justice Center were covered with writings about Deputy Barnett, *"Like in the courthouse cells. The holding cells [its written], like Barnett is nice. He's sexy. Just they said stuff like that."* The writings, according to Ms. Bohannon, were all over the walls and have been since she was first in custody approximately two years ago. One of the writings on the wall took up a whole concrete block and could easily be seen as you entered the holding cell. *(See Tab – J Book One for Official Transcripts)*

On June 30, 2016, Sergeant Grunder was instructed to take photographs of the inside of the female holding cells at the S. Foxman Justice Center. The photographs confirmed the writings on the walls about Deputy Barnett. Some of the writings stated, "Barnette [sic] is so Sexy & Nice," "Barnett for Sheriff," "I love Barnette [sic]," and "Barnette [sic] is one Sexy Ass,"

amongst others. All in all, there were approximately nine illustrations on the cell walls identified as mentioning Deputy Barnett. (*See Tab – J Book Two for Photographs of Writings on Cell Walls*)

Kristina Stevenson

On July 5, 2006, Investigator Bennett and Sergeant Sawicki conducted a sworn recorded interview with Kristina Stevenson at 250 North Beach Street in Daytona Beach, FL. The following is a summary of that interview:

Ms. Stevenson is twenty-two years old and has been in the drug court program at the S. Foxman Justice Center for approximately a month and a half. Ms. Stevenson first met Deputy Barnett when he transported her from the correctional facility to the courthouse.

In the beginning, Ms. Stevenson only engaged in small talk with Deputy Barnett while at the courthouse. While in the holding cell, Deputy Barnett would come by and make conversation with her and the other female inmates, *“Um, I mean it was always kind of small talk you know he called me and a few other girls pretty before um, he’s made gestures. We’ve asked for like mints and M&M’s before and gotten it.”*

On her last transport with Deputy Barnett he told her, *“...I was beautiful while he was taking my handcuffs off. Actually, I’m sorry; putting them on and kind of did a gesture with the handcuffs.”* Ms. Stevenson demonstrated to investigators, the motion of moving the handcuffs up and down her wrist as she claimed Deputy Barnett had done. At the time Ms. Stevenson accepted his advances because she knew he would provide her with what she wanted, M&M’s, *“I mean the M&M’s sounded really good so I told him thank you.”* She continued by saying;

“Like me and other girls knew that some of them, that we could, you know, get things out of him. He’s kind of known all around the holding cells. If you see in the holding cells his name is like everywhere. Like he’s a God. And you know there’s talk around the jail that if you get transported by him, you know he would give food or let you smoke a cigarette and stuff like that.”

Ms. Stevenson knew Deputy Barnett’s comments and gestures were inappropriate; however, she tolerated his behavior because she knew he would provide her gifts while in custody. When

asked if she believed Deputy Barnett used his position of authority as a deputy sheriff to have influence over her she stated;

“I mean, yes and no. Um, I mean he kind of had favorites um, like he wouldn’t treat all of the girls the same. You know what I mean, so I kind of knew, like I was cute and I was flirty with him you know I could get what I wanted...”

While in custody, Ms. Stevenson heard that Deputy Barnett would stop the transport van and allow female inmates to smoke cigarettes; however, she was never present when this occurred. Ms. Stevenson claimed that if she was the only inmate in the transport van, Deputy Barnett would have stopped for either a cigarette or a restaurant like McDonalds.

According to Ms. Stevenson, Deputy Barnett interacted similarly with other female inmates. She recalled an instance when she and Ms. B. Whitford were being transported by Deputy Barnett and, *“Him and Brooke [Ms. B. Whitford] kind of whispered something before and that was about arrangements when she got out and about the cigarettes. That was the day he said you know he couldn’t do it [stop and let her smoke] because there too many people around.”* Ms. Stevenson remembered Deputy Barnett telling Ms. B. Whitford he had cigarettes in his van for her, but they did not stop while in transport.

Deputy Barnett enjoyed the attention he received from the female inmates. Ms. Stevenson described one instance when a female inmate named “Bonnie” made gestures to him and he appeared flattered. She was telling him, *“Um, that he was a sexy sheriff and he was the best sheriff and you know he had this like smile and you know he was flattered. Like he likes, he likes hearing that.”*

During one transport to the courthouse, Ms. Stevenson and “Bonnie” were talking to another male inmate seated in the rear of the transport van. When they arrived at the courthouse, Deputy Barnett was putting Ms. Stevenson and “Bonnie” in the holding cell and told them, *“...I don’t take you girls here to flirt with other, with guys in the back and he got, he got really pissed off that day...oh he got upset.”*

Ms. Stevenson also mentioned how the walls of the female holding cells in the courthouse had writings on the wall, *“His name, like Barnett for sheriff or you know what I mean there’s stuff all*

over the holding cell about him so we [female inmates] knew that if you flirt with this guy you know some of them [female inmates] would get their way.”

On one occasion while in transport, Deputy Barnett and Ms. Stevenson were talking when he gave her his first name so she would be able to find him on Facebook, “Um, he gave me his first name um, told me to look it up when I got out of jail...” Ms. Stevenson asked if they were going to hang out and have some fun when she was released and he told her they would.

“I got out [of jail]. I added him on Facebook um, and we were messaging each other and um, we met up and we went to his house um, we had sex. He gave me \$200. Brooke [Ms. B. Whitford] was calling him, and calling him the whole time because he was gonna run Brooke over \$50 and then he dropped me off at home and that was the first and only time [the two had sex].”

Ms. Stevenson saved the Facebook messages between her and Deputy Barnett, the first message she sent was on May 19, 2016; “Hi handsome. How are you?” (See Tab – E Book Two for Facebook Messages)

Ms. Stevenson learned of Deputy Barnett’s behavior and what he did for female inmates from Ms. B. Whitford. One day in jail Ms. Stevenson told Ms. B. Whitford that Deputy Barnett was flirting with her and that’s when Ms. B. Whitford explained the history with Deputy Barnett and female inmates.

Having been told what Deputy Barnett has and will do for female inmates; Ms. Stevenson decided to play along.

“Um, well so when I was in jail, Brooke [Ms. B. Whitford] kind of you know told me the 411 [information] on him and how he’s done it [sex for money] before and they were having plans to do it and I was like ok well I’m broke...so I was like ok I’m gonna hit him up because I need money. And um, she [Ms. B. Whitford] was like ok yeah do that, so and that’s kind of why I flirted more when he was flirting with me is because like I knew that [money for sex] would happen.”

After Ms. Stevenson sent Deputy Barnett the first Facebook message, he responded and the two set up a meeting. Since Ms. Stevenson was living with her sister at the time, she had to tell her

sister she was going to [REDACTED] in order to hide the fact she was meeting Deputy Barnett. He picked her up in his personal vehicle and the two engaged in conversation as they drove towards his house. Ms. Stevenson described some of the topics of conversation between the two, *“He’s retiring in four years and he has a sail boat. He told me about this one night...him and his friends got drunk and there was a midget there and I don’t know one of his friends slept with the midget and um, yeah.”*

When they arrived at his house, he showed her around before ending up in his bedroom. After the two had sex, Deputy Barnett began talking about how he thought Ms. B. Whitford was getting greedy. Deputy Barnett talked about how Ms. B. Whitford wanted more money from him and how he and Ms. Stevenson could have a good thing as long as she doesn’t get greedy. That was when Ms. Stevenson told him, *“...I am going to need that \$200 and he said no problem and I told him I needed to get my license back and he said he doesn’t have a problem with helping people...”*

Ms. Stevenson was asked if Deputy Barnett could have misinterpreted her request for money as a friendly donation and she replied,

“I mean, he could say that but no, this isn’t his first rodeo and he’s been through it [money for sex] with Brooke so like now here’s Brooke’s friend coming over, doing the same thing and then asking for money I mean he’s not stupid. He was getting upset about Brooke with the whole money thing and you know, she was asking for a lot of money. Like every day you know, can I have \$50? Can I have \$75? Can we see each other? I mean he’s not an idiot. He’s like how old? He’s not an idiot.”

Ms. Stevenson was of the opinion that her relationship with Deputy Barnett was business. She had sex with him in exchange for money. (See Tab – K Book One for Official Transcripts, See Tab – M Book One for Criminal History)

Brooke Whitford

On July 6, 2016, Investigator Bennett and Sergeant Sawicki conducted a sworn recorded interview with Brooke Whitford at the Volusia County Correctional Facility in Daytona Beach, FL. The following is a summary of that interview:

Ms. B. Whitford is twenty-five years old and has been in the drug court program at the S. Foxman Justice Center for approximately two years. Ms. B. Whitford was in custody on a warrant for violating drug court sanctions at the time of the interview.

Ms. B. Whitford explained that she first met Deputy Barnett approximately two months ago when he transported inmates to and from the courthouse. Prior to being transported back to the jail she said, *"...he [Deputy Barnett] used to get us [female inmates] snacks and stuff before we would leave the Justice Center. He would get snacks from the vending machines and throw them in the back for us."* Deputy Barnett would put her in the seat directly behind the Plexiglas divider, so the two could talk while he drove. During one of these transports, she said the two discussed his relationship with a friend of hers named, Taylor Mottle. *(See Tab – P Book One for Ms. Mottle's Criminal History)*

According to Ms. B. Whitford, she and Ms. Mottle discussed Deputy Barnett, *"Um, she had um; she had told me that she was seeing Officer Barnett, that they were exchanging sex for money. He was helping her with money."* Ms. Whitford did not know how the conversation started but, *"I just know that it had come up in conversation because I'm in drug court and she knows that he's the drug court transporter so."* Ms. B. Whitford was unaware of how Ms. Mottle met Deputy Barnett; however, Ms. Mottle had been in jail on several occasions and would have been transported to and from the courthouse by Sheriff's Office deputies.

Ms. B. Whitford and Deputy Barnett continued to talk about the relationship with Mottle;

"Yeah um, we had a conversation and I guess something went sour with them. He had gave her [Ms. Mottle] a bunch of money up front and she didn't come see him [Deputy Barnett] or didn't follow-through with what she was supposed to do and he was all upset...while we were on transport, we were, I was talking to him about that."

It was understood by Ms. B. Whitford that Deputy Barnett had given Ms. Mottle money for her insurance and car payments, but may have failed to follow through with whatever their agreement may have been.

During that same conversation in the transport van, Deputy Barnett commented on how pretty Ms. B. Whitford was, *"I mean he would just you know, what are you doing in Orange [inmate jumpsuit]? You're way too pretty for all of this. You need to come out here and hang out with me and you know I'll treat you the way you should be treated and stuff like that."* Ms. B. Whitford didn't take offense to the conversation but she did feel it was inappropriate for a deputy sheriff to speak to an inmate that way.

This conversation took place the same day she was to be released from custody. According to Ms. B. Whitford, Deputy Barnett was in the courtroom the day she spoke to Judge Will about her release. She believed that may have been the reason Deputy Barnett was speaking to her and telling her he was going to look her up on Facebook when she was released. *(See Tab - G Book Two for Facebook Messages)*

Ms. B. Whitford originally felt the two may have been able to develop some sort of relationship, *"At first I found him attractive, like maybe I could just, somebody I could casually talk to you know, go out on a date, have a couple drinks, whatever um, but that was not the case."* Upon her release, she checked her Facebook and discovered he had sent her a friend request. Ms. B. Whitford never deleted her Facebook messages between her a Deputy Barnett and said she could provide those messages to investigators.

Deputy Barnett eventually sent her a Facebook message and the two chatted back and forth. She recalled one message when he asked if the two could get together. Ms. B. Whitford agreed to meet at a 7-Eleven convenience store not far from where she was living, the Rebecca Snyder Foundation, a halfway house located in Port Orange. She said he picked her up at the 7-Eleven convenience store in a black pick-up truck and drove her to his house [REDACTED]

[REDACTED]

When they arrived Deputy Barnett showed her around the house, which she described as a large four bedroom home. The two had some drinks, then went into his bedroom and had sex. After they had sex, Deputy Barnett told her he would help her with money if she could make their

meeting a regular thing, *“I believe it was, if you want to make this a regular thing you won’t be disappointed. Those were his exact words.”* Soon thereafter, Deputy Barnett gave her \$200, *“Yeah he um, after we had sex, we went into the living room and he told me; let’s see that time he gave me, he \$200 that time.”*

Ms. B. Whitford was at his house for approximately three or four hours before he drove her back to the 7-Eleven convenience store. Ms. B. Whitford was asked why he dropped her off at the 7-Eleven convenience store and not where she lived and she replied, *“He didn’t want anybody to see him.”* Ms. B. Whitford stated that boyfriends were permitted to visit their girlfriends at the halfway house but Deputy Barnett refused, out of fear of being seen with her.

Ms. B. Whitford described Deputy Barnett as a little intimidating since he was a deputy. Having been asked if she felt she had to have sex with Deputy Barnett she responded, *“I mean because I was there. I didn’t want to like back out...I mean I guess I felt pressure to do it...I was in his house, I was in his domain. He brought me there. I didn’t have a way to leave or anything...”*

Ms. B. Whitford brought up past conversations with Deputy Barnett. Conversations where he made comments that she perceived as intimidating. When the two discussed Ms. Mottle, Deputy Barnett commented that he could find Ms. Mottle if he wanted, things Ms. B. Whitford believed only a law enforcement officer would have the ability to do. She continued to say that drug court was her life and he was the drug court transportation deputy, she didn’t want to get herself in a situation where he could alter her future in the program.

The second time the two met was approximately one week later when he purchased her a cell phone and the two had sex. Ms. B. Whitford said her cell phone at the time only worked using Wi-Fi which Deputy Barnett disapproved of. He wanted to be able to reach Ms. B. Whitford when he wanted. So he picked her up at the 7-Eleven convenience store and drove her to a Cricket cellular phone store and purchased her a new cell phone. Ms. B. Whitford explained, *“Took me to a Cricket in Daytona. Bought me a cellphone with service and a case and then after that we went back to his house, hung out there for a bit. We had sex.”* According to Ms. B. Whitford, while in the Cricket store, Deputy Barnett said to her, *“...you’re coming over to my house afterwards right? And I was like I guess,”* referencing the two having sex again. Ms. B.

Whitford commented, *“At that point, that was the point where I knew that it was no kind of relationship. It was just strictly business at that point.”*

Ms. B. Whitford was in no position financially to purchase a new cell phone. She had no job and her only source of income was what Deputy Barnett provided her. According to Ms. B. Whitford, she was in no position to tell him no, *“It’s not something I could have passed up, like that’s how I was living,”* In addition to the cell phone, Deputy Barnett told her, *“He was like I can pay your rent for you if you continue to see me...”*

During one conversation, Deputy Barnett complained that the rent he was paying for her was too high, *“He was like, you know, you can get a small efficiency for cheaper than that...then um, he had mentioned something about switching the phone out of his name because he didn’t want there to be a paper trail...”* Ms. B. Whitford explained that Deputy Barnett didn’t want anybody to know what was going on, *“He made that very clear to me not to say anything to anybody...He just said that I’m not to tell any of my friends that we’re seeing each other...Don’t open your mouth because it’s not gonna be good for you.”*

Ms. B. Whitford learned of her felony arrest warrant, for which she was presently incarcerated, when she called her bondsman. She believed Deputy Barnett knew of the warrant because when they spoke on the phone the day after Mr. Fantone visited Deputy Barnett at his house, Deputy Barnett told her, *“...I remember him saying um, something about be careful out there. And it was in reference to me having a warrant.”* During one of those conversations, Deputy Barnett told her to turn the cell phone he purchased her over to his friend “Mike” at the Crusin’ Café and he would pay her \$80. Thinking Deputy Barnett may have her arrested at the Crusin’ Café, Ms. B. Whitford sent a friend to drop off the phone and collect the money.

Shortly after the cell phone was given to “Mike,” Mr. Fantone contacted drug court personnel and advised them of the relationship between Ms. B. Whitford and Deputy Barnett. Ms. B. Whitford said she had no contact with Deputy Barnett after that and was on the run because of the arrest warrant.

All in all, Ms. B. Whitford claimed to have had sex with Deputy Barnett on two occasions for money and/or gifts. According to Ms. B. Whitford, the money and/or gifts was an agreement for the promise of sexual relations. Ms. B. Whitford originally believed there may have been a developing relationship between the two; however, after he purchased the cell phone for her she understood the relationship was nothing more than business. Ms. B. Whitford figured Deputy Barnett had given her approximately \$600, which she interpreted as an exchange for sex. Ms. B. Whitford heard of other girls in drug court exchanging sex for money with Deputy Barnett, but the only one she had firsthand knowledge of was Ms. Mottle. *(See Tab – L Book One for Official Transcripts, See Tab – N Book One for Criminal History)*

On June 7, 2016, Investigator Bennett and Sergeant Sawicki contacted Ms. B. Whitford at the Volusia County Correctional Facility in Daytona Beach, FL, where she was in custody. Ms. B. Whitford gave the Sheriff's Office written authorization to access her Facebook account and two cell phones. She provided a written statement along with the cell phone and Facebook pass codes to Investigator Bennett.

One cell phone was in her personal property at the woman's correctional facility. That cell phone was turned over to Investigator Bennett. The second cell phone was in the possession of her friend, Mike Huber Jr., Investigator Bennett contacted Mr. Huber who turned over the cell phone upon Ms. B. Whitford's request. A Sheriff's Office property report, showing the chain of custody was completed.

On June 11, 2016, Lieutenant Paugh and Sergeant Sawicki briefed FDLE on the investigation at the Sheriff's administrative offices in Deland, FL.

On June 12, 2016, internal affairs investigation IA-16-006 was tolled pending criminal investigation by FDLE. *(See Tab – B Book One for Official Correspondence)*

On June 14, 2016, Investigator Bennett served Deputy Barnett with an amended Notice of Internal Investigation placing him on Administrative Leave with Pay. *(See Tab – B Book One for Official Correspondence)*

On June 21, 2016, Investigator Bennett and Lieutenant Paugh briefed FDLE and the State Attorney's Office at the S. Foxman Justice Center in Daytona Beach, FL. Copies of all information pertaining to the internal affairs investigation were turned over to Special Agent Danielle Gill.

On December 20, 2016, Investigator Bennett and Sergeant Sawicki served Deputy Barnett an Intent to Terminate/Suspension without Pay letter at his residence. *(See Tab – B Book One for Official Correspondence)*

On December 21, 2016, Sheriff Johnson accepted Deputy Barnett's resignation from the Sheriff's Office effective immediately. *(See Tab – B Book One for Official Correspondence)*

On January 27, 2017, this investigation was presented to the Sheriff. After review, the Sheriff determined the violation of the following listed department and county policies to be:

26.2.118 Code of Ethics for Public Officers and Employees **SUSTAINED**

26.2.34 Failure to Follow Directive or Order **SUSTAINED**

**RE: 41.3.71 Transportation of other than department personnel
or authorized observers**

26.2.54 Association with Criminals **SUSTAINED**

Volusia County Merit System Rules and Regulations 86-453 (13) **SUSTAINED**

EXECUTIVE SUMMARY:

On May 23, 2016, a drug court employee assigned to the S. Foxman Justice Center (Courthouse) in Daytona Beach witnessed a female drug court participant engaged in conversation with a Sheriff's Office Deputy. After a brief conversation with the deputy, the female, who had just reported for her first day of drug court, got into the front passenger seat of a marked patrol car as

the two drove off together. The female, Jessica Estes, just left the drug court office where she admittedly ingested narcotics and failed a drug test just prior to getting into the patrol car.

Drug court employees reported the incident to Sheriff's Office supervisors who later identified the deputy as Deputy Bryan "Scott" Barnett. Deputy Barnett had been assigned to the courthouse for several years where his duties included bailiff, court security and prisoner transport. Supervisors questioned Deputy Barnett and he admitted to giving Ms. Estes a ride to a local restaurant in Daytona Beach. The two supervisors verbally reprimanded Deputy Barnett and advised him of the proper procedure when giving rides to non-sworn personnel.

Deputy Barnett contacted his supervisors, while off duty, advising them of an incident involving a female drug court participant, later identified as Brooke Whitford. He claimed to have given Ms. B. Whitford \$200.00 along with a cell phone to help her out since she was about to graduate drug court. He further advised that Ms. B. Whitford's boyfriend and her sister came to his residence looking for Ms. B. Whitford who had absconded after a warrant was issued for her arrest. It was later learned that the boyfriend and sister found Deputy Barnett's home address from the invoice of a cell phone Deputy Barnett purchased for Ms. B. Whitford.

On June 1, 2016, a drug court participant notified a drug court services officer that a deputy sheriff by the name of "Barnett" was having sexual relations with female drug court participants with whom he met during transport to and from the jail. This deputy was identified as Deputy Bryan "Scott" Barnett. The drug court services officer reported the incident to Sheriff's Office supervisors assigned to the Courthouse and an inquiry was conducted.

On June 8, 2016, the case was assigned to the Internal Affairs Unit. Investigators interviewed Ms. B. Whitford's boyfriend, Michael Fantone, who explained that Deputy Barnett was paying or providing gifts for sex to Ms. B. Whitford. Ms. B. Whitford lived with Mr. Fantone prior to having an arrest warrant and he found a cell phone invoice which contained Deputy Barnett's address. Mr. Fantone, along with Ms. B. Whitford's sister, confronted Deputy Barnett at his residence inquiring as to their relationship and Ms. B. Whitford's whereabouts. Deputy Barnett abruptly grabbed the cell phone receipt from Mr. Fantone and denied any romantic involvement with Ms. B. Whitford. When Mr. Fantone suggested he contact law enforcement, Deputy Barnett disagreed and recommended they handle the incident between themselves. According to

Mr. Fantone, Ms. B. Whitford and Deputy Barnett met when he was transporting her to and from the jail and upon her release, the two had a deal where they would meet at his house once a week to have sex for money.

Investigators conducted an interview with the drug court participant named Alan Mashaw whom had reported Deputy Barnett to the drug court services officer. Mr. Mashaw had been present during a conversation between two female drug court participants who openly discussed their relationship with Deputy Barnett. Deputy Barnett would befriend female prisoners during transport and in doing so; he would make arrangements to meet for sex upon their release. According to Mr. Mashaw, Deputy Barnett would pay \$200 for sex with the females with whom he met on duty. Mr. Mashaw also provided information pertaining to Deputy Barnett allegedly sending gift cards to females in court ordered rehabilitation; females he had befriended in drug court.

Investigators interviewed two women Deputy Barnett was believed to have paid for sexual relations. Kristina Stevenson first met Deputy Barnett when she was being transported to the courthouse from the jail. The two would engage in small talk and Deputy Barnett would supply her and other female prisoners with candy or soda while in the holding cells. During her last transport, Deputy Barnett made gestures with her handcuffs and told her she was pretty. Ms. Stevenson accepted his advances knowing that she would get candy or be supplied some sort of privilege.

According to Stevenson, Deputy Barnett's advances towards female prisoners were well known. She described how Deputy Barnett's name was written on the walls of the female holding cells at the Courthouse; "Barnette [sic] is so Sexy & Nice," "Barnett for Sheriff," "I Love Barnette [sic]," and "Barnette [sic] is one Sexy Ass," amongst others. These writings were photographed and documented in this report.

Ms. Stevenson was friends with Ms. B. Whitford and the two discussed Deputy Barnett's behavior while in jail together. According to Ms. Stevenson, it was Ms. B. Whitford who first told her that if you flirt with Deputy Barnett you can get what you want. Ms. B. Whitford also informed her that Deputy Barnett would pay for sex, being that she was in need of cash; Ms. Stevenson accepted his advances and would later make plans to meet upon her release.

On the day Ms. Stevenson was to be released, Deputy Barnett transported her back to the jail. When she was exiting the transport van Deputy Barnett told her his first name and further informed her to look him up on Facebook. Ms. Stevenson added Deputy Barnett as a friend on Facebook and the two began messaging one another and it wasn't long before the two set up a date and time to meet one another.

Deputy Barnett picked up Ms. Stevenson from her sister's house in Port Orange and the two drove to his residence in Daytona Beach. Ms. Stevenson described the inside of Deputy Barnett's home to include his bedroom where the two had sex. After the two had sex, Ms. Stevenson asked for the \$200 they previously discussed and Deputy Barnett paid her. Ms. Stevenson explained that there was no mistaking the payment of \$200 was for sex, and not a generous friendly donation. Ms. Stevenson provided investigator's copies of her Facebook and cellphone communication with Deputy Barnett.

Investigators interviewed Ms. B. Whitford at the women's correctional facility where she was being held after being arrested on the outstanding warrant. Ms. B. Whitford learned of Deputy Barnett's behavior towards female prisoners from a friend named Taylor Mottle, who was previously in the drug court program. Ms. B. Whitford explained how Deputy Barnett and Ms. Mottle were seeing one another and exchanged sex for money once she was released from custody. Their relationship went bad since Ms. Mottle failed to follow through with their agreed upon relationship after Deputy Barnett paid her a "bunch of money."

Deputy Barnett and Ms. B. Whitford's relationship developed while she was in custody. Deputy Barnett would often compliment her on her looks and provide her candy and snacks during her transport to and from the courthouse. Ms. B. Whitford accepted the compliments along with the gifts since she believed she would get what she wanted.

The day Judge Will released Ms. B. Whitford from custody; Deputy Barnett was in the courtroom. After she was transported back to the jail, Deputy Barnett told her he was going to look her up on Facebook. Originally, Ms. B. Whitford believed the two could have a meaningful relationship, but she soon learned it was nothing more than business, sex for money.

The two arranged a meeting, and Deputy Barnett picked her up in his personal vehicle and went to his residence [REDACTED] where they had sexual relations. Deputy

Barnett gave Ms. B. Whitford \$200 before dropping her off at a 7/11 convenience store in Port Orange. Deputy Barnett did not want to be seen with Ms. B. Whitford, which was why he would drop her off at an offsite location, not the half-way house where she was residing. Furthermore, Deputy Barnett would often express to Ms. B. Whitford not to tell anybody about their relationship, *“Don’t open your mouth because it’s not gonna be good for you.”*

Deputy Barnett was unhappy with not being able to communicate with Ms. B. Whitford since her cell phone was inoperable. Deputy Barnett took Ms. B. Whitford to a Cricket cell phone store in Daytona Beach and purchased her a new phone. According to Ms. B. Whitford, payment for the cell phone was sex. All in all, Deputy Barnett gave Ms. B. Whitford approximately \$600 which she interpreted as payment for sex. Ms. B. Whitford voluntarily turned over two cell phones along with her Facebook password for investigators.

On June 21, 2016, FDLE was briefed on the case and copies of all documents were handed over to Agent Danielle Gill for further investigation. As a result of FDLE’s investigation, Deputy Barnett resigned from the Sheriff’s Office on December 21, 2016.

WITNESSES:

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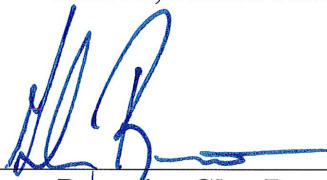
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Brooke Whitford
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Daytona Beach, FL 32124
386-961-9501

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: 1/30/17
Detective Glen Bennett
Internal Affairs Investigator

APPROVED BY:  DATE: 1/30/17
Chief Deputy John Creamer
SHERIFF Michael J. Chitwood
VOLUSIA COUNTY FLORIDA