

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

REPORT OF INVESTIGATION

REPORT NUMBER: IA-17-004

PERIOD COVERED: January 23, 2017
DATE REPORTED: January 24, 2017
SUBJECT(S) NAME: Deputy Wayne Jones #1654
INVESTIGATING OFFICERS: Detective James Gabriel #2201

BASIS FOR INVESTIGATION:

On January 23, 2017, at approximately 2340 hours Off-Duty JSD Deputy Wayne Jones was alerted by his girlfriend, regarding her daughter (Sydney King) who reported she was involved in a “stalking” incident. Sydney King and her boyfriend Justin Casale had been followed in their vehicle by a suspect vehicle. Deputy Jones, who had been sleeping, exited the home and observed the suspect vehicle. The vehicle blacked out and drove away. Deputy Jones, who was off duty, then entered his marked patrol car, drove after the suspect vehicle, and conducted a traffic stop at Cloverleaf Blvd. and Deltona Blvd. Deputy Jones secured the female driver, Ashley Thomas, in handcuffs and placed her in his patrol car. He was unable to secure the front seat female passenger (Amber Hornsby) as he had only one set of handcuffs. When Deputies arrived, Deputy Jones was yelling at Amber Hornsby and threatening to arrest her for stalking.

The initial investigation on scene revealed the occupants of the suspect vehicle were the ex-girlfriends of Justin Casale who was occupying the same vehicle as Sydney. On duty Deputies determined that no criminal offenses occurred and released Ashley Thomas.

OFFENSES:

This investigation is relevant to an alleged violation of Department Standards Directives and Volusia County Merit System Rules and Regulations:

26.2.50 Neighborhood and Domestic Disputes - Employees shall avoid official, personal involvement in neighborhood controversies, domestic or family disputes. Such disputes shall be investigated by impartial on-duty Deputies. Deputies shall not attempt to exercise authority or to make arrest in their own quarrels but shall contact a superior officer, who shall cause the matter to be investigated and action taken by impartial Deputies having no personal interest in the dispute
(Violation subject up to a 1 day suspension.)

26.2.68 Interference in Official Investigation - Employees shall not interfere with cases being processed by other Deputies or other governmental agencies, nor undertake any investigation or other official action not part of their regular duties unless ordered to do so by a superior, unless the intervening Deputy reasonably believes that failure to act would result in an injustice, or the exigencies of the situation require immediate action. Such action will be immediately reported to a superior.
(Violation subject up to a 5 day suspension.)

26.2.134 Department personnel are required to possess a sound working knowledge of the policies and procedures established by the Standards Directives.

Volusia County Merit System Rules and Regulations 86-453 - *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.*

RE: (13) Any conduct, on or off duty, that reflects unfavorably on the county as an employer.

INVESTIGATIVE SUMMARY:

On January 24, 2017, Chief Deputy John Creamer assigned the above incident to the Internal Affairs Unit. On January 25, 2017, at 1310 hrs. Sgt. Sawicki served Deputy Wayne Jones the

Notice of Internal Investigation along with the Officer Bill of Rights. This report details the internal affairs investigation conducted by Detective James Gabriel.

Ashley Thomas

On January 25, 2017, Detective Gabriel conducted a sworn recorded interview with Ms. Ashley Thomas. The location of the interview was the VCSO DeLand Administration Office. The following is a summary of that interview:

Prior to the commencement of the interview Ms. Thomas provided Detective Gabriel with two photographs of red marks on her right wrist. Detective Gabriel then viewed her wrist and observed no marks on her wrist. She advised that the red marks were received as a result of the handcuffs being applied too tightly by Deputy Jones on January 23, 2017.

According to Ms. Thomas, she is friends with Amber Hornsby and was formerly a friend of Sydney King. Ms. Thomas and Ms. Hornsby are ex-girlfriends of Mr. Justin Casale. Mr. Casale is currently involved romantically with Ms. King. Ms. Thomas said she formerly resided with Mr. Casale at his apartment. She indicated that she no longer has belongings there but she is still on the lease.

Ms. Thomas said she and Ms. Hornsby got together on Monday evening January 23, 2017. They decided to drive by Mr. Casale's apartment to see if Ms. Sydney King was with him. Ms. King was there so Ms. Thomas confronted him. Mr. Casale advised Ms. Thomas he was taking Sydney home.

Ms. Thomas said she and Ms. Hornsby decided to drive by Ms. King's residence to verify whether or not Ms. King had been dropped off by Mr. Casale. Ms. Thomas said Ms. King must have seen them outside and alerted Deputy Wayne Jones. (Note: Deputy Jones is the boyfriend of Ms. Kings' mother.)

According to Ms. Thomas, she drove away and a short time later she was the subject of a traffic stop conducted by Deputy Jones. She said Deputy Jones was wearing plain clothes. He immediately asked her for her car keys and put them on top of her car. He then had her exit the

vehicle and he handcuffed her behind her back. Deputy Jones placed her in the back seat of his patrol car. Ms. Thomas advised the handcuffs seemed to be too tight. Detective Gabriel asked her if she ever advised or complained to Deputy Jones that they were too tight, her reply was negative. She advised she did not speak to Deputy Jones because she was upset and crying. Detective Gabriel asked Ms. Thomas if Deputy Jones had ever told her she was “under arrest,” she stated he never told her she was “under arrest.” Detective Gabriel also asked if Deputy Jones had cursed at or threatened her. Her reply was negative.

Additionally, Ms. Thomas stated that during the incident Ms. Hornsby remained in the front seat of her vehicle. Ms. Thomas said when the second deputy arrived he told her she was “under arrest.” The second Deputy removed her from Deputy Jones’s car and then loosened her handcuffs. He then placed her in the backseat of his patrol car. Ms. Thomas further stated that a VCSO Supervisor arrived on scene and determined that there was no basis for an arrest. She indicated that she was then released. *(See Tab D for Complete Transcript)*

Amber Hornsby

On January 27, 2017, Detective Gabriel conducted a sworn recorded interview with Ms. Amber Hornsby. The location of the interview was the VCSO DeLand Administration Office. The following is a summary of that interview:

Ms. Hornsby advised that she was Justin Casale’s girlfriend for the last five years. She said that their current relationship was up in the air. She did not know Sydney King and just recently met Ashley Thomas. Ms. Hornsby and Ashley got together this past Monday night, January 23, 2017, to discuss their separate interactions with Mr. Casale.

According to Ms. Hornsby, she and Ashley agreed to drive over to Justin Casale’s apartment in order to see if Sydney was there. When they arrived, Ms. Hornsby advised she stayed in the car and Ashley walked up to the apartment. Ms. Hornsby did not observe or hear what happened after that. A short time later Mr. Casale left his apartment and drove away with Ms. King. Ms. Hornsby said she and Ms. Thomas then followed Mr. Casale in Ashley’s vehicle. Initially, they followed him at a close distance. Ms. Hornsby stated that he sped up a couple times in order to “lose” them.

Ms. Hornsby drove by the residence of Sydney King in order to see if Mr. Casale had driven there. After parking near the residence for a while they drove away. A very short time later Ms. Thomas was pulled over by a marked Sheriff's Office vehicle. (Lights and siren engaged). Ms. Hornsby, who was sitting in the front passenger seat observed a white male approach Ms. Thomas' door. He was wearing civilian clothes and a Sheriff's Office jacket. Ms. Hornsby heard Deputy Jones order Ms. Thomas to "get out of the vehicle." She then observed the "Deputy" take her back to his car and place her in the back seat. She did not observe the actual "handcuffing." During the incident, Ms. Hornsby heard the "Deputy" ask for additional units. She advised that after fifteen or twenty minutes a couple of additional units arrived. Ms. Thomas was then transferred from the backseat of Deputy Jones' vehicle and placed into another Deputy's vehicle. (Deputy Adkins)

According to Ms. Hornsby she was questioned briefly by the "Deputy." He did not Mirandize her but indicated that she was possibly in trouble for "stalking." Ms. Hornsby stated that she remained in the vehicle the entire time. She advised that eventually Ms. Thomas was released from custody and came back to her vehicle. Ms. Hornsby said Ms. Thomas complained about the tightness of the handcuffs and showed her a red mark on her right wrist. *(See Tab E for Complete Transcript)*

Sgt. Sean Gowan

On January 30, 2017, Detective Gabriel and Sgt. Sawicki conducted a sworn recorded interview with Sgt. Sean Gowan. The location of the interview was the VCSO DeLand Administration Office. The following is a summary of that interview:

Sgt. Gowan has served with the Sheriff's Office for approximately sixteen and a half years. He is currently assigned as a District Four Patrol Sergeant.

According to Sgt. Gowan he was on duty the night of the incident. He was summoned by the Deputies on scene (Deputy Adkins and Deputy Jenkins). They had advised him that when they arrived "things didn't look good." Therefore, his presence was requested.

Sgt. Gowan stated upon his arrival he observed there was one female in the back seat of Deputy Adkins's car and one female in the back seat of Deputy Jenkins's car. Sgt. Gowan asked the Deputies if either of the females was under arrest. Their reply was negative.

According to Sgt. Gowan, Deputy Jenkins and Deputy Adkins advised him that they had removed the handcuffs from the female (Ashley Thomas) who had been in Deputy Jones's car and then transferred her to Deputy Jenkins's car. The other female (Amber Hornsby) was not handcuffed. Sgt. Gowan advised that he did not speak to either of the females.

Sgt. Gowan advised that he spoke to Deputy Jones about the incident. Deputy Jones relayed how he had been in bed sleeping when his girlfriend's daughter (Sydney King) had alerted his girlfriend that she was being stalked. Deputy Jones then told Sgt. Gowan he went outside and observed a blacked-out vehicle leaving the area. Shortly thereafter he conducted a traffic stop on the vehicle.

Sgt. Gowan then stated he indicated to Deputy Adkins as soon as the females were finished with their written statements they should be released. Sgt. Gowan also stated there was insufficient evidence to support a "stalking" charge.

Sgt. Sawicki asked Sgt. Gowan if he thought that Deputy Jones had handled the incident "properly." Sgt. Gowan's reply was "no." (*See Tab F for Complete Transcript*)

Deputy Shawn Adkins

On January 30, 2017, Detective Gabriel and Sgt. Sawicki conducted a sworn recorded interview with Deputy Shawn Adkins. The location of the interview was the VCSO DeLand Administration Office. The following is a summary of that interview:

Deputy Adkins has served with the Sheriff's Office for approximately one year. He currently serves in District Four Patrol.

According to Deputy Adkins he was dispatched to the area of Cloverleaf Blvd. and Deltona Blvd., Deltona. Upon his arrival, he observed Deputy Jones had conducted a traffic stop at that location. Deputy Jones was wearing civilian clothes and a VCSO windbreaker jacket. Deputy

Adkins observed him to be yelling at the female passenger sitting in the front seat of Deputy Jones's car. The female "driver" was in the back seat of Deputy Jones's car. Deputy Jones told Deputy Adkins that neither of the women was under arrest but a stalking arrest was possible.

Deputy Adkins further advised that he talked with Deputy Jones about the incident and decided that no charges were appropriate. He therefore removed Ashley Thomas from the back seat of Deputy Jones's car and removed her handcuffs. Deputy Jones then placed Ms. Thomas into his backseat to get out of the cold and to write a statement. Deputy Adkins was asked by Detective Gabriel if Ms. Thomas had ever complained about excessive force or the tightness of the handcuffs. His reply was negative.

Deputy Adkins stated that Sgt. Gowan directed him to document the incident. He further advised him not to obtain a statement from Deputy Jones. Additionally, Deputy Jenkins told Deputy Adkins that Deputy Jones had requested from him the elements of the "stalking" statute. (Deputy Jones did not know the elements of the statute.) Deputy Jenkins therefore provided him with the elements of the statute.

Sgt. Sawicki asked Deputy Adkins if he thought that Deputy Jones had handled himself properly with regard to the VCSO Directives. Deputy Adkins replied "no." (*See Tab G for Complete Transcript*)

Sydney King

On January 31, 2017, Detective Gabriel and Sgt. Sawicki conducted a sworn recorded interview with Ms. Sydney King. The location of the interview was the VCSO DeLand Administration Office. The following is a summary of that interview:

According to Ms. King she was with her boyfriend, Justin Casale on the night of January 23, 2017. She was at his apartment and has been his girlfriend for the last month. Ms. King advised that she is an acquaintance of Ashley Thomas but does not know Amber Hornsby. While at the apartment Ashley showed up banging on the apartment door. Ashley made the statement: "I'm not leaving until Sydney leaves." Ms. King then stated she told Justin to just take her home. In the meantime, Ashley left and drove away. Justin Casale and Ms. King then entered his vehicle

and drove toward Ms. King's residence. Fearing that Ashley might follow them Justin took an evasive route. Ms. King advised for a time Ashley followed them at a close distance. Eventually Mr. Casale lost sight of Ashley.

Ms. King said as they approached her home, she saw Ashley parked nearby on Elmore Street which is very near her home at [REDACTED] Mr. Casale drove by her location and parked in the driveway of Ms. King's home. Ms. King stated she entered her home and told her mother (Dana King) "Ashley is stalking us." Her mother then awakened Deputy Jones and told him that Ashley was outside. Deputy Jones then came outside wearing a VCSO windbreaker. According to Ms. King, Ashley saw him and drove away. Ms. King advised Deputy Jones then entered his marked VCSO vehicle and conducted a traffic stop on Ms. Thomas at Cloverleaf Blvd. and Deltona Blvd., Deltona. In the meantime, Ms. King and Mr. Casale went back to his apartment.

Ms. King stated further into the evening, Deputy Jones called Ms. Dana King and told her that Mr. Casale needed to respond to the scene of his traffic stop. Ms. Dana King then contacted Mr. Casale and relayed that information to him. Mr. Casale complied and responded. He met with the Deputies on scene and completed a written statement indicating that he did not want to prosecute Ashley Thomas or Amber Hornsby.

According to Ms. King, there have been two previous incidents whereby Ashley came to the area of her home. She advised during one incident Ashley parked down the street from her house waiting for Mr. Casale to leave. During the second incident, she said Ashley followed her and Mr. Casale to her home and then followed them to his apartment. Detective Gabriel asked her if she reported the incidents to law enforcement and she replied "no." (*See Tab H for Complete Transcript*)

Deputy Andrew Jenkins

On February 02, 2017 Detective Gabriel conducted a sworn recorded interview with Deputy Andrew Jenkins. The location of the interview was the VCSO DeLand Administration Office. The following is a summary of that interview:

Deputy Jenkins has served with the Sheriff's Office since May 2015. He is currently assigned to District Four Patrol.

According to Deputy Jenkins he was dispatched to the area of Cloverleaf Blvd. and Deltona Blvd. Deltona. He said when he arrived he observed a patrol car behind another car and the driver's door was open. He observed the deputy was shouting at a female passenger who was sitting in the front seat. He did not know the deputy and said he was wearing civilian clothes with a black windbreaker. Deputy Jenkins further advised the deputy approached him and said it was a stalking situation. Deputy Jones then hastily described what was going on and indicated that his girlfriend's daughter was involved.

Deputy Jenkins then advised he removed the handcuffed female from the back seat of Deputy Jones's patrol vehicle. He then turned the female over to Deputy Adkins. Deputy Adkins removed the handcuffs and placed her in his back seat. Deputy Jenkins then went over to the car where the other female was located. This female was situated in the front passenger seat of the stopped vehicle. Deputy Jenkins spoke with the female and learned the incident appeared to be just a "high school drama." It was Deputy Jenkins's opinion at that time nobody needed to be placed in a patrol car. Deputy Jenkins also conferred with Deputy Adkins about the incident. The two deputies determined that nothing criminal had occurred and that the whole incident was "high school drama."

According to Deputy Jenkins he asked Deputy Jones if he knew what the elements of stalking were. Deputy Jones indicated to Deputy Jenkins that he did not know. Deputy Jenkins advised he then pulled up the stalking statute on his MDC. A short time later Deputy Jones approached him and said "I don't know if we have anything." Being uneasy with the situation Deputy Jenkins then called Sgt. Gowan and requested that he come to the scene.

While on scene, Deputy Jenkins discovered a possible victim was a man named “Justin.” He then asked Deputy Jones to call Justin to the scene. When Justin arrived Deputy Jenkins and Deputy Adkins interviewed him and Justin confirmed that the whole incident was just “high school drama.” He stated that he just wanted the females to leave him alone. Furthermore, he stated that he didn’t want to prosecute if a crime had occurred.

Detective Gabriel asked Deputy Jenkins if the female (Ashley Thomas) had ever complained that the handcuffs were too tight or if she was roughed up in any way. His reply was negative. He did say that both of the females were crying during the incident.

When Sgt. Gowan arrived Deputies Jenkins and Adkins briefed him on the entire incident. Sgt. Gowan directed them to document the incident and release everyone from the scene. Detective Gabriel asked Deputy Jenkins if Deputy Jones handled the incident correctly? His reply was that “it could have been handled differently.” *(See Tab I for Complete Transcript)*

Dana King

On February 03, 2017 Detective Gabriel and Sgt. Sawicki conducted a sworn recorded interview with Ms. Dana King. The location of the interview was the VCSO Deland Administration Office. The following is a summary of that interview:

Ms. King has served with the Sheriff’s Office for approximately eleven years. She advised that Deputy Jones has been her boyfriend for the last five years. He also resides with her at [REDACTED]

Detective Gabriel asked Ms. King if she knew Ashley Thomas, Amber Hornsby or Justin Casale. She advised that Ashley was an acquaintance of her daughter. Ms. King advised she did not know Amber Hornsby. She stated she only met Justin Casale recently. She advised her daughter Sydney had “been with him a few times.” She didn’t know if it was a boyfriend/girlfriend relationship but they had been seeing each other for about a month.

Detective Gabriel asked Ms. King what she was doing on the evening of Monday, January 23, 2017, between 1000 hours and 0030 hours. She advised she was getting ready for bed when her

daughter Sydney called her. Sydney advised her she had just pulled in the driveway and there was a car (occupied by Ashley Thomas) parked at the stop sign. Ms. King told Sydney to stay where she was and then went to wake up Deputy Jones. Ms. King stated to Wayne, "Ashley's outside again."

Ms. King further advised Wayne then got dressed and went outside. She indicated he put his badge on and a Sheriff's Office jacket. She advised he made no statements as he left the house. Detective Gabriel asked her if she went to the scene of the traffic stop. Her reply was negative.

According to Ms. King, Deputy Jones did call her and he asked her to get a hold of Justin Casale and instruct him to come to the scene. Ms. King had Sydney call him and instruct him to go to the scene. She said Sydney complied with this request. Detective Gabriel asked Ms. King if Deputy Jones had made any statements about the incident when he returned home, his reply was that "he couldn't tell us."

Ms. King was further asked if Ashley Thomas had ever stalked or bothered her daughter previously. She stated on a couple of previous occasions Ashley indeed followed Sydney and Justin to her house and "just sat there." Ms. King was asked if law enforcement was contacted pursuant to these previous incidents. Her reply was negative. Ms. King stated Deputy Jones was also aware of these previous incidents. *(See Tab J for Complete Transcript)*

Deputy Wayne Jones

On February 08, 2017, Detective Gabriel and Detective Bennett conducted a sworn recorded interview with Deputy Wayne Jones. Also present was Deputy Jones' attorney, Thomas Greene. The location of the interview was the VCSO DeLand Administration Office. The following is a summary of that interview:

Deputy Jones has served with the Sheriff's Office for fourteen years. He is currently assigned to Judicial Services within the DeLand Court House. He advised he resides [REDACTED]
[REDACTED] Ms. King's daughter, Sydney also resides with them. Deputy Jones was asked if he knew Ashley Thomas. He said she was an acquaintance of Sydney King and that he had never met her. He was then asked if he knew

Amber Hornsby. He said he did not know her and only came in contact with her on the night of the incident. Additionally, Deputy Jones was asked if he knew Justin Casale. He stated he was the current boyfriend of Sydney King.

According to Deputy Jones he was in bed on the night of the incident. He advised that Dana awakened him by stating "Ashley is outside." (Later into the interview Deputy Jones advised that he was aware that Ashley had a history of following Justin Casale. She was also a "girlfriend of Justin's") Deputy Jones stated he got up and put his clothes on, he then went outside. *Prior to exiting the home, he did not contact VCSO.*

Deputy Jones further stated after he went outside Sydney pointed to a car with its lights blacked out. Deputy Jones did not recognize the car but he said Sydney assumed that Ashley occupied the car. As he walked toward the car he advised that it fled at a high rate of speed with the lights blacked-out. He said he then entered his patrol car and attempted a traffic stop with his lights and siren engaged. The vehicle did not immediately stop, therefore; he called "Central" via radio and requested a unit.

The vehicle eventually stopped and Deputy Jones advised he then approached the driver's door and requested the driver's license of the driver and front seat passenger. He said the driver (Ashley Thomas) was crying and he requested she turn off the ignition and exit the vehicle. He further advised for "officer safety", he handcuffed her behind her back and placed her into the back seat of his patrol car. Detective Gabriel asked him if he told her she was under arrest. His reply was negative. Deputy Jones attempted to question her but was unsuccessful due to her continuous crying. Detective Gabriel asked him if Ms. Thomas had ever complained about the tightness of the handcuffs? His reply was negative. Additionally, Deputy Jones was asked to estimate how long Ms. Thomas was in the back seat of his car. He estimated fifteen to twenty minutes.

Detective Gabriel asked Deputy Jones if he yelled at passenger, Amber Hornsby. He indicated that he talked to her in a stern manner but did not shout at her. Ms. Hornsby advised him she and Ashley Thomas had originally come together that night to see where Justin was going. Deputy Jones also stated that if he had been in possession of a second pair of handcuffs he would have also handcuffed Ms. Hornsby "for officer safety".

Detective Gabriel asked Deputy Jones what crime he thought the two women had committed. He replied that the crime was the “possible stalking of Justin.” He was also asked if he knew the elements of stalking. His reply was “yes.” Deputy Jones stated that one of the Deputies on scene had asked him if he could tell him what the elements of stalking were. He did not answer him. He thought it wasn’t his place to answer since he had “turned the investigation over to them.”

Deputy Jones was queried as to whose decision it was to release the two females? He indicated that he did not know if the sergeant or one of the deputies released them. Deputy Jones stated he was willing to write a report but Sgt. Gowan indicated he did not need to complete one. Finally, Detective Gabriel asked Deputy Jones if he had handled the situation properly. He replied, “**I think I handled the situation properly.**” *(See Tab K for Complete Transcript)*

Deputy Jones was asked if he violated the following policies:

26.2.50 Neighborhood and Domestic Disputes	NO
26.2.68 Interference in Official Investigations	NO
26.2.134 Sound working knowledge of Standards Directives	NO
Volusia County Merit System Rules and Regulations 86-453:	NO
(13) Any conduct , on or off duty, that reflects unfavorably on the county as an employer.	

EXECUTIVE SUMMARY:

On Monday January 23, 2017, at approximately 2340 hours off-duty Deputy Wayne Jones exited his home and conducted a traffic stop with lights and sirens engaged. Prior to exiting his home, he did not notify VCSO Central or any other VCSO law enforcement officials. The driver of the vehicle, Ashley Thomas, was handcuffed and detained. The passenger, Amber Hornsby, was also detained.

Deputy Jones resides at [REDACTED] He resides there with his girlfriend, Ms. Dana King. Ms. King's daughter, Sydney also resides at the same residence. Sydney King is the current "girlfriend" of Mr. Justin Casale. This investigation revealed that Mr. Casale is also romantically involved with Ms. Ashley Thomas and Ms. Amber Hornsby. During the time that Sydney King has been seeing Justin Casale there have been a couple of instances whereby, Ms. Thomas has driven by the home of Sydney King in order to see if Mr. Casale is present. Ms. Thomas has also followed Mr. Casale in her vehicle. This investigation revealed that Deputy Jones was aware of the fact that Ms. Thomas has driven by his home and/or followed Mr. Casale. On these occasions law enforcement was never contacted.

Deputy Jones had been asleep prior to the incident. He was awakened by Dana King who stated "Ashley's outside." As he walked outside Sydney King pointed to a car with its lights off and said "she's over there." Deputy Jones then walked toward the car and it left the area at a high rate of speed with its lights off. Deputy Jones then conducted a traffic stop at Cloverleaf Blvd. and Deltona Blvd. It wasn't until this time that he notified VCSO Central Communications.

A short time later Deputy Jones handcuffed Ms. Thomas and placed her into the back seat of his car. The passenger, Amber Hornsby, was allowed to remain in the front passenger seat. This investigation revealed Deputy Jones did not "arrest" Ms. Thomas. His original intention was to also handcuff Ms. Hornsby; however, he had only one pair of handcuffs. The rationale that he used for these actions was "officer safety." Deputy Jones thought that a possible charge of "stalking" Mr. Casale might be appropriate.

After the responding deputies arrived on scene Deputy Jones turned over his "investigation" to the deputies. He took the position that it was their decision to charge Ms. Thomas and/or Ms. Hornsby with any crimes. The decision of the responding Deputies and Sgt. Gowan was that no charges were applicable and therefore the two women were "released."

According to Deputy Jones, he had never met Ashley Thomas. However, he was well aware that on previous occasions she had been named as the person that had followed Justin Casale and Sydney King. It was clear on the night of January 23, 2017, Deputy Jones was told by Ms. Dana

King that Ashley was outside the residence. Deputy Jones continually took the position that there might be unknown, dangerous and possibly armed persons occupying the suspicious vehicle outside. Instead of contacting VCSO Central Communications he chose to exit his home wearing plain clothes and ultimately conducted a traffic stop on the “suspicious vehicle.”

CONCLUSION:

On May 1, 2017, this investigation was presented to the Sheriff. After review, the Sheriff determined the violation of the below listed department and county policies to be:

26.2.50 Neighborhood and Domestic Disputes **Sustained**

26.2.68 Interference in Official Investigation **Sustained**

26.2.68 Department personnel are required to possess a sound working knowledge of the policies and procedures established by the Standards Directives. **Sustained**

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. **Sustained**

On May 4, 2017, Deputy Jones was served with an **Intent to Suspend Letter.** *(See Tab B for Correspondence)*

On May 11, 2017, Deputy Jones and his legal representative, Thomas Greene met with Sheriff Chitwood. There was a discussion regarding the elements of the case. Sheriff Chitwood stated that he would render a final decision on Monday, May 15, 2017.

On May 16, 2017 the Sheriff Chitwood rendered a final decision. His decision was that Deputy Jones was to receive a one day suspension with the ability to use vacation time for the suspension. He was also mandated to complete the FDLE Domestic Violence Course.

On May 19, 2017, Deputy Jones was served with a Final Suspension Letter. *(See Tab B for Correspondence)*

On May 30, 2017, Deputy Jones submitted the passing results of the FDLE Domestic Violence Course that he was mandated to complete. *(See Tab B for Correspondence)*

EXHIBITS:

- A. Report of Investigation
- B. Advisement of Administrative Oath/Perjury Warning/Garrity Warning; N.O.I.; Letter of Intent; Final Letter; FDLE course acknowledgement
- C. Official Correspondence/ email dated 01/24/17 Erik Eagan- LEO Sensitive Deputy Involved Report; VCSO Incident Report/ Witness statements
- D. Official Transcript of Ashley Thomas
- E. Official Transcript of Amber Hornsby
- F. Official Transcript of Sgt. Sean Gowan
- G. Official Transcript of Deputy Shawn Adkins
- H. Official Transcript of Sydney King
- I. Official Transcript of Deputy Andrew Jenkins
- J. Official Transcript of Ms. Dana King
- K. Official Transcript of Deputy Wayne Jones
- L. Miscellaneous Documents
- M. Digital Media

Witnesses

Amber Hornsby
1239 Overlook Rd.
Eustis, FL. 32726
352/360/8871

Ashley Thomas
2050 N. Thorpe Ave.
Orange City, FL. 32763
386/837/7399

Sgt. Sean Gowan
Volusia County Sheriff's Office
386/736/5961

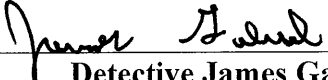
Deputy Shawn Adkins
Volusia County Sheriff's Office
386/736/5961


Sydney King
10232 W. Gaucho Circle
Deltona, FL. 32725
407/314/4244

Deputy Andrew Jenkins
Volusia County Sheriff's Office
386/736/5961

Ms. Dana King
Volusia County Sheriff's Office
386/736/5961

I, the undersigned, do hereby swear, under the penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the suspect of the investigation of any rights contained in ss. 112.532 and 112.533, Florida Statutes.

DETECTIVE:  DATE: 5/30/17
Detective James Gabriel
Internal Affairs Investigator

APPROVED BY:  DATE: 6/13/17
Chief Deputy John Creamer
SHERIFF Mike J. Chitwood
VOLUSIA COUNTY FLORIDA