

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

**REPORT OF INVESTIGATION**

**REPORT NUMBER: IA-13-026**

**PERIOD COVERED:** November 22, 2013  
**DATE REPORTED:** November 24, 2013  
**SUBJECT(S) NAME:** Deputy Michael Cox #7825  
**INVESTIGATING OFFICER:** Sergeant Thomas Tatum #2405

**BASIS FOR INVESTIGATION:**

On November 22, 2013, Deputy Michael Cox posted bond for a non-family member at the Seminole County Jail. This incident was discovered during a morning briefing several days later when Deputy Cox told fellow deputies and Sergeant Robert Rohm the circumstances surrounding the arrest of his friend, Jerry Watkins in Sanford, FL. Sergeant Rohm advised Deputy Cox that posting bond for a non-family member was a violation of Volusia County Sheriff's Office Department Policy.

**OFFENSE(S):**

**26.2.114 Surety** - Department personnel shall not become surety, grantor or furnish bail for any person arrested or charged with a crime except members of their immediate family and then only upon notification of their commanding officer. *(Violation subject up to a 5 day suspension.)*

**INVESTIGATIVE SUMMARY:**

On November 24, 2013, Chief Deputy Mike Coffin assigned the above-described incident to the Internal Affairs Unit for investigation. This report details the investigation conducted by Sergeant Thomas Tatum.

On November 25, 2013, Sergeant Tatum spoke with Volusia County Sheriff's Office District 6 (Debary) Commander, Captain Paul Adkins who provided a brief overview of the incident and forwarded a copy of notes prepared by Sergeant Rohm. The notes provided a synopsis of the incident as explained by Deputy Cox during the briefing as follows:

Deputy Cox advised that on Thursday, November 21, 2013, he received a call from his friend, Jerry Watkins who was delusional and standing outside of Deputy Cox's residence. Deputy Cox

was working overtime in District 2 Deland, FL when he received the call. Deputy Cox told Mr. Watkins to go back inside the residence (Deputy Cox's residence) and stay with their mutual friends. At some point, Deputy Cox was informed by one of his friends that Mr. Watkins had been arrested. A Sanford Police Officer was on scene and spoke with Deputy Cox, who told him Mr. Watkins called 9-1-1 saying he was being chased. When officers arrived, Mr. Watkins took off running and ran inside a neighbor's residence uninvited. The Sanford Officer said Watkins was arrested for abusing 9-1-1 and resisting an officer without violence. Deputy Cox said he couldn't believe Mr. Watkins was not Baker Acted.

Deputy Cox called the jail Thursday night (November 21, 2013) and was told it would be several hours before Mr. Watkins would be processed. On November 22, 2013, Deputy Cox was off duty and posted bond for Mr. Watkins, who he then took to Sanford Behavioral Health Care in Sanford, FL to have him mentally evaluated. Mr. Watkins was Baker Acted after seeing the doctor and stayed at the facility.

Sergeant Rohm wrote in his document that Deputy Cox had no idea posting bond for a non-family member was a violation of Volusia County Sheriff's Office policy. Sergeant Rohm wrote, *"I have no doubt in my mind that the deputy did what he thought was right and his intention was to get his friend help and nothing more."* (See Tab C for complaint)

On November 26, 2013, Sergeant Tatum served Deputy Cox with his notice of internal investigation in the parking lot of the old Stacy's Buffet on Enterprise Rd. and Highway 17 in Orange City, FL. Deputy Cox was provided a copy of the law enforcement officer's rights.

### **Sergeant Robert Rohm**

On December 12, 2013, Sergeant Tatum conducted a sworn recorded interview with Sergeant Robert Rohm at the Volusia County Sheriff's Office Substation in Debarry, FL. The following is a summary of the interview.

Sergeant Rohm has been with the Volusia County Sheriff's Office for the past twenty three years and is currently assigned to District 6 (Debarry) as a patrol Sergeant. Sergeant Rohm stated Deputy Cox has been on his shift for the past two years.

Sergeant Rohm said during a morning briefing, Deputy Cox had mentioned he posted bond for a friend who was arrested in Sanford several days prior. Deputies Peter Bethea and Amanda Gallagher were also present during the briefing. Sergeant Rohm stated Deputy Cox had no idea posting bond for a non-family member was a violation of Volusia County Sheriff's Office policy. The information Sergeant Rohm told Sergeant Tatum was consistent with the notes he prepared and forwarded to Captain Adkins. Sergeant Rohm added additional information on the background of the relationship between Deputy Cox and his friend, Jerry Watkins. Sergeant Rohm stated he was told by Deputy Cox that he has known Mr. Watkins since he (Watkins) was sixteen years old and his father invited Mr. Watkins to live with them because he had no family.

Recently, Deputy Cox has been helping Mr. Watkins by allowing him to stay at his residence. Deputy Cox told Sergeant Rohm Mr. Watkins is on medication for mental health issues and he

has been getting worse and not acting right. Sergeant Rohm said Deputy Cox told him he (Deputy Cox) was one of two people who can calm down Mr. Watkins or make him feel better. Sergeant Rohm said Deputy Cox spoke with the arresting Sanford Police Officer by phone shortly after the arrest and was told Mr. Watkins was arrested for abusing 9-1-1 and resisting without violence. Deputy Cox told Sergeant Rohm he tried to relay to the Sanford Officer how Mr. Watkins has mental issues and the officer told Deputy Cox that Mr. Watkins did not meet Baker Act criteria. Sergeant Rohm said Deputy Cox and his father went to the Seminole County Jail and posted bond for Mr. Watkins. Sergeant Rohm confirmed with Deputy Cox that he posted bond not his father. Sergeant Rohm stated Deputy Cox was so concerned about Mr. Watkins' well-being that after he bonded him out of jail he took him to a facility (similar to ACT) where he was committed. Sergeant Rohm said when Deputy Cox found out posting bond was a department violation, he said it was not malicious and he would take his lumps because jail is not where Mr. Watkins needed to be. Sergeant Rohm said Deputy Cox had a genuine concern that Mr. Watkins would harm himself if he stayed in jail. *(See Tab E for complete transcript)*

#### **Deputy Peter Bethea**

On December 17, 2013, Sergeant Tatum conducted a sworn recorded interview with Deputy Peter Bethea at the District 6 Substation in Debary, FL. The following is a summary of the interview.

Deputy Bethea has been with the Volusia County Sheriff's Office for the past six years where he has served as a patrol deputy in District 6, Debary, FL. Deputy Bethea stated he has worked with Deputy Cox for the past two years.

Deputy Bethea advised he was present during a morning briefing when Deputy Cox mentioned he posted bond for a friend who was arrested in Sanford, FL. Deputy Bethea's statement was consistent with that of Sergeant Rohm. Deputy Bethea said it was obvious that Deputy Cox did not know it was a policy violation to post bond for a non-family member. Deputy Bethea said he spoke with Deputy Cox a day or two later about his friend because Deputy Cox seemed upset about the whole thing. Deputy Bethea stated Deputy Cox told him something about his friend being in the hospital. Deputy Bethea said he has not had any further conversations with Deputy Cox about the incident after he was served with his notice of internal investigation. *(See Tab F for complete transcript)*

#### **Deputy Amanda Gallagher**

On December 17, 2013, Sergeant Tatum conducted a sworn recorded interview with Deputy Amanda Gallagher at the District 6 Substation in Debary, FL. The following is a summary of the interview.

Deputy Gallagher has been with the Volusia County Sheriff's Office for the past 15 months and is currently assigned to patrol in District 6, Debary, FL. Deputy Gallagher has worked with Deputy Cox since March 2013.

Deputy Gallagher stated she was present during a morning briefing when Deputy Cox mentioned bonding a friend out of jail. Deputy Gallagher does not recall the specifics of the conversation but recalled Deputy Cox was shocked to learn it was a Sheriff's Office policy violation. Deputy Gallagher had no additional information to add to her statement. *(See Tab G for complete transcript)*

### **Deputy Michael Cox**

On December 31, 2013, Sergeant Tatum and Investigator Glen Bennett conducted a sworn recorded interview with Deputy Michael Cox in the Sheriff's conference room in Deland, FL. The following is a summary of the interview.

Deputy Cox has been with the Volusia County Sheriff's Office for the past two years. He is currently assigned to road patrol in District 6, Debarry, FL. Deputy Cox has no prior law enforcement experience.

Deputy Cox admitted he posted the bond on November 22, 2013 for a close family friend who was arrested by Sanford Police on November 21, 2013. Deputy Cox said he had no idea he had violated a Volusia County Sheriff's Office policy when he arranged bond for his friend. Deputy Cox provided investigators with background on his friend Mr. Jerry Watkins. Deputy Cox said he has known Mr. Watkins since high school and he was living with an adopted family. Deputy Cox stated Mr. Watkins adoptive parents were no longer taking care of him at the age of 16 and he had nowhere else to stay. Deputy Cox stated his father took Mr. Watkins in to live with them as a family unit on and off for several years. Deputy Cox said Mr. Watkins is not blood related to him, but he considered Mr. Watkins as his brother. Deputy Cox went on to explain how his father was going to file the paperwork to legally adopt Mr. Watkins at one time but Mr. Watkins was almost eighteen and they did not feel the need to complete the documents.

Deputy Cox told investigators how Mr. Watkins always had issues with ADD or ADHD, but he became paranoid after a home invasion at his residence in Lakeland in 2010. Deputy Cox explained during the home invasion, Mr. Watkins was struck in the head with a firearm that caused swelling of his brain. Deputy Cox stated since the home invasion and traumatic injury, Mr. Watkins became paranoid and believed people were always following him. Deputy Cox said he is the only one who can talk to Mr. Watkins and calm him down when he starts getting paranoid. Deputy Cox stated Mr. Watkins had been getting more paranoid recently to the point where he took him to the Sanford Behavioral Center where he was evaluated and prescribed medication. Mr. Watkins was diagnosed with PTSD caused by the traumatic event of the home invasion.

Deputy Cox explained to investigators that on November 21, 2013, he was working overtime in District 2 (Deland) and received a phone call from Mr. Watkins. Deputy Cox said Mr. Watkins was paranoid thinking someone was following him. Deputy Cox said he told Mr. Watkins to go back into the house and stay with their mutual friends until he got off work. Deputy Cox said his two friends called him and said Mr. Watkins was unusually paranoid. Deputy Cox told investigators the next call he received was from the same friends who told him Mr. Watkins had been arrested by Sanford Police. Deputy Cox said he spoke with a Sanford Officer who was on

scene and was told Mr. Watkins was arrested for abusing 9-1-1 and resisting an officer without violence. Deputy Cox stated he tried to tell the Sanford Officer about the mental issues Mr. Watkins had, but he was told they evaluated Mr. Watkins for the Baker Act and he did not meet the criteria. Deputy Cox said he was told by the friends who were watching Mr. Watkins that he took a higher dosage of his medication than he was supposed to. Deputy Cox stated the higher dosage may have led to Mr. Watkins behavior on the day he was arrested. Deputy Cox said he told Sanford Officers about Mr. Watkins taking a higher dose of medication.

Deputy Cox said he completed his shift and was off duty when he tried calling the Seminole County Jail to find out when Mr. Watkins would be processed. Deputy Cox said he was told it would be several hours before Mr. Watkins would be processed due to the high volume of arrests that night. Deputy Cox stated he called his father who went to first appearance. Deputy Cox said his father told him Mr. Watkins did not seem right during his first appearance and they wanted to get him out as soon as possible. Deputy Cox said his father was going to post the bond for Mr. Watkins, but he is in poor health and struggling to make ends meet. Deputy Cox said as he drove to the jail he saw the Magic (Bail) Bond business and decided to stop in and talk to them about arranging bond for Mr. Watkins. Deputy Cox said he filled out the paperwork and signed the agreement with Magic Bond who said they would get Mr. Watkins out of jail as soon as he was processed.

Deputy Cox said he spent the time before Mr. Watkins was processed, making phone calls to Seminole County Behavioral Health to see if they could evaluate Mr. Watkins upon his release, which they agreed. Deputy Cox said Mr. Watkins was released from jail they took him to McDonalds then to Seminole Behavioral Center. Deputy Cox said when they were in the parking lot of Seminole Behavioral Center he called inside and was told to call back in fifteen minutes. Deputy Cox said Mr. Watkins was getting agitated and he decided to drive to Florida Hospital in Sanford to have Mr. Watkins evaluated. Deputy Cox said Florida Hospital in Sanford was not a receiving facility and they drove back to Seminole Behavioral Center where he was taken inside and immediately admitted. Deputy Cox said he bonded his friend out because he did not feel jail was where he should have been and he was, *"Trying to do the right thing for the right reasons."* Deputy Cox stated he was very concerned that if he left Mr. Watkins in jail he would try to harm himself and he (Deputy Cox) would feel responsible.

Deputy Cox stated he violated Volusia County policy 26.2.114 Surety, but was unaware of the policy at the time. Deputy Cox said had he been aware of the policy he would have asked his father to sign the bond paper. *(See Tab H for complete transcript)*

## **CONCLUSION:**

On January 14, 2014, this investigation was presented to the Sheriff and his administrative staff. After review, the Sheriff and his staff determined the allegation to be:

**26.2.114 Surety** - Department personnel shall not become surety, grantor or furnish bail for any person arrested or charged with a crime except members of their immediate family and then only upon notification of their commanding officer. (Violation subject up to a 5 day suspension.)

**Sustained**

The Sheriff's final decision was to give Deputy Cox a counseling documented on an Employee Performance Notice (EPN).

**EXHIBIT(S):**

- A. Report of Investigation
- B. Official Correspondence
- C. Complaint
- D. Administrative Oath/Perjury Warning
- E. Official Transcript of Sergeant Robert Rohm
- F. Official Transcript of Deputy Peter Bethea
- G. Official Transcript of Deputy Amanda Gallagher
- H. Official Transcript of Deputy Michael Cox
- I. Miscellaneous Documents
- J. Digital Media

**WITNESSES:**

Sergeant Robert Rohm  
Volusia County Sheriff's Office  
(386) 736-5961

Deputy Peter Bethea  
Volusia County Sheriff's Office  
(386) 736-5961

Deputy Amanda Gallagher  
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.

INVESTIGATOR:  DATE: 01/21/14

**Sergeant Thomas Tatum  
Internal Affairs Investigator**

APPROVED BY:  DATE: 1/23/14

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