

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

**REPORT OF INVESTIGATION**

**REPORT NUMBER: IA-14-029**

**PERIOD COVERED:** December 02, 2014  
**DATE REPORTED:** December 04, 2014  
**SUBJECT(S) NAME:** Deputy Terry Laloo #6927  
**INVESTIGATING OFFICER:** Sergeant Justin Sawicki #7179

**BASIS FOR INVESTIGATION:**

On Tuesday December 16, 2014, Sergeant Justin Sawicki received a supervisor's inquiry conducted by Sergeant Jonelle Hillyard. The subject of the supervisor's inquiry is an alleged excessive use of force resulting in injury by Deputy Terry Laloo. Sergeant Hillyard wrote on December 02, 2014, Deputy Laloo approached her and advised he had an incident with an inmate [Mr. Eddy Rios] at the Volusia County Courthouse in DeLand. Deputy Laloo only advised he and the inmate had "words" and he wished to be transferred from the courthouse prisoner transport unit. No other details were discussed at this time.

On December 03, 2014, Sergeant Hillyard was asked by Deputy Tammy Thoman if she [Sergeant Hillyard] was aware of the incident involving Deputy Laloo and an inmate. Sergeant Hillyard was informed, that Deputy Laloo told Deputy Thoman he had "words" with an inmate, after the inmate did not comply with his [Deputy Laloo] verbal commands. Deputy Eric Hernandez later informed Sergeant Hillyard, Mr. Rios complained to him that Deputy Laloo placed handcuffs on his wrists improperly, thus causing a small laceration to his wrist.

Sergeant Hillyard attached a video surveillance Digital Video Disc (DVD) to the supervisor inquiry. Sergeant Hillyard wrote that the video contains images of inmates in a hallway between courtrooms 3A and 3B. Sergeant Hillyard wrote that when Mr. Rios was escorted from the courtroom, he was handcuffed in a pair with Mr. Zachary Lonergan. When the inmates approached the elevator, Mr. Rios and Mr. Lonergan were no longer handcuffed in a pair, rather they were now handcuffed individually.

Chief Deputy Mike Coffin assigned the case for investigation by the Internal Affairs Unit. The supervisor's inquiry and video surveillance disc is referenced by memo number 071M051.14 and is attached and made part of this investigation. (See Tab - C)

**OFFENSE(S):**

**26.2.47 Courtesy** - Employees shall be civil and respectful toward each other and toward the public in general. They shall be especially courteous to visitors, guests, speakers and instructors. *(Violation subject up to a 1 day suspension.)*

**26.2.48 Use of Profanity** - Employees shall not use profanity or vulgarity in speech or gesture at any Department work place, on or off duty, in public or while representing the Department or County in any manner. *(Violation subject up to a 1 day suspension.)*

**26.2.102 Excessive Force Resulting in Injury** - Deputies shall not use excessive force resulting in injury to another. *(Violation subject up to dismissal.)*

**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)*

**RE: Conduct in Arresting and Dealing with Law Violators**

**1.4.12** They shall conduct themselves in such a manner as will minimize the possibility of having to use force. To this end, they shall cultivate a dedication to the service of the people and the equitable upholding of the law, whether in the handling of the law violators or in dealing with the law-abiding citizens.

*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 December 05, 2014, Chief Deputy Mike Coffin assigned the above-described incident to the Internal Affairs Unit for investigation. This report details the investigation conducted by Sergeant Justin Sawicki.

On December 18, 2014, Sergeant Justin Sawicki served Deputy Terry Laloo with a Notice of Internal Investigation at the Volusia County Courthouse in DeLand, FL. Deputy Laloo was provided with a copy of the Law Enforcement Officer Bill of Rights. *(See Tab – B for Official Correspondence)*

Sergeant Sawicki reviewed the supervisor's inquiry completed by Sergeant Hillyard, along with the video surveillance from the Volusia County Courthouse (VCC). The following is a summary of the supervisor's inquiry:

On December 02, 2014, Deputy Terry Laloo requested to speak with Sergeant Hillyard in her office. Deputy Laloo advised he wished to be removed from the prisoner transport unit at the

VCC "due to him needing a break from dealing with the inmates." Deputy Laloo advised Sergeant Hillyard he is allowing the inmates to agitate him and on the morning of December 02, 2014, he [Deputy Laloo] "had an incident with an inmate." Deputy Laloo informed Sergeant Hillyard he had "words" with an inmate when the inmate [Mr. Eddy Rios] did not comply with orders given. Deputy Laloo provided no further details on the incident at the time of this conversation with the sergeant.

On December 03, 2014, Sergeant Hillyard was working in the control room of the VCC, when Deputy Tammy Thoman asked the sergeant if she was aware of the incident involving Deputy Laloo and Mr. Rios. Deputy Thoman advised, Deputy Laloo informed her he had an altercation with an inmate [Mr. Rios] when he failed to follow Deputy Laloo's verbal commands. Deputy Laloo informed Deputy Thoman he wished to be removed from the prisoner transport unit. Deputy Thoman also informed Sergeant Hillyard, that she had spoken with Deputy Eric Hernandez who advised Mr. Rios complained about Deputy Laloo placing handcuffs on him too tightly and as a result sustained a small laceration and redness to his right wrist area. Deputy Thoman never spoke with Mr. Rios

On December 03, 2014, Sergeant Hillyard spoke with Deputy Hernandez. Deputy Hernandez advised, the sergeant on December 02, 2014 at approximately 0920 hours, Deputy Laloo transported a group of inmates from a courtroom to the holding cells at the VCC. Deputy Laloo advised Deputy Hernandez to segregate Mr. Rios as he failed to follow verbal commands. Deputy Hernandez observed Mr. Rios to be wearing hinged handcuffs, which is not normal for inmates who are being transported through the VCC. Deputy Hernandez also observed the handcuffs were extremely tight on Mr. Rios' wrists. Mr. Rios advised Deputy Hernandez that Deputy Laloo un-handcuffed him [Mr. Rios], while in a hallway behind the courtroom and attempted to instigate a physical altercation with Mr. Rios. When Mr. Rios refused to fight, Deputy Laloo obtained hinged handcuffs from his department issued utility belt and aggressively placed them onto Mr. Rios' wrists. Deputy Hernandez asked Mr. Rios if he needed medical attention and/or wished to complete a citizen complaint to which Mr. Rios declined both.

Sergeant Hillyard reviewed the video surveillance from an elevator room adjacent to a hallway that is located behind Judge McGlashan's courtroom. Sergeant Hillyard wrote: "*Sergeant Hillyard observed that Mr. Rios had been handcuffed to inmate Zachary Lonergan when brought up to the courtroom for the morning session. When he was removed from the courtroom, at the end of the session he was still handcuffed to him.*" Sergeant Hillyard continued to write at 0916 hours, inmates from Judge McGlashan's courtroom are observed in the hallway adjacent to the elevator room. At approximately 0918 hours, the inmates entered the elevator room and Sergeant Hillyard observed Mr. Rios was no longer handcuffed to Mr. Longergan; both men were individually handcuffed.

Sergeant Hillyard spoke with Mr. Rios at the Volusia County Branch Jail (VCBJ) on December 03, 2014. Mr. Rios advised, the sergeant as he and his fellow inmates were exiting Judge McGlashan's courtroom, Deputy Laloo ordered them to stand next to a wall. Mr. Rios stated he and Mr. Lonergan stepped to the closest wall in an effort to comply with the order. Deputy Laloo then used profanity and made derogatory comments about why the inmates were incarcerated and unable to follow directions. Mr. Rios stated he made the comment, "*Be more specific next*

time" to Deputy Laloo. According to Mr. Rios, his comment "set off" Deputy Laloo and the two engaged in a verbal argument. The argument escalated when Mr. Rios stated, "You ain't shit without that badge". Deputy Laloo responded to Mr. Rios by stating, "You're a lil' bitch." Mr. Rios told Deputy Laloo to take off his badge and remove him [Mr. Rios] from handcuffs and he would "show him a bitch." Deputy Laloo then un-handcuffed Mr. Rios from Mr. Lonergan and continued to the confrontation. When Mr. Rios refused to strike Deputy Laloo, he [Deputy Laloo] retrieved a set of hinged handcuffs from his department issued utility belt and aggressively placed the handcuffs on Mr. Rios' wrists. Mr. Rios sustained a small laceration to his right wrist and redness to both wrists due to the tightness of the handcuffs.

On December 03, 2014, Sergeant Hillyard spoke to Mr. Lonergan at the VCBJ. Mr. Lonergan confirmed he and Mr. Rios were handcuffed together when leaving Judge McGlashan's courtroom. Mr. Lonergan advised, Deputy Laloo ordered the inmates to stand along a wall. When Mr. Lonergan and Mr. Rios stood next to the wrong wall, Deputy Laloo began to yell obscenities at the two men. Mr. Lonergan stated he recalled Deputy Laloo tell Mr. Rios that his "asshole will have a big echo after getting ass raped in prison." Mr. Lonergan stated Deputy Laloo continued to antagonize Mr. Rios in what he felt was an effort to instigate a physical fight. Mr. Lonergan stated Deputy Laloo removed a handcuff from Mr. Rios and "slammed" it on Mr. Lonergan's free wrist. Mr. Lonergan stated as Deputy Laloo continued the altercation with Mr. Rios, he attempted to move away at which time Deputy Laloo grabbed his arm, escorted him to the wall, and ordered him not to move. Deputy Laloo continued to engage Mr. Rios with verbal dialogue and ultimately placed Mr. Rios in another set of handcuffs. Mr. Lonergan stated he sustained redness to the wrist that Deputy Laloo "slammed" the handcuff. Sergeant Hillyard wrote she was unable to see any residual injury to Mr. Lonergan's wrists.

Sergeant Sawicki then reviewed the DVD that accompanied the supervisor's inquiry. The following is a synopsis of the video:

The camera is placed at the top of the wall where it meets the ceiling. In the camera's view is the door to an elevator (to the right of the frame), another wall (to the left of the frame) and an open doorway that leads to the hallway behind Judge McGlashan's courtroom (center of the frame). The only view of the hallway is what is observed through the open door, and the hallway runs perpendicular to the camera. On the camera, the timestamp shows a date and time to the second. At 09:15:25, an inmate is observed walking in the hallway at the open doorway. At 09:15:37, a pair of inmates is observed standing at the open doorway. Sergeant Sawicki reviewed photographs taken by VCBJ personnel of Mr. Rios and Mr. Lonergan, and it is believed this pair is Mr. Rios and Mr. Lonergan. Additionally, it would appear they are handcuffed together with a set of chain link handcuffs. Mr. Rios' right wrist is in one cuff while Mr. Lonergan's left wrist is in the other. At 09:15:42, the pair is seen turning around walking back to the right of the frame and out of the camera's view. From this point until 09:16:43, all that is viewed is two inmates (individually handcuffed) standing near the doorway looking towards the right of the frame. At 09:16:43, the video suddenly skips to 09:18:07 skipping approximately one minute and twenty-four seconds of footage. When the video continues at 09:18:07, three inmates are observed standing near the doorway. At 09:18:20, the inmates begin to walk into the elevator room from the hallway. As the inmates enter the room, Sergeant Sawicki was able to positively identify Mr. Rios, Mr. Lonergan, and Deputy Laloo. Mr. Rios and Mr. Lonergan were both handcuffed

individually. At 09:18:31, Deputy Laloo enters the elevator room from the hallway. Deputy Laloo walks to the elevator door and presses the elevator button to summon the elevator. Deputy Laloo then appears to speak on his department issued radio via his shoulder microphone. After making this transmission, Deputy Laloo tilts his head towards the shoulder microphone and appears to be listening to a radio transmission. Deputy Laloo then attempts to look for something in the breast pockets of his uniform shirt. Deputy Laloo retrieves what appears to be a white piece of paper or plastic access card from his right breast pocket. As Deputy Laloo retrieves this object from his breast pocket, he appears to engage Mr. Rios in verbal dialogue (it should be noted there is no audio accompanying the video). Deputy Laloo and Mr. Rios appear to engage each other in dialogue as the other inmates watch. The dialogue between Deputy Laloo and Mr. Rios lasts for approximately fifty-two (52) seconds and ends when the elevator doors open at 09:19:40. The inmates and Deputy Laloo enter the elevator, and there is no other relevant footage from the remainder of the video.

Sergeant Sawicki contacted Lieutenant Bryan Barnard and Sergeant Hillyard, regarding the missing video footage. Both Lieutenant Barnard and Sergeant Hillyard advised they were aware of the error and made numerous attempts to retrieve the missing video. Sergeant Sawicki also requested a copy of the video from Judge McGlashan's courtroom. Sergeant Sawicki specifically requested the time when the inmates were brought into the courtroom and when they exited into the hallway.

Lieutenant Barnard provided Sergeant Sawicki with a DVD containing the aforementioned video request. Sergeant Sawicki reviewed the DVD and the following is a synopsis of the video:

At 08:22:03, inmates begin entering the courtroom. They are instructed by bailiffs to be seated in the "juror's box" to the left of the video frame. Sergeant Sawicki was able to positively identify Mr. Rios and Mr. Lonergan as they entered the "juror's box" to be seated. Sergeant Sawicki observed Mr. Rios' right wrist was secured in a handcuff; the set of handcuffs was chain link set, and the other cuff was secured on Mr. Lonergan's left wrist.

At 09:14:29, Deputy Laloo approaches the "juror's box" with what appears to be a piece of paper. Deputy Laloo reads from the paper and points towards specific inmates. Several inmates to include Mr. Rios and Mr. Lonergan stand up and exit the "juror's box." At 09:14:42, Mr. Rios and Mr. Lonergan walk to the right of the frame towards the doorway leading to the hallway and elevator room. Mr. Rios and Mr. Lonergan at this time are still handcuffed together. The inmates then walk out of the view of the camera.

### **Mr. Eddy Rios**

On January 04, 2015 Sergeant Sawicki conducted a sworn recorded interview with Mr. Eddy Rios at the Volusia County Branch Jail (VCBJ) in Daytona Beach, FL. The following is a summary of that interview:

Mr. Rios advised, he is currently incarcerated for a Violation of Probation regarding Burglary.

Mr. Rios has been incarcerated since September 10, 2014. Prior to his incarceration, Mr. Rios was a construction worker and resided at 246 Quebec Avenue in DeLeon Springs, FL.

Mr. Rios advised, on the morning of December 02, 2014, he appeared in court before Judge McGlashan for a Violation of Probation Hearing. Mr. Rios was asked if he recalled the deputy that escorted him and other inmates out of the courtroom. Mr. Rios responded in the affirmative. Mr. Rios was presented with a photograph of Deputy Laloo, and he positively identified Deputy Laloo as the deputy that escorted him from the courtroom. Mr. Rios also recalled Deputy Laloo by name. Upon questioning, Mr. Rios stated Deputy Laloo only escorted him and other inmates from the courtroom to holding cells at the completion of the court proceeding.

Mr. Rios recalled being handcuffed to another inmate named "Zack" [Mr. Zachary Lonergan] prior to, during and after the court proceeding. Mr. Rios recalled his right wrist was secured in one cuff, and Mr. Lonergan's left wrist was secured in the other cuff. Mr. Rios advised he did not personally know Mr. Lonergan, as the two met the day of the hearing. Mr. Rios also advised he has not seen nor spoken with any of the fellow inmates that were in the courtroom on the morning of December 02, 2014.

Mr. Rios stated when the hearing had concluded he and other inmates were escorted from the courtroom into an adjoining hallway. Mr. Rios recalled the group of inmates stopped and waited in the hallway prior to entering the room with the elevator. Mr. Rios stated Deputy Laloo told the inmates to stand by a wall, however he [Deputy Laloo] did not indicate which wall. When asked what happened next, Mr. Rios stated, *"And then I guess I was standing on the wrong wall so I mean I moved and I mean he said something. I told him well next time be more specific about what you want. 'Cause he kind of like caught an attitude because I was standing on the wrong wall. By the wrong wall."* Mr. Rios recalled at this point, he and Mr. Lonergan moved to another wall and Deputy Laloo said derogatory comments towards him. When asked if he could recall specifically what was said, Mr. Rios advised he was unable to remember. Mr. Rios continued by stating, *"After that um I told him that when I told him well next time be more specific he liked snapped like I don't know like his whole personality changed."* Mr. Rios stated he and Deputy Laloo engaged each other in a verbal argument. At one point during the argument, Mr. Rios recalled Deputy Laloo stating, *"...I can't believe that's the way you're educated and then he's like oh I forgot you didn't get no education..."* Mr. Rios advised, he took offense to the comments made by Deputy Laloo. Mr. Rios stated the argument continued, and Deputy Laloo told him [Mr. Rios] that he was a *"little bitch."* Mr. Rios responded by saying, *"I told him well take my cuffs off and take off that badge and I'll show you that I'm tough."* Mr. Rios stated at this point, Deputy Laloo approached him and unsecured his right wrist from the handcuff. Deputy Laloo then placed the open handcuff onto Mr. Lonergan's right wrist. Mr. Rios stated once he was un-handcuffed, he stood by the wall with his hands folded in front of his body because *"I wasn't gonna touch him or nothin'. I didn't want him thinking I was too. I didn't want no cop fights. No threat."* Mr. Rios recalled Deputy Laloo stood in front of him at close quarters and stated, *"See you are a little bitch."* Next, Deputy Laloo retrieved a pair of handcuffs from his duty belt and secured Mr. Rios in front of his body. Mr. Rios stated the handcuffs Deputy Laloo re-secured him in were hinged, as opposed to the original pair he was secured to Mr. Lonergan with, as those were chain linked. Mr. Rios stated Deputy Laloo did double lock the handcuffs when he was re-secured with the hinged pair. Mr. Rios stated Deputy Laloo placed the

handcuffs on his wrists abnormally tight to the point he was unable to move his arms up or down because the handcuffs would inflict pain. Mr. Rios continued to advise that the handcuffs were so tight, that he was unable to move his wrists or hands as there was no room for any type of movement. Mr. Rios stated Deputy Laloo then escorted the inmates into the elevator room. Once in the elevator, Mr. Rios recalled Deputy Laloo telling the inmates to squeeze into the elevator. Deputy Laloo also said, "...that's what Rios was doing when he was in prison squeezing his ass tight." Sergeant Sawicki made reference to the surveillance video prior to the inmates and Deputy Laloo entering the elevator. Mr. Rios at this time recalled while the group of inmates were waiting for the elevator, Deputy Laloo continued instigating Mr. Rios. Mr. Rios could not recall specifically what was said, however he did feel that Deputy Laloo was trying to agitate him [Mr. Rios].

Once the inmates exited the elevator, they were escorted by Deputy Eric Hernandez. As Deputy Hernandez was escorting the group, Deputy Laloo intervened and advised Deputy Hernandez to place Mr. Rios in holding cell six, away from the other inmates. Deputy Hernandez escorted Mr. Rios to holding cell six and removed the handcuffs from Mr. Rios. Mr. Rios stated Deputy Hernandez had difficulty removing the handcuffs because of how tight they were secured and the lack of movement regarding Mr. Rios' hands and wrists. Mr. Rios advised he observed he sustained a small laceration to his right wrist and redness to both wrists as a result of Deputy Laloo's aggressive handcuffing. Mr. Rios stated Deputy Laloo advised Deputy Hernandez, Mr. Rios was to be isolated because he [Deputy Laloo] was going to "write up" Mr. Rios, so he would receive punishment when he returned to the VCBJ. Mr. Rios stated he had no further interaction with Deputy Laloo. Mr. Rios also confirmed he has not seen nor spoken with Deputy Laloo since the date of incident.

Mr. Rios was asked if he felt as though Deputy Laloo was attempting to instigate a physical altercation with him when Deputy Laloo unsecured him. Mr. Rios stated:

*"Yes he was because like I said when we were in the hallway he was like, he said something about going back to prison and I ended up telling him well that's nothing new I already been to prison. Like he was trying to bring me down trying to like, like get me mad but it wasn't happening. And he was getting upset because everything he was trying to offend me with I'm laughing like I'm smiling at him thinking it's funny."*

Mr. Rios stated he was offended by Deputy Laloo's comments and actions, and he [Mr. Rios] did not intend on aggravating the situation more.

Mr. Rios confirmed aside from Deputy Laloo escorting, un-handcuffing, and re-handcuffing him there was no other physical contact between the two. (See tab E for Official Transcript)

### Mr. Zachary Lonergan

On January 05, 2014, Sergeant Sawicki conducted a sworn, recorded interview with Mr. Zachary Lonergan at the Volusia County Branch Jail (VCBJ) in Daytona Beach, FL. The following is a summary of that interview:

Mr. Lonergan advised, he is currently incarcerated at the VCBJ on the charge of Burglary. Mr. Lonergan has been incarcerated since November 22, 2014. Mr. Lonergan advised, prior to his incarceration, he was employed at the DeLand U-Pull it and resided at 645 North Stone Street in DeLand, FL.

Mr. Lonergan recalled having a court proceeding on the morning of December 02, 2014, for a Possession of Alcohol by a Person under 21 charge. Mr. Lonergan recalled Deputy Laloo by name as the deputy that escorted him and other inmates out of Judge McGlashan's courtroom. Mr. Lonergan was presented with a photograph of Deputy Laloo, and he was able to positively identify Deputy Laloo as the aforementioned deputy.

Mr. Lonergan advised, he was handcuffed to another inmate [Mr. Rios], however he could not recall which wrist was secured in the handcuff. Mr. Lonergan stated after the court proceeding, he and other inmates were escorted out of the courtroom into a hallway. Mr. Lonergan confirmed the only deputy and/or court personnel in the hallway with the inmates was Deputy Laloo. Mr. Lonergan advised, he and Mr. Rios stood along a wall at the direction of Deputy Laloo. After moving to a wall Deputy Laloo was not satisfied, with regard to the location of the inmates, a verbal argument ensued between Deputy Laloo and Mr. Rios. Mr. Lonergan stated, Deputy Laloo initiated the verbal argument and began yelling obscenities towards Mr. Rios such as, "*Deputy Laloo started telling inmate Rios that he was gonna go to prison and that his I guess his ass was loose but in a different term saying there's an echo in your ass or something inmate Rios said I had already been to prison and that's when they both started using foul language towards one another and it just escalated from there the whole time.*" During the argument, Mr. Lonergan recalled Deputy Laloo approach him and Mr. Rios. Deputy Laloo proceeded to remove the handcuff from Mr. Rios' wrist. Deputy Laloo secured both of Mr. Lonergan's wrists in a pair of handcuffs. Mr. Lonergan could not recall if Deputy Laloo utilized the original pair of handcuffs that he [Mr. Lonergan] shared with Mr. Rios or if Deputy Laloo utilized a different pair. Mr. Lonergan stated the argument continued to escalate between Deputy Laloo and Mr. Rios while Mr. Rios was unsecured. Mr. Lonergan believed a physical altercation was imminent, thus he stepped away from Deputy Laloo and Mr. Rios to avoid being involved in the possible affray. As Mr. Lonergan stepped away, Deputy Laloo grabbed him by the arm and ordered him to not move and stand by the wall. Deputy Laloo then continued to engage Mr. Rios in a verbal argument. Deputy Laloo then re-secured Mr. Rios in handcuffs. Mr. Lonergan stated he felt Deputy Laloo secured the handcuffs too tight on Mr. Rios' wrists. Mr. Lonergan confirmed at no point did the argument between Mr. Rios and Deputy Laloo turn physical.

Mr. Lonergan stated Deputy Laloo advised Mr. Rios he would be "*written up*" and placed on "*lockdown*" at the VCBJ.



Once Deputy Laloo and the inmates entered into the elevator room, Deputy Laloo continued to direct derogatory comments towards Mr. Rios such as:

*"You're a pussy. You're going to prison. You won't make it in prison. You're gonna get raped. You've probably already been raped because of once Rios said he was going to prison, he said he was, I want to say either a scumbag or trash or something. A lot of criticizing words not just only cuss words. Criticizing the person he is. Trying to make him feel little."*

Mr. Lonergan was asked if he felt Deputy Laloo was attempting to instigate a physical altercation. Mr. Lonergan advised, *"That's why I stepped away. Yeah I thought I was gonna get hit by something. So I moved."* When asked if Mr. Rios was attempting to instigate the incident Mr. Lonergan stated, *"Rios wasn't, at first Rios wasn't letting it get to him until he really started poking at him and, and not literally poking him but..."* Mr. Lonergan stated, eventually Mr. Rios became angry with the derogatory comments Deputy Laloo was directing towards him [Mr. Rios]. Mr. Lonergan added to that by stating, *"I don't know anybody who could have kept taking it. Especially after going to court and not getting the best news you know what I mean?"*, referring to Mr. Rios having patience with the comments directed at him by Deputy Laloo.

Mr. Lonergan stated due to his lawyer missing the court proceeding in the morning hours on December 02, 2014, he was placed into a holding cell as he then had to wait for an afternoon court proceeding. Mr. Lonergan stated after the other inmates were transported back to the VCBJ, he was alone in the holding cell. Mr. Lonergan stated he requested Deputy Laloo to remove shackles from his ankles to which he [Deputy Laloo] refused on numerous occasions. Mr. Lonergan recalled Deputy Laloo transported him [Mr. Lonergan] back to the VCBJ after the afternoon session of court. Mr. Lonergan advised he was complaining about having to wear the shackles all day as Deputy Laloo escorted him from the transport van into the booking area of the VCBJ. When Deputy Laloo heard Mr. Lonergan complaining, he replied by stating, *"oh man up you're a pussy. Don't come to jail if you're gonna be a baby..."*

Mr. Lonergan advised he has not seen nor spoken with Deputy Laloo since the date of incident. *(See tab F for Official Transcript)*

### **Mr. Mickey Huckleby**

On January 05, 2015, Sergeant Sawicki conducted a sworn, recorded interview with Mr. Mickey Huckleby at the Volusia County Branch Jail (VCBJ). The following is a summary of that interview:

Mr. Huckleby advised, he is currently incarcerated for a Violation of Probation charge and has been held at the VCBJ since November 03, 2014. Prior to his incarceration, Mr. Huckleby was employed as a tree crew member for a private company in DeLand. Mr. Huckleby resided at the DeLand River Apartments prior to his incarceration.

Mr. Huckleby confirmed on the morning of December 02, 2014, he had a court proceeding in Judge McGlashan's courtroom. Mr. Huckleby was asked if he recalled the deputy that had

escorted him and a group of inmates out of the courtroom after the court session had completed. Mr. Huckleby stated he recalled the deputy; however, he was unable to recall his name. Mr. Huckleby was presented with a photograph of Deputy Laloo, and he was able to positively identify Deputy Laloo, as the deputy who escorted the inmates after court had ended.

Mr. Huckleby stated after the court session ended, Deputy Laloo escorted the inmates into a hallway adjacent to the courtroom. Once in the hallway, Deputy Laloo told the inmates to stand along a wall. Mr. Huckleby recalled Mr. Rios and Deputy Laloo engaged each other in a verbal argument. Mr. Huckleby could not recall what triggered the argument or specifically what was said. Mr. Huckleby stated in his opinion, Mr. Rios was attempting to antagonize Deputy Laloo. Mr. Huckleby said, *"The younger kid said something along the lines of if he wasn't handcuffed you know."* Mr. Huckleby stated this is when Deputy Laloo removed the handcuff from Mr. Rios' wrist. Mr. Huckleby advised, he and the other inmates just stood near the wall and he wasn't sure what was going to transpire. When asked if he felt Deputy Laloo's intentions were to instigate a physical fight with Mr. Rios, Mr. Huckleby said:

*"I think he knew that the kid wasn't going to do anything. I think he was trying to more so embarrass the kid out of you know running his mouth in front of everyone else is the way it came off. He wasn't being aggressive towards him at all. It was actually the younger kid that was being more aggressive towards him if anything. Just to kind of let him honestly all it really did was embarrass him because he was kind of hiding behind the fact that he was handcuffed."*

Mr. Huckleby stated while Mr. Rios was un-handcuffed he [Mr. Rios] *"clammed up."* Deputy Laloo then re-secured Mr. Rios in a different set of handcuffs. The inmates were then escorted into the elevator and taken to holding cells. Mr. Huckleby was unable to recall if there was any other conversation between Deputy Laloo and Mr. Rios.

Mr. Huckleby advised aside from Deputy Laloo un-handcuffing and re-handcuffing Mr. Rios, there was no other physical contact between the two. *(See tab G for Official Transcript)*

#### **Mr. Dillon Parker**

On January 05, 2015, Sergeant Sawicki conducted a sworn, recorded interview with Mr. Dillon Parker at the Volusia County Branch Jail (VCBJ). The following is a summary of that interview:

Mr. Parker advised, he is currently incarcerated on Petit-Theft and Resisting Arrest without Violence charges. Mr. Parker has been incarcerated since October 17, 2014. Mr. Parker advised, prior to his incarceration he was unemployed and a transient with no residential address.

Mr. Parker recalled having a court proceeding on the morning of December 02, 2014, in Judge McGlashan's courtroom. Mr. Parker was provided with a photograph of Deputy Laloo, and he positively identified him as the deputy who escorted him and the other inmates out of the courtroom at the completion of the court session. Mr. Parker was also provided with a photograph of Mr. Rios, and he positively identified Mr. Rios as the inmate who had a verbal altercation with Deputy Laloo after the court session.

Mr. Parker stated Mr. Rios was handcuffed to another [Mr. Lonergan] inmate before, during and as the court session ended. Mr. Parker recalled Deputy Laloo escorting the group of inmates from the courtroom into a hallway adjacent to the courtroom. Mr. Parker stated when he walked into the hallway from the courtroom, Deputy Laloo and Mr. Rios were already engaged in a verbal argument. When asked if he recalled what was said during the argument, Mr. Parker stated, *"Deputy, the deputy was like come on you little punk bitch. You're just a little punk bitch, I'll take you, and obviously the Mexican kid Rios said well take me out of these handcuffs and he said ok I'll take you out of your handcuffs."* Mr. Parker advised, this is when Deputy Laloo approached Mr. Rios and removed the handcuff from his wrist. Once the handcuff was removed, Mr. Parker stated, *"He's [Deputy Laloo] like yeah you're a little bitch. You're a little bitch, blah, blah, blah, blah. I mean I've seen it before so it wasn't really no big issue to me you know what I mean."*

When asked if it appeared Deputy Laloo was attempting to instigate a physical fight, Mr. Parker said, *"Of course. Of course I mean it, it, it the things he was saying 'cause he was talking about the kids mom. He was saying all kinds of foul things."* Mr. Parker continued to state that had he been in Mr. Rios' position, he would have *"swung"* on Deputy Laloo, inferring he would have struck the deputy. Mr. Parker was asked if he felt Deputy Laloo's conduct was professional and he responded by saying, *"unprofessional at peak."*

According to Mr. Parker, although Deputy Laloo was the aggressor, Mr. Rios also instigated the argument. Mr. Rios would rebut the comments made by Deputy Laloo, and he was smiling/smirking during the incident. Mr. Parker recalled once Deputy Laloo removed the handcuffs from Mr. Rios, he [Mr. Rios] just stood there and did not say anything. Mr. Parker advised shortly after Deputy Laloo and Mr. Rios stared at each other, Deputy Laloo re-secured Mr. Rios in handcuffs. Mr. Parker described the placement of the handcuffs on Mr. Rios as, *"real tight."* Mr. Parker was unable to recall where Deputy Laloo obtained this pair of handcuffs; however, he was able to recall Deputy Laloo handcuffed Mr. Rios in the front of his body.

When the group of inmates were escorted into the elevator room, Mr. Parker recalled Deputy Laloo and Mr. Rios continued to engage each other in a verbal argument. Mr. Parker was unable to recall what was specifically said.

Mr. Parker stated the only physical contact between Deputy Laloo and Mr. Rios was when Deputy Laloo removed the handcuffs and re-secured the handcuffs from Mr. Rios' wrists. (See tab H for Official Transcript)

### **Deputy Tammy Thoman**

On January 07, 2015, Sergeant Sawicki conducted a sworn recorded interview with Deputy Tammy Thoman at the Volusia County Courthouse (VCC) in DeLand, FL. The following is a summary of that interview:

Deputy Thoman has been employed with the VCSO for 12 years. Deputy Thoman has been a patrol and courthouse deputy. Prior to Deputy Thoman's employment for the VCSO, she had

nine (9) years of employment as a corrections officer in Volusia County, FL.

Deputy Thoman advised, on December 02, 2014, she was assigned to the control room at the VCC. Deputy Thoman stated her job responsibilities in the control room are to oversee the movement of inmates through the VCC and to view the surveillance cameras.

Deputy Thoman recalled Deputy Laloo transporting a group of inmates from Judge McGlashan's courtroom during the morning hours of December 02, 2014. Deputy Thoman confirmed that she witnessed the transport on the surveillance camera that is located inside of the elevator room. Deputy Thoman also confirmed there is not a camera in the hallway between the elevator room and Judge McGlashan's courtroom. Deputy Thoman stated due to there not being a camera in the hallway, she was unable to witness the incident between Deputy Laloo and Mr. Rios.

Sergeant Sawicki asked Deputy Thoman if she was approached by anyone regarding the incident between Deputy Laloo and Mr. Rios. Deputy Thoman stated Deputy Hernandez approached her after Mr. Rios was placed in a holding cell. When asked what Deputy Hernandez advised her, Deputy Thoman stated:

*"To the best of my recollection he indicated that Deputy Laloo had had an altercation with an inmate. The inmate was agitated. He had to remove handcuffs that had been placed on the inmate by Deputy Laloo they were placed too tight that they I believe caused some sort of cut, abrasion, something of that nature because of the way that they were applied and that the inmate indicated to him that the deputy had basically gone toe to toe with him taking handcuffs off and I guess tried to ensue a fight with him. I then inquired did we offer him the opportunity to speak to a supervisor? Did he; you know was he trying to make any kind of complaint and I was advised that no he didn't want a supervisor at that time."*

Deputy Thoman recalled speaking to Deputy Laloo regarding the incident. When asked what that conversation entailed, Deputy Thoman said:

*"Deputy Laloo came into the control room to obtain what they call is a disciplinary action report. It's a jail form that he was going to complete and send back to the jail on the inmate's behavior and I spoke to Deputy Laloo based on my knowledge of what had transpired and I asked him if he understood what he was doing. And he inquired basically what I meant and I said do you understand this inmate's not requesting to report this incident. If you write him up for disciplinary action based on what transpired, you're basically writing yourself up for violating policies. I said you can't take handcuffs off of an inmate and basically bow up on him and threaten him and try to ensue a fight with him because you're upset. And he said but I told him to stand on the wall. And I said I don't care what you told him, you can't do what you did and at this point, he's not willing to file any kind of claim on this yet if you write him up he's going to pursue this on you. And basically you're writing yourself up. I said do you understand that? And he's like yes, I guess I do and at that point he chose not to*

*write him up."*

Sergeant Sawicki asked Deputy Thoman, if at any point during her conversation with Deputy Laloo, if he denied the incident taking place specifically when she mentioned the removal of the handcuffs. Deputy Thoman advised he [Deputy Laloo] did not deny the allegations, he merely responded back to her "...but I told him to stand against the wall." Deputy Thoman advised in her opinion, Deputy Laloo was attempting to justify his actions with the aforementioned comment.

Deputy Thoman advised the only other involvement she had regarding the incident was when she briefed Sergeant Hillyard on what had transpired between her [Deputy Thoman] and Deputy Laloo. (See tab I for Official Transcript)

### **Deputy Eric Hernandez**

On January 07, 2015, Sergeant Sawicki conducted a sworn, recorded interview with Deputy Eric Hernandez at the Volusia County Courthouse (VCC). The following is a summary of that interview:

Deputy Hernandez has been employed with the VCSO for approximately 12 years. Deputy Hernandez has held the positions of patrol deputy, investigator and field training officer (FTO) at the VCC. Prior to his employment with the VCSO, Deputy Hernandez was a patrol officer for the DeLand Police Department (DPD) for approximately two (2) years.

On December 02, 2014, Deputy Hernandez stated he was the lead deputy for prisoner transport at the VCC; he was also tasked with overseeing the jail area of the courthouse. Deputy Hernandez recalled Deputy Laloo conducting a transport of inmates from Judge McGlashan's courtroom during the morning hours on December 02, 2014. Deputy Hernandez advised at the time of Deputy Laloo's transport, he was in the jail area awaiting the inmates to exit the elevator.

Deputy Hernandez advised when the inmates exited the elevator, he began to escort them towards the holding cells in the jail area. Deputy Laloo approached Deputy Hernandez and advised him [Deputy Hernandez] to place Mr. Rios in a separate holding cell from the other inmates. Deputy Laloo explained to Deputy Hernandez, the reason he wanted to isolate Mr. Rios was because he [Mr. Rios] failed to follow orders. Deputy Hernandez obliged and placed Mr. Rios into holding cell six (6). When Mr. Rios was placed in the holding cell, Deputy Hernandez stated he told Mr. Rios to place his hands through the handcuffing port in the holding cell door. Deputy Hernandez observed the handcuffs "*were pretty tight*" on Mr. Rios' wrists. Deputy Hernandez was asked if there was any physical injury to Mr. Rios' wrists. Deputy Hernandez stated there was, however he was unable to recollect which wrist. Deputy Hernandez described the injury as a "*dot*" on Mr. Rios's wrist.

Deputy Hernandez was asked if in his opinion, he felt the handcuffs were placed on Mr. Rios too tight; Deputy Hernandez stated, "*In my opinion they were pretty tight.*" When asked if he would handcuff an inmate in the manner that Deputy Laloo handcuffed Mr. Rios, Deputy Hernandez stated, he would not. Deputy Hernandez was unable to recall if the handcuffs were double

locked.

Deputy Hernandez then queried Mr. Rios as to why he was wearing a hinged set of handcuffs and what compelled Deputy Laloo to place them on him the way he had. Mr. Rios advised Deputy Hernandez, he and Deputy Laloo were engaged in an argument when Mr. Rios stated, *"He told Laloo I guess if he didn't have that badge on him that you know I don't know if it was like whoop his ass or something or something to that nature."*

Deputy Hernandez was asked if it is normal for inmates at the VCC to be transported throughout the building wearing hinged handcuffs. Deputy Hernandez advised courthouse deputies typically only utilize hinged handcuffs if there is an issue and they need to immediately secure someone or if there should be a shortage of chain link handcuffs. Deputy Hernandez advised to his knowledge there was no shortage of handcuffs or any exigent circumstance that would require Mr. Rios to wear hinged handcuffs on December 02, 2014.

According to Deputy Hernandez, Deputy Laloo only advised him, Mr. Rios did not follow his order and he was going to *"write up"* Mr. Rios. Deputy Hernandez confirmed he was in the control room when Deputy Laloo requested the disciplinary action report from Deputy Thoman. Deputy Hernandez stated he heard Deputy Thoman advise Deputy Laloo it would not be in his best interest to complete the form, because what he [Deputy Laloo] did was not appropriate. Deputy Hernandez stated he intervened in the conversation and advised Deputy Laloo the following:

*"I explained to him I said listen you know my example was we're at a high standard up here, the inmates are you know down here they they have to do what we say. We cannot stoop to their level. Um you know if you get angry or whatever at 'em you just gotta let it be you know, we're here to transport and do whatever we have to do and take care of the inmate so my example was I raised my right hand and said we're up here and the inmates here and we can't stoop to their level. At that point, he says you know you're right you know, you know I F'ed up. I'm going to go over and speak to the sergeant because I want to get out of prisoner transport."*

Deputy Hernandez stated ultimately, Deputy Laloo did not complete the disciplinary action form and later left the control room and jail area. Once Deputy Laloo left the area, Deputy Hernandez removed Mr. Rios from holding cell six (6) and placed him in a holding cell with other inmates.

Deputy Hernandez advised he did not speak to Mr. Rios after he moved him to the holding cell with the other inmates. *(See tab J for Official Transcript)*

### Sergeant Jonelle Hillyard

On January 07, 2015, Sergeant Sawicki conducted a sworn, recorded interview with Sergeant Jonelle Hillyard at the Volusia County Courthouse (VCC). The following is a summary of that interview:

Sergeant Hillyard has been employed with the VCSO for 18 years. Sergeant Hillyard has been a field training officer (FTO) and hostage negotiator. Sergeant Hillyard has no prior law enforcement experience before her service with the VCSO.

On December 02, 2014, Sergeant Hillyard was security supervisor at the VCC. Sergeant Hillyard recalled Deputy Laloo completing a transport of inmates from Judge McGlashan's courtroom to the jail area after a court proceeding.

Sergeant Hillyard advised she did not witness any of the transport, however shortly after the incident involving Deputy Laloo and Mr. Rios, he [Deputy Laloo] requested to speak with the sergeant in her office. Sergeant Hillyard recalled Deputy Laloo requested to be taken off of the prisoner transport unit at the VCC because he had "words" with an inmate. Sergeant Hillyard advised Deputy Laloo she would need to gain approval from the Chain of Command. Sergeant Hillyard forwarded an email to Lieutenant Barnard regarding the request and her conversation with Deputy Laloo ceased. Sergeant Hillyard reiterated at no time during the conversation with Deputy Laloo did he advise her of the full details surrounding the incident. Deputy Laloo merely told her [Sergeant Hillyard] he and an inmate [Mr. Rios] had "words."

On December 03, 2014, Sergeant Hillyard was approached by Deputy Thoman. Deputy Thoman requested to speak with Sergeant Hillyard regarding the incident involving Deputy Laloo and Mr. Rios. Sergeant Hillyard advised Deputy Thoman informed her of the conversation between her [Deputy Thoman], Deputy Hernandez, and Deputy Laloo that had occurred in the control room on December 02, 2014. Once Sergeant Hillyard was briefed on this, she realized the incident was "...more than just a verbal confrontation between the two of them." Sergeant Hillyard stated she advised her Chain of Command and commenced the supervisor's inquiry into the incident.

Sergeant Hillyard advised she has been Deputy Laloo's immediate supervisor for the last few years. Sergeant Hillyard advised this is not the first time Deputy Laloo has had an incident similar to this in nature. Sergeant Hillyard described a past incident as follows:

*"He was actually; there was another incident during transport at the jail. I don't remember right off the top of my head but I know that he was suspended without pay for that incident. Shortly after him returning back to work after the suspension he had had another incident with an inmate not cuffing up and but I believe that ended up being unfounded. Where the inmate sustained an injury, to his forearm. There's been several times not risen to the level of paper but just you know in conversations."*

Sergeant Hillyard was making reference to IA-11-003 in which Deputy Laloo received a 24 hour

suspension and IA-11-006 in which the outcome was unfounded. (See tab K for Official Transcript)

### **Deputy Terry Laloo**

On January 20, 2015, Sergeant Sawicki and Investigator James Gabriel conducted a sworn recorded interview with Deputy Terry Laloo at the administrative offices of the Sheriff in DeLand, FL. Also present was Teamster representative, Sergeant Joel Turney. The following is a summary of that interview:

Deputy Laloo has been employed with the Volusia County Sheriff's Office for the past ten (10) years. Deputy Laloo has been assigned to patrol and court services. Deputy Laloo is currently assigned to court security at the Volusia County Courthouse (VCC) in DeLand, FL.

On December 02, 2014, Deputy Laloo recalled he was working his normal assignment at the VCC. Deputy Laloo was provided with a photograph of Mr. Rios and Mr. Lonergan. Deputy Laloo advised he was able to recall escorting the two inmates [Mr. Rios and Mr. Lonergan] along with other inmates from Judge McGlashan's courtroom on December 02, 2014. Deputy Laloo confirmed Mr. Rios and Mr. Lonergan were handcuffed together when entered the courtroom for the court proceeding. Deputy Laloo further confirmed Mr. Rios and Mr. Lonergan remained handcuffed together during the court proceeding and as they were escorted out of the courtroom.

Deputy Laloo stated after the court proceeding ended, he escorted the group of inmates toward a secured door that leads to a hallway that connects Courtroom 3A and 3B and leads to a room with an elevator. Deputy Laloo stated once he and the inmates reached the doorway to the hallway, he [Deputy Laloo] ordered the inmates to stand next to the wall on the left side. Deputy Laloo stated he ordered the inmates to stand near the left side wall because it is across from a firearm locker and this would allow him to keep the inmates in sight while he accessed the locker.

According to Deputy Laloo, as he gave the aforementioned order to the inmates, Mr. Rios was speaking with his attorney. Deputy Laloo then ordered Mr. Rios to keep moving as it was his [Deputy Laloo's] intentions to have the inmates enter the secured hallway. Deputy Laloo stated "he didn't like that" referring to Mr. Rios' reaction when he was ordered to walk into the hallway.

Once Mr. Rios entered the hallway, he stood in front of the firearm locker at which point Deputy Laloo issued another order for Mr. Rios to stand near the wall on the left side. According to Deputy Laloo, initially Mr. Rios did not comply. After another order from Deputy Laloo, Mr. Rios complied and moved across the hallway. Next, Deputy Laloo stated Mr. Rios began to engage him in the following verbal commentary:

*"As he's, as he's up against the left side of the hallway on the wall. He got mouthy. He was saying that I am not shit with this badge. I ain't shit. I'm not shit. I said look we're not going down that route, I need to get everybody out of*



*here and get downstairs. He kept on saying I'm not shit. I said look I'm not going on this route and I told him to stop. He wouldn't stop. The other inmates around, I just wanted to get them to a secure area and to the elevator and downstairs. That's when he said well I've got these handcuffs on and I said ok. He said well without these handcuffs on you know he looked at me and said if I didn't have these handcuffs on I said oh really? He said really. I said well we're not going that route. He kept on getting more and more vulgar with his words. I said ok fine and I lost my cool I took the handcuffs off of him and I said ok well then they're off. He just stood there; you're hiding behind that badge. I said that's what I thought."*

Deputy Laloo advised he secured Mr. Lonergan's free wrist with the chain linked handcuff that he [Deputy Laloo] removed from Mr. Rios. Deputy Laloo then "speed cuffed" Mr. Rios with a pair of hinged handcuffs from his department issued duty belt.

Deputy Laloo was asked if during the verbal dialogue with Mr. Rios if he used profanity. Deputy Laloo advised he did not. Sergeant Sawicki reiterated that, according to most of the inmate's testimony, they stated Deputy Laloo at some point used profanity towards Mr. Rios. Deputy Laloo again denied the accusation. Sergeant Sawicki became more specific in the line of questioning regarding the use of profanity and asked if he told Mr. Rios he was a "little bitch." Deputy Laloo again denied he made that comment. Deputy Laloo continued to deny that he degraded Mr. Rios' socioeconomic situation. Deputy Laloo did however, acknowledge that he stated "...that's why you're in prison. That's why you went to prison is because of your attitude." Deputy Laloo was asked if he said anything to Mr. Rios or any of the other inmates that may be deemed unprofessional and/or demeaning. Deputy Laloo advised he did not.

Deputy Laloo was queried as to why he removed the handcuff from Mr. Rios and what his [Deputy Laloo] intentions were. Deputy Laloo responded by saying, "I just lost my cool. I truly can't say. He said I wasn't shit. He, he said if I didn't have these handcuffs on I said oh really? Took 'em off. Ok. They're off; I wanted to see what he would do." Sergeant Sawicki asked "Ok. So you wanted to see what he would do?" Deputy Laloo replied, "Yes sir 'cause he was talking a lot of smack for lack of a better term." Deputy Laloo was asked if he was attempting to provoke a physical altercation with Mr. Rios. Deputy Laloo stated it was not his intentions to provoke a physical fight. Deputy Laloo agreed that the actions he took could be perceived that he [Deputy Laloo] was attempting to provoke a physical fight.

Deputy Laloo advised when he took the handcuffs off of Mr. Rios, he remained in close proximity to him [Mr. Rios]. Deputy Laloo stated as he stared at Mr. Rios and said, "The handcuffs are off." According to Deputy Laloo, Mr. Rios had no action and said nothing. Deputy Laloo stated he retrieved a pair of hinged handcuffs from his duty belt and "speed cuffed" Mr. Rios. Deputy Laloo stated he did not re-secure Mr. Rios to Mr. Lonergan because it was easier to handcuff them separately. Deputy Laloo was asked about the tightness of the handcuffs he placed on Mr. Rios. Deputy Laloo stated in his opinion, he [Deputy Laloo] did not feel the handcuffs were placed on Mr. Rios excessively tight. Deputy Laloo attempted to justify his handcuffing technique by stating, "They were on snug enough to where he has skinny wrists to where he cannot slip out of them." Deputy Laloo stated the method he used to handcuff Mr. Rios

is the same method he utilizes on every inmate/prisoner when he utilizes hinged handcuffs.

Deputy Laloo was shown a photograph of the small laceration to Mr. Rios' wrist. Deputy Laloo denied causing the laceration to Mr. Rios multiple times. Deputy Laloo later stated Mr. Rios may have intentionally caused the laceration to himself.

Upon further questioning, Deputy Laloo confirmed there were no other deputies, nor court personnel present when he removed the handcuff from Mr. Rios. Deputy Laloo was asked if he considered his actions to be a poor officer safety practice and he stated, *"That's very bad officer safety sir."* Deputy Laloo advised he is regretful for removing the handcuff from Mr. Rios due to the gravity of what could have potentially transpired.

When Deputy Laloo and the inmates reached the elevator room, Sergeant Sawicki pointed out in the video surveillance it was apparent Deputy Laloo was engaging Mr. Rios in verbal dialogue. Deputy Laloo confirmed this and stated he did not use profanity at this time; he merely was informing Mr. Rios he was going to *"write him up"* so he would be punished at the jail. Deputy Laloo stated he rode in the elevator with the inmates and no further conversation occurred between him and Mr. Rios.

Once to the holding cells, Deputy Laloo stated he informed Deputy Hernandez to place Mr. Rios in a separate holding cell due to his insubordination. Deputy Laloo stated he then made contact with Deputy Thoman as he was attempting to locate a disciplinary form for Mr. Rios. Deputy Laloo stated he briefly informed Deputy Thoman of the incident, at which point she advised against completing the disciplinary form on Mr. Rios. Deputy Laloo advised he understood Deputy Thoman's concern, thus he opted to not complete the form.

Deputy Laloo recalled speaking with Sergeant Hillyard regarding the incident. Deputy Laloo stated he requested Sergeant Hillyard remove him from the transport unit at the VCC. Deputy Laloo advised he did not go into details regarding the incident when he briefed his supervisor. When asked why he didn't inform Sergeant Hillyard of the details, Deputy Laloo stated, *"I didn't think it was pertinent. I didn't and I just told I just want out of transport. I had told her I just, I had an incident with an inmate, exchanged words and I just couldn't do it anymore."*

Deputy Laloo was asked if this was the first time he experienced an outburst with an inmate or member of the citizenry. Deputy Laloo advised it was not, and he was disciplined in the past for an incident that took place at the Volusia County Branch Jail (VCBJ). Deputy Laloo confirmed this incident was the only time he removed the handcuffs from an inmate when it was not warranted. Sergeant Sawicki asked Deputy Laloo if he has an anger issue and he stated, *"Sometimes I do get a little angry, yes. I've taken some classes and it's helped me in the past. I try to use it as much as I can."* Sergeant Sawicki confirmed with Deputy Laloo that he was aware the VCSO and County of Volusia offer an Employee Assistance Program (EAP). Sergeant Sawicki also confirmed that if needed, Deputy Laloo knew how to utilize said program.

Deputy Laloo was questioned if he felt he violated the below listed policies regarding this investigation. The following are his responses to the alleged violations:

**26.2.47 Courtesy** - Employees shall be civil and respectful toward each other and toward the public in general. They shall be especially courteous to visitors, guests, speakers and instructors. *(Violation subject up to a 1 day suspension.)* **No**

**26.2.48 Use of Profanity** - Employees shall not use profanity or vulgarity in speech or gesture at any Department work place, on or off duty, in public or while representing the Department or County in any manner. *(Violation subject up to a 1 day suspension.)* **No**

**26.2.102 Excessive Force Resulting in Injury** - Deputies shall not use excessive force resulting in injury to another. *(Violation subject up to dismissal.)* **No**

**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)* **Yes**

**RE: Conduct in Arresting and Dealing with Law Violators**

**1.4.12** They shall conduct themselves in such a manner as will minimize the possibility of having to use force. To this end, they shall cultivate a dedication to the service of the people and the equitable upholding of the law, whether in the handling of the law violators or in dealing with the law-abiding citizens.

**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. **Yes**

*(See Tab L for Official Transcript)*

**CONCLUSION:**

On January 27, 2015, this investigation was presented to the Sheriff and his administrative staff. After review, the Sheriff determined the violations of the below listed Department Standards Directives to be:

<b>26.2.47 Courtesy</b>	<b>Sustained</b>
<b>26.2.48 Use of Profanity</b>	<b>Not Sustained</b>
<b>26.2.102 Excessive Force Resulting in Injury</b>	<b>Sustained</b>
<b>26.2.118 Code of Ethics for Public Officers and Employees</b>	<b>Sustained</b>
<b>86-453 (13) Volusia County Merit System Rules and Regulations</b>	<b>Sustained</b>

On January 27, 2015, Sergeant Sawicki served Deputy Laloo with a Notice of Intent to Terminate (Suspension with Pay) letter at the Volusia County Courthouse. *(See Tab B – Official Correspondence)*

On February 05, 2015, Deputy Laloo met with the Sheriff in reference to his final discipline. As a result of the findings documented in IA-14-029, the Sheriff's final decision was to demote Deputy Laloo to the position of Office Assistant III, with a reduction in pay to that of an Office Assistant III, the demotion shall take effect on February 14, 2015. [REDACTED]

On February 13, 2015, Sergeant Sawicki served Deputy Laloo with a Final Notice of Demotion at 250 North Beach Street in Daytona Beach, FL. *(See Tab B – Official Correspondence)*

**EXHIBITS:**

- A. Report of Investigation
- B. Official Correspondence
- C. Complaint
- D. Administration of Oath/Perjury Warning
- E. Official Transcript of Mr. Eddy Rios
- F. Official Transcript of Mr. Zachary Lonergan
- G. Official Transcript of Mr. Mickey Huckleby
- H. Official Transcript of Mr. Dillon Parker
- I. Official Transcript of Deputy Tammy Thoman
- J. Official Transcript of Deputy Eric Hernandez
- K. Official Transcript of Sergeant Jonelle Hillyard
- L. Official Transcript of Deputy Terry Laloo
- M. Miscellaneous Documents
- N. Digital Media

**WITNESSES:**

Mr. Eddy Rios  
1300 Red John Drive  
Daytona Beach, FL, 32124

Mr. Zachary Lonergan  
1300 Red John Drive  
Daytona Beach, FL, 32124

Mr. Mickey Huckleby  
1300 Red John Drive  
Daytona Beach, FL, 32124

Mr. Dillon Parker  
1300 Red John Drive  
Daytona Beach, FL, 32124

Deputy Tammy Thoman  
Volusia County Sheriff's Office  
123 W. Indiana Ave.  
Deland, FL  
386-736-5999

Deputy Eric Hernandez  
Volusia County Sheriff's Office  
123 W. Indiana Ave.  
Deland, FL  
386-736-5999

Sergeant Jonelle Hillyard  
Volusia County Sheriff's Office  
123 W. Indiana Ave.  
Deland, FL  
386-736-5999

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: \_\_\_\_\_

**Sergeant Justin Sawicki  
Internal Affairs Investigator**

DATE: 02-13-15

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

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

DATE: 02/13/15