

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

REPORT OF INVESTIGATION

REPORT NUMBER: IA-18-005

PERIOD COVERED: February 28, 2018
DATE REPORTED: March 26, 2018
SUBJECT(S) NAME: Sergeant Jason Stickels #6849
INVESTIGATING OFFICERS: Detective Tara Burke #1465

BASIS FOR INVESTIGATION:

On March 26, 2018, Sheriff's Office Command Staff received a supervisor's inquiry drafted by Captain Paul Adkins; the subject of the inquiry was of a vehicle pursuit in reference to VCSO case #18-4945, involving Sergeant Jason Stickels and other Volusia County Sheriff's Office deputies.

On February 28, 2018, a vehicle pursuit was conducted on a stolen 2003 GMC Envoy operated by John McGowen. The pursuit was authorized by Sergeant Stickels after McGowen rammed the stolen vehicle into Sergeants Stickels marked patrol car when an attempted tactical park of the vehicle was conducted. The tactical park was attempted by Sergeant Stickels and Deputy Brandon Goggin while the vehicle was stopped in traffic on State Road 15A (SR 15A) near the intersection of Woodland Boulevard, Deland. The pursuit began in Volusia County and continued into Seminole County.

OFFENSES:

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

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:** (1) Willful neglect in the performance of the duties of the position to which the employee is assigned.
- (2) Disregard for or frequent violations of county ordinances, departmental policies and regulations, including safety rules.
- (5) Violation of any reasonable or official order, refusal to carry out lawful and reasonable directions given by a proper supervisor, or other acts of insubordination.
- (10) Incompetent or unsatisfactory performances of duties.
- (13) Any conduct, on or off duty that reflects unfavorably on the county as an employer.
- (21) Any other conduct or action of such seriousness that disciplinary action is considered warranted.

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

RE: 41.2.41 Motor Vehicle Apprehension

26.2.41 Negligence Associated with Safety of Persons or Property - Employees shall be attentive to job duties and shall not violate official Directives, orders, supervisory instructions, or knowingly refrain and cause another to refrain from the performance of lawful duties required for the safety of persons or property. *(Violation subject up to a demotion.)*

26.2.123 Prompt Compliance With Lawful Order - Employees shall promptly execute the lawful orders and/or instructions of a supervisor or superior officer of the Department and shall not delay or fail to carry out such orders or instructions. *(Violation subject up to a 5-day suspension.)*

26.2.124 Compliance With Direct Order of a Superior or Competent Authority - Employees shall comply with the direct orders or instructions given by a supervisor or superior officer and shall not refuse to comply when such orders or instructions are lawful and proper. *(Violation subject up to dismissal.)*

26.2.134 Knowledge of Official Directives- Department personnel are required to possess a sound working knowledge of policies and procedures established by the Standards Directives (*Violation subject up to a 5- day suspension.*)

RE: 41.20.50 Body Worn Cameras Enforcement Related Contacts

41.2.6 Prohibited Pursuits- Deputies shall not pursue or assist in the pursuit of motor vehicles if the suspect is identified and there is an expectation of apprehending the suspect within a reasonable amount of time. (*Violation subject up to a 5-day suspension.*)

41.2.13 Prohibited Pursuits (Responsibilities)- All Deputies involved will immediately terminate and disengage from a motor vehicle pursuit when they determine the pursuit is not within the guidelines of this policy or circumstances, as described in 41.2.24-.27, determine that course of action or when ordered to do so by the supervisor in charge. (*Violation subject up to a 5-day suspension.*)

INVESTIGATIVE SUMMARY:

On March 26, 2018, Chief Deputy John Creamer assigned the above incident to the Internal Affairs Unit. This report details the internal affairs investigation conducted by Detective Tara Burke.

On March 26, 2018, Sheriff's Office Command Staff received a supervisor's inquiry drafted by Captain Paul Adkins; the subject of the inquiry was of vehicle pursuit 18-4945, involving Sergeant Stickels and other Volusia County Sheriff's Office deputies. On February 28, 2018, a vehicle pursuit was conducted on a stolen 2003 GMC Envoy operated by subject John McGowen. The pursuit was authorized by Sergeant Stickels after McGowen rammed the stolen vehicle into Sergeants Stickels marked patrol car when an attempted tactical park of the vehicle was conducted. The tactical park was attempted by Sergeant Stickels and Deputy Brandon Goggin while the vehicle was stopped in traffic on SR 15A near the intersection of Woodland Boulevard, Deland. The pursuit began in Volusia County and continued into Seminole County.

On April 10, 2018, Sergeant Stickels was served with a Notification of Internal Investigation along with a copy of his Officer Bill of Rights. This report details the internal affairs investigation conducted by Detective Tara Burke. (*See Tab- C for Official Correspondence*)

Sergeant Joel Turney

On April 13, 2018, Detective Burke and Detective Glen Bennett conducted a sworn recorded interview with Sergeant Joel Turney. The following is a summary of that interview:

Sergeant Turney has been employed with the Volusia County Sheriff's Office for approximately fifteen and a half years. Sergeant Turney is currently assigned as the Deltona Motors Sergeant.

Sergeant Turney recalled the incident involving a vehicle pursuit that ended in Seminole County on February 28, 2018; he was involved in the pursuit. He recalled being behind Sergeant Stickles while on Interstate 4 (I-4) westbound, prior to entering Seminole County. Sergeant Turney was asked what he saw when he told Sergeant Stickles on the radio, "*Jason your car is coming apart.*" Sergeant Turney explained, "*I saw that the back bumper of his car was mostly detached. It was, it looked like it was detached on the passenger side and hanging over on the driver's side of the vehicle so it was still attached on the driver's side but it was dragging on the roadway behind the car.*" Sergeant Turney estimated that they were going approximately 100 miles per hour. Sergeant Turney also told Sergeant Stickles on the radio that his car was getting dangerous, he advised he got on the radio a second time because the first transmission was one way and Sergeant Stickles didn't reply.

Sergeant Turney could not recall if Sergeant Stickles responded to him but advised Lieutenant Shank almost immediately got on the radio and said if K-9's got it to basically back off. Sergeant Turney said he heard Sergeant Stickles response that he has a "*bone to pick*" with this guy and that they were getting off at the 104 exit. Sergeant Turney advised Sergeant Stickles did not immediately stop the pursuit even when he was advised to do so by Lieutenant Shank. Sergeant Turney confirmed that Sergeant Stickles still had his emergency lights on but he was not certain about his siren because he had his own siren on. Sergeant Turney also recalled Division Chief Morgan announcing that the pursuit was to end when the deputies got to Seminole County; he advised Sergeant Stickles still didn't back down from the pursuit at that time.

Sergeant Turney was asked if he felt the pursuit became dangerous to the public because of the damage to the vehicle and with Sergeant Stickles continuing in the pursuit; Sergeant Turney stated; *"I believe the car was dangerous. I think that if that bumper had come off at high speed it probably could have injured somebody or caused a crash."* Sergeant Turney advised he drove Sergeant Stickles back to Volusia County after the pursuit because his vehicle was towed, he advised they never discussed the incident in detail just casual conversation on the ride back. *(See Tab- D for Official Correspondence)*

Lieutenant Anthony Shank

On May 7, 2018, Detective Burke and Detective Bennett conducted a sworn recorded interview with Lieutenant Anthony Shank. The following is a summary of that interview:

Lieutenant Shank has been employed with the Volusia County Sheriff's Office for approximately twenty-two years. Lieutenant Shank is currently assigned as the Lieutenant over patrol in District-4.

Lieutenant Shank recalled the incident involving a vehicle pursuit that ended in Seminole County on February 28, 2018; he was not involved in the actual pursuit, but he was monitoring the radio. While monitoring the radio Lieutenant Shank heard deputies involved in the pursuit entering Deltona, he continued to monitor the pursuit while it was on I-4 and then went into Seminole County.

Lieutenant Shank recalled hearing dialogue on the radio between Sergeant Stickles and Sergeant Turney. He recalled that Sergeant Turney told Sergeant Stickles that his vehicle was unsafe, that it was coming apart. Lieutenant Shank advised he could not remember if Sergeant Stickles responded directly to Sergeant Turney because he (Lieutenant Shank) got on the radio and told him his vehicle was unsafe and told him to discontinue the pursuit. When Lieutenant Shank told Sergeant Stickles to *"back down"* because K-9 was there, he meant for him to *"discontinue, get out of there."* Lieutenant Shank advised Sergeant Stickles said something to the effect of *"I have a bone to pick with this guy."* Lieutenant Shank felt that Sergeant Stickles should have ended the

pursuit when advised to do so. He advised Sergeant Stickles continued into Seminole County when several other deputies turned around after getting off at the 17-92 ramp. Lieutenant Shank advised that in order for Sergeant Stickles to end up where he was at (the location of the suspect arrested in Seminole County), he would have had to continue the pursuit into Seminole County.

Lieutenant Shank advised he did not hear any transmissions from Chief Morgan on the radio, but heard it later on the BWC video. Lieutenant Shank explained there was switching between channels, which could have been why he did not hear Chief Morgan. He advised K-9 asked about breaking off the pursuit and he told him to continue until Seminole's helicopter and a K-9 arrived.

Lieutenant Shank arrived on scene at 2002 South Hartwell Avenue, Sanford, after the suspect was taken into custody. Lieutenant Shank saw the condition of Sergeant Stickles vehicle. He advised the vehicle would have been drivable, but the back bumper was only held on by the cables; he felt this could be dangerous if flying debris came off the vehicle. Lieutenant Shank advised that Sergeant Stickles felt his vehicle was unsafe to drive and asked for a wrecker to be called.

Lieutenant Shank was asked if he had anything further to add, he stated, *"No, other than he (Sergeant Stickles) had made statements prior to Sgt. Turney about the vehicle being unsafe and about how much further he could continue on. That's part of the decision that lead me to tell him to back off."* Lieutenant Shank recalled Sergeant Stickles making those statements on the radio about his vehicle, prior to Sergeant Turney telling him that his vehicle was becoming unsafe. Lieutenant Shank was asked if he felt the vehicle was safe to operate on the road, he stated, *"Not with the bumper the way it was. Because had you went past a motorcycle or something, you know one didn't get out of the way and you switched lanes. Very possibly could have caused a very serious accident."* (See Tab-E for Official Transcript)

Deputy Brandon Goggin

On June 7, 2018, Detective Burke, Detective Bennett, and Sergeant Ryan Mills, conducted a sworn recorded interview with Deputy Brandon Goggin. The following is a summary of that interview:

Deputy Goggin has been employed with the Volusia County Sheriff's Office since September 2012, he is currently assigned to District-2, patrol.

Deputy Goggin recalled the incident involving a vehicle pursuit that ended in Seminole County on February 28, 2018; he was involved in the pursuit. He explained he became involved when a description of the suspect vehicle was given, he then located the vehicle traveling southbound on 15A, Deland.

Deputy Goggin recalled being stopped at the intersection of West Taylor Road and South Woodland Blvd, when Sergeant Stickels asked for him to assist with boxing in the subject vehicle. Deputy Goggin witnessed the suspect vehicle hit Sergeant Stickels vehicle, a pursuit was authorized at that time by Sergeant Stickels.

Deputy Goggin did not initially see the damage to Sergeant Stickels patrol vehicle when it was struck, but he saw it when Sergeant Stickels passed him, prior to getting off at the 472 exit. Deputy Goggin can be heard on his BWC saying, "*Oh my gosh*" as Sergeant Stickels passes him. When asked why he made this statement, he stated, "*It was probably the condition of his bumper.*" Deputy Goggin observed that the bumper was hanging from one side, he believes it was the left side of Sergeant Stickels vehicle, and it was it was on the roadway.

Deputy Goggin recalled the radio transmissions between Sergeant Turney and Sergeant Stickles about the vehicle becoming dangerous. Deputy Goggin stated, "*I just remember him say that it might fall or if it was coming apart something like that.*" Deputy Goggin said he was also listening to another channel, so he couldn't hear everything that was said. Deputy Goggin did recall someone on the radio telling units to return to their districts, he did so at that time. Deputy Goggin said he turned around right at the Sanford off ramp, he advised a couple of motor units turned around at this location as well. Deputy Goggin was asked if he knew if Sergeant Stickels ended the pursuit at that time, he advised he did not.

were told. Deputy Clausen advised he was told twice to stick with it, he became primary on the pursuit, so he was just driving at that point. Deputy Clausen was not aware if Sergeant Stickels remained in the pursuit behind him because he didn't look in his rearview mirror, he also has trouble seeing out the back due to it being a K-9 vehicle. (See Tab-G for Official Transcript)

Sergeant Jason Stickels

On June 20, 2018, Detective Burke and Detective Bennett conducted a sworn recorded interview with Sergeant Stickels. The following is a summary of that interview:

Sergeant Stickels has been employed with the Volusia County Sheriff's Office since March 2004. Sergeant Stickels is currently assigned as a Sergeant in District-2, Delta shift. Sergeant Stickels worked for Orange City Police Department for over a year prior to working for VCSO.

Sergeant Stickels recalled the incident involving a vehicle pursuit that ended in Seminole County on February 28, 2018; he was involved in the pursuit. Sergeant Stickels became involved in a carjacking traveling southbound on Spring Garden Avenue; he advised he and Deputy Goggin were in the area. Traffic was backed up and the suspect vehicle came to a stop at the intersection of South Spring Garden Avenue and South Woodland Boulevard; at this time Sergeant Stickels and Deputy Goggin attempted a "tactical park" of the suspect vehicle. Sergeant Stickels advised the suspect rammed his vehicle and spun his vehicle out of the way while he was at a complete stop, he authorized the pursuit at that time.

Sergeant Stickels wanted to clarify something that was in the initial memo authored by Captain Paul Adkins. Sergeant Stickels stated, "*An initial memo done by Capt. Adkins made mention of me re-entering my car. I never got out of my car. I never had the opportunity to get out of my car. I was in the process of getting my seatbelt off but I never stepped foot outside that car.*" Sergeant Stickels explained he was inside his vehicle when it was struck by the suspect vehicle, in the process of trying to open his vehicle door and activate his BWC at the same time, and that is when his vehicle was struck and the pursuit was authorized. Sergeant Stickels explained that he carries his BWC on his belt, and he usually has to take the seatbelt off and activate it before he gets out

of the car. Sergeant Stickels advised he turned on his BWC when he realized it wasn't activated, he realized it wasn't beeping when he was traveling southbound on Woodland Boulevard, he said he had to mess around with the cord and finally heard it beep (activate).

Sergeant Stickels was asked if he noticed the damage to his vehicle after his vehicle was struck, he stated, *"I never got out of the car,"* he again stated, *"Never once did I get out of my car."* Sergeant Stickels advised, *"Until the only time I got out of my car was when the pursuit, or not the pursuit, but where the suspect was apprehended in Sanford. That was the first time I got out of my car."* Sergeant Stickels stated several times during the interview that he never got out of the vehicle; however, Deputy Goggin's BWC video, and still photographs obtained from the BWC video, illustrate that Sergeant Stickels did in fact get out of his vehicle after it was struck at the intersection of South Spring Garden Avenue and South Woodland Boulevard. In the BWC video, Sergeant Stickels vehicle is struck by the suspect vehicle, the bumper is hit and coming off. In the BWC video and still photographs, Sergeant Stickels appears to be looking toward the back of his vehicle as he exits, and is clearly standing outside of his vehicle while on his portable radio. According to the radio transmission Sergeant Stickels stated, *"ahhhh he just hit me central, he just hit me"* and *"10-31 is authorized, aggravated battery, 10-31 is authorized."* Then while in pursuit of the suspect vehicle, Sergeant Stickels also stated, *"We are Southbound on Woodland Boulevard, aggravated battery, he just took out my car."*

Sergeant Stickels was asked why he made the statement, *"alright guys be careful my car is in pieces so stand by,"* when he was arriving on the 472 in the area where the deputies were attempting to deploy stop sticks. Sergeant Stickels explained, *"Well I knew I got hit. I thought it was in the backside the door and the back right corner panel. I've been struck so I've been, the car was operating fine. I didn't have any issues mechanically with it. No vibration. No shutter. No, nothing."* Sergeant Stickels was asked if he saw the bumper, he stated, *"never saw it,"* he denied ever seeing the bumper behind him. Sergeant Stickels did not feel that his vehicle was a safety concern to the deputies or anyone else on the roadway during that time, but said he would get to a point where he knew it was time to stop. Sergeant Stickels denied knowing his vehicle was a safety concern; however, review of "RADIO LE2", while he was arriving on the 472 (in the area

where the deputies were attempting to deploy stop sticks), Sergeant Stickels also stated, *"Yeah my car is ahhh still together here not by much so I'll stay with him as much as I can."*

When Sergeant Stickels was asked about driving on the opposite side of the roadway during the pursuit, he explained there have been complaints about dirt bikes and a lot of trails in the area, he thought the suspect was going to make it to the trails and bail out. Sergeant Stickels said he saw the stop sticks, he then realized the suspect was trying to avoid the stop sticks by going around them.

Sergeant Stickels was asked about the radio transmission from Sergeant Turney prior to going into Seminole County, when Sergeant Turney said to him, *"Jason your car's coming apart."* Sergeant Stickels explained that he did not have his vehicle for a month or two and had to jump start the vehicle on that morning. Sergeant Stickels explained all of his radio transmissions were done on the portable radio, his car radio was not working, there was static on the radio, and he didn't catch every single thing that came through. Sergeant Stickels was asked again if he heard when Sergeant Turney asked him on the radio about his vehicle coming apart. Sergeant Stickels stated, *"Yeah something along that line. Something about some of the car, your car is something but I, I don't know. Yeah I just got rammed what, what part of it? The car is driving fine. I was going down 472. I haven't heard any noise. I haven't heard any vibration. I haven't heard nothing fly off. I haven't seen anything. Nobody said anything flew off. Yeah I just got, I just got hit. I mean what did the gas flap fly off I don't, I don't know. I mean the car's operating fine."* Sergeant Stickels continued to explain stating, *"I don't know what that means. Nobody said Jason your bumper's hanging off you're going to hit somebody with it or whatever obviously when the car stopped is the first time I took a look at it so."*

Sergeant Stickels was asked if he knew what Sergeant Turney was talking about when he got back on the radio and said, *"I'm right behind you your cars getting dangerous now with that hanging off."* Sergeant Stickels denied knowing what Sergeant Turney was talking about, and he was not certain if he replied to him. Sergeant Stickels advised he didn't stop pursuing the vehicle, at that time he was coming up to the 17-92 exit ramp past the St. John's River Bridge.

Following Sergeant Turney's transmissions on the radio to Sergeant Stickels, Lieutenant Shank got on the radio and said, "XO41 to 20, back down if K-9 is there." Sergeant Stickels was asked if he responded to Lieutenant Shank, he stated, "Directly to him? I don't think so. No." Sergeant Stickels was reminded of his reply on the radio to Lieutenant Shank, when he stated, "alright well I got a bone to pick with this guy here now so." Sergeant Stickels then recalled, "Yeah, oh no, no I remember saying that to him. It wasn't really directly to him that I had a bone to pick with him, meaning the bad guy if that's what you're asking." Sergeant Stickels was asked what that statement meant ("alright well I got a bone to pick with this guy here now so"); Sergeant Stickels stated, "Oh yeah with him. Yeah I'll be honest with you I was pissed! That hurt when he hit me. There's no doubt so let me clarify this" Sergeant Stickels went on to say, "As he says back down, I said I have a bone to pick with him, it's about the time that we're exiting onto the exit ramp to get off. One lane road. I can't, like I said before, I noticed the car as I'm going around that ramp, probably wasn't going real fast. I think I was probably doing around 50 or 60, the car started to feel really weird like the ass end of the car started to slide a little bit so as I came off there it's one lane." Radio transmissions made by Sergeant Stickels and Sergeant Turney's BWC video shows that Sergeant Stickels failed to comply with instruction given by Lieutenant Shank to back down.

Sergeant Stickels stated, "And obviously the reading through this "back down," Ok nobody said to stop. Back down is not actively pursuing, Seminole County's got it. Adam's there by himself. Myself and Turney. Ok back down that's what, that's what happened. We backed down. I mean give me a place to get off to where it's safe. I can't just stop on the middle of an on ramp and have a parade of cars run me over and now I don't even know what's really going on with the car. So all I know is when I went around the corner it acted a little funny like the ass end was loose in the car."

Sergeant Stickels was asked if he was still actively pursuing when he got off at the 17-92 exit, he stated, "Not an active pursuit. No. Not actively behind the car chasing lights and sirens. I stayed with them, backed down. Nobody said to come back to the County. My interpretation of a vehicle pursuit. One and two. Two marked units actively pursuing. I've been involved in several of them and obviously support units being in the area but not actively pursuing is a must. Can't leave two

guys to apprehend a violent felony suspect by themselves without having additional support. At least going to the area or being in the immediate vicinity. Can't do it."

Sergeant Stickels advised once he got off the exit ramp they went down Upsala Road, he slowed down and Seminole County Sheriff's Office picked up the pursuit in a silver/grey SUV and that was it. Review of Sergeant Turney's BWC video shows at that time Deputy Clausen had already replaced Sergeant Stickels as the primary unit, and Sergeant Stickels was in the secondary position. Deputy Miguel Kent was immediately behind Sergeant Stickels and could have provided a secondary marked unit to replace Sergeant Stickels had he left the pursuit. Furthermore, once a Seminole County unit assumed the primary position, Sergeant Stickels again could have exited the pursuit; however, he continued to participate in the pursuit as a support unit until its conclusion.

Sergeant Stickels was asked if he heard the radio transmission by Division Chief Morgan, "*Car 3 to all units this is a known suspect let it go.*" Sergeant Stickels confirmed he did hear this transmission. Sergeant Stickels explained afterwards he thought Chief Creamer got on the radio and he thought he said "*Adam you guys stay with him.*" Sergeant Stickels explained, he thought that transmission was made by Chief Creamer, due to him overstepping a Division Chiefs orders with chain of command. He realized after review of the audio he (Lieutenant Shank) actually said "*Adam you stay with him.*" Sergeant Stickels asks for clarification on the radio if the pursuit was finished, there was no responds.

Sergeant Stickels was asked how many units were there when he got off the exit ramp into Seminole County, he thought there were two or three, he knew there was an SUV, a truck, Deputy Clausen, he wasn't certain if there were any Seminole County marked units. He advised Deputy Clausen was in front of him at some point, but he could not recall when. Sergeant Stickels was asked how far he fell back (after he stopped pursuing the vehicle), he explained he lost sight of it, he could still see a few cars up ahead, but was no longer actively pursuing the vehicle. He explained that when they reached the cemetery (in Seminole County) a dump truck pulled out, which slowed everyone down. Sergeant Stickels advised when he "*fell back*" in the pursuit, he turned his lights and siren off, but at one point turned them back on when they were by the

cemetery. Sergeant Stickels also advised he turned his lights and sirens on to get through traffic safely.

Sergeant Stickels was asked if he recalled where he was when he terminated the pursuit in Seminole County; he replied, *"I terminated as soon as, as soon as we got off the I-4 exit ramp."* He confirmed it was the I-4 exit ramp at the 17-92, Seminole County then took the pursuit over. Sergeant Stickels stated, *"That was, it was, that was when I noticed I had an issue with the car and Seminole County picked it up and they were primary on, they were primary on that pursuit from that point forward. Now the conversation I had for clarification about do we go? Do we stay? Do we go? Hey Adam you guys stay with him was I remember being at a stop sign or right by a stop sign where I shut everything down. I sat there for a second. I'm like what the hell's going on? Go? Don't go? Don't? And then finally you can hear me I'm like I don't know but obviously the last thing I heard was stop so we're done which I even said on the radio."* Sergeant Stickels advised he terminated the pursuit when he was in Seminole County at the I-4 exit and 17-92; however, review of Sergeant Turney's BWC video shows that Sergeant Stickels remained in the pursuit behind Deputy Clausen into Seminole County. Sergeant Stickels said on the radio numerous times that he *"fell back,"* yet can be seen still pursuing the vehicle on Sergeant Turney's BWC video. When Sergeant Stickels said he *"fell back,"* he called out his location in the area of Upsala Grocery Store, located at 300 Upsala Road, Sanford. The Upsala Grocery Store is approximately three miles from the I-4 exit and the 17-92. At some point Sergeant Stickels was out of view of Sergeant Turney's BWC video, until they turned into the empty lot near the cemetery (W. 25th Street, Sanford) in Seminole County. Once Sergeant Turney caught back up to the pursuit, you can see in his BWC video that Deputy Clausen gets in front of Sergeant Turney, and Sergeant Stickels then follows behind Sergeant Turney back on to the roadway.

Review of Air1 video also shows Sergeant Stickels enter the grassy field area near the cemetery, along with Volusia County and Seminole County deputies. Furthermore, a video obtained that was posted on the social media site Facebook by an unknown person, shows Sergeant Stickels, along with other units, coming out of the grassy open field area (in the area of the cemetery), they continue to pursue the suspect vehicle onto the roadway. In the video someone can be heard saying *"Volusia's here"* and another voice is heard saying *"That Volusia guys pissed,"* at that time

the corner having a little bit of excess weight there. But after we got back there was never any 100 mile an hour speeds from that point forward after Seminole County took it over. I might have caught up a couple times but as far as that goes, Sgt. Turney was not the one driving the car. I'm the one driving the car and if it would have been clarified a little bit better to me about what was going on back there hey you've got an 8 foot piece of, or a 6 foot piece of a bumper hanging off sliding around corners, well obviously that's a problem." Sergeant Stickels went on to say, "Especially if there was a pedestrian on a bicycle or anything else. I agree with him 100% there's no doubt about that. That needed to be, that needed to be stopped and I need to pretty much take care of it."

Sergeant Stickels was asked if he ended the pursuit after Lt. Shank told him to back down when he got off at the 17-92. Sergeant Stickels stated, *"Back down. He didn't say stop, he said just back down. But I just stayed; I did stay with those guys following the same direction through Seminole County. Absolutely."*

Sergeant Stickels was asked about when Division Chief Morgan said the pursuit was to end, did he end the pursuit at that time. Sergeant Stickels explained, *"Yeah I even asked for, I stopped and asked for clarification. I was at, remember being at a stop sign. That's all I can tell you. I don't know what road it was at. And then I heard the transmission back again. "Adam" I thought it was "you guys" stay with him." Sergeant Stickels also stated, "So and that came from what I thought was Creamer. I didn't know that was Lt. Shank. I had no idea and I'm like." Sergeant Stickels also explained, "Bad guy got out. Didn't see him but I saw the video from I think it was Air One or Alert One, so I'm telling you but I did not physically see this. The video showed the guy running and I seen Adam, as I came around Adam was already out of the truck, he had the dog on the ground, he was running something about jumping over a fence so I went around Adam and I saw one Sanford guy pull down a side road. I pulled down there next with him and as I stopped I seen him coming over the fence and that's when he, I believe it was a Sanford officer challenged him and I ran over there to help him get him secured."*

Sergeant Stickels advised he returned to Volusia County with Sergeant Turney, he had his vehicle towed back. He explained that he had it towed back because he didn't want to be seen in it not because he felt it was a danger.

Sergeant Stickels was asked if she violated the following policies:

26.2.34 Failure to Follow Directive or Order

RE: 41.2.41 Motor Vehicle Apprehension	No
26.2.41 Negligence Associated with Safety of Persons or Property	No
26.2.123 Prompt Compliance With Lawful Order	No
26.2.124 Compliance With Direct Order of a Superior or Competent Authority	No
26.2.134 Knowledge of Official Directives	
RE: 41.20.50 Body Worn Cameras Enforcement Related Contacts	No
41.2.6 Prohibited Pursuits	No
41.2.13 Prohibited Pursuits (Responsibilities)	No
86-453 Volusia County Merit System Rules and Regulations (1)	No
86-453 Volusia County Merit System Rules and Regulations (2)	No
86-453 Volusia County Merit System Rules and Regulations (5)	No
86-453 Volusia County Merit System Rules and Regulations (10)	No
86-453 Volusia County Merit System Rules and Regulations (13)	No
86-453 Volusia County Merit System Rules and Regulations (21)	No

Prior to ending the interview Sergeant Stickels added, *“No. Besides the fact is there was not a willful violation of anything on there whatsoever. Obviously when the Division Chief came on there from that point forward that it was going to be ended I guess my apologies to obviously the radio traffic there was never a willful intention to violate any policy or especially disobey an order by the Chief, Deputy Chief or even Lt. Shank so I just appreciate the opportunity to finally get in here come and talk to you guys a little bit to clarify some of this because some of the violations or allegations there were pretty substantial. I think I’ve done a pretty good job of clearing all this up for you.”* (See Tab- H for Official Correspondence)

Conclusion:

On August 07, this investigation was presented to the Sheriff. After review, the Sheriff determined the violation of the below listed department and county policies for Sergeant Stickels to be:

26.2.34 Failure to Follow Directive or Order	Sustained
RE: 41.2.41 Motor Vehicle Apprehension	
26.2.41 Negligence Associated with Safety of Persons or Property	Sustained
26.2.123 Prompt Compliance With Lawful Order	Sustained
26.2.124 Compliance With Direct Order of a Superior or Competent Authority	Sustained
26.2.134 Knowledge of Official Directives	
RE: 41.20.50 Body Worn Cameras Enforcement Related Contacts	Sustained
41.2.6 Prohibited Pursuits	Sustained
41.2.13 Prohibited Pursuits (Responsibilities)	Sustained
86-453 Volusia County Merit System Rules and Regulations (1)	Sustained
86-453 Volusia County Merit System Rules and Regulations (2)	Sustained
86-453 Volusia County Merit System Rules and Regulations (5)	Sustained
86-453 Volusia County Merit System Rules and Regulations (10)	Sustained
86-453 Volusia County Merit System Rules and Regulations (13)	Sustained
86-453 Volusia County Merit System Rules and Regulations (21)	Sustained

On August 16, 2018, Sergeant Stickels was served with an Intent to Demote letter. On August 22, 2018, Sergeant Stickels met with Sheriff Chitwood.

The Sheriff rendered his final decision; in lieu of being demoted, Sergeant Stickels is to receive a one hundred and twenty hour (120) suspension, along with an agreement between Sergeant Stickels and the County of Volusia. Sergeant Stickels will serve his suspension hours between October 19th and November 4th, 2018. *(See Tab-C for Official Correspondence)*

Exhibits:

- A. Report of Investigation
- B. Advisement Administration of Oath/Perjury Warning/Garrity Warning
- C. Official Correspondence
- D. Official Transcripts of Sergeant Joel Turney
- E. Official Transcripts of Lieutenant Anthony Shank
- F. Official Transcripts of Deputy Brandon Goggin
- G. Official Transcripts of Deputy Adam Clausen
- H. Official Transcripts of Sergeant Jason Stickels
- I. Miscellaneous Documents
- J. Digital Media

WITNESSES:

Sergeant Joel Turney
Volusia County Sheriff's Office
386-736-5961

Lieutenant Anthony Shank
Volusia County Sheriff's Office
386-736-5961

Deputy Brandon Goggin
Volusia County Sheriff's Office
386-736-5961

Deputy Adam Clausen
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: Tara Burke DATE: 09/19/18

**Detective Tara Burke
Internal Affairs Detective**

APPROVED BY: John Creamer DATE: 09/19/18

**Chief Deputy John Creamer
SHERIFF MICHAEL J. CHITWOOD
VOLUSIA COUNTY FLORIDA**