

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

REPORT OF INVESTIGATION

REPORT NUMBER: IA-18-009

PERIOD COVERED: April 27, 2018
DATE REPORTED: July 3, 2018
SUBJECT(S) NAME: Deputy William Armstrong #1674
INVESTIGATING OFFICERS: Detective Tara Burke #1465

BASIS FOR INVESTIGATION:

On May 30, 2018, Sheriff's Office Command Staff was made aware that the Transportation Security Administration (TSA) would be conducting a criminal investigation of an alleged theft at the Daytona Beach Airport; the subject of the investigation was Deputy William Armstrong. On April 27, 2018, while working his assigned shift at the Daytona Beach Airport, it was reported that Deputy Armstrong allegedly removed liquor bottles from a TSA storage container, placed them in two cardboard boxes, and carried the boxes away from the TSA hazmat storage area. On July 3, 2018, Sheriff's Office command staff received a report of investigation from the U.S. Department of Homeland Security, Transportation Security Administration (TSA), documenting their investigation.

OFFENSES:

This investigation is relevant to an alleged violation of Department Standards Directives and Volusia County Merit System 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: (2) Disregard for or frequent violations of county ordinances, departmental policies and regulations including safety rules.

(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.

26.2.77 Alcoholic Beverages in Department Facilities - Alcoholic beverages shall not be brought into or kept in Departmental or County buildings or vehicles, except as evidence or property when officially seized and reported. *(Violation subject up to a 5 day suspension.)*

INVESTIGATIVE SUMMARY:

On July 3, 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 May 30, 2018, Sheriff's Office Command Staff was made aware that TSA would be conducting an investigation of an alleged theft that occurred at the Daytona Beach Airport; the subject of the investigation was Deputy Armstrong. On April 27, 2018, while working his assigned shift at the Daytona Beach Airport, it was reported that Deputy Armstrong allegedly removed liquor bottles from the TSA storage container, placed them in two cardboard boxes, and carried the boxes away from the TSA hazmat storage area.

On July 3, 2018, Sheriff's Office Command Staff received a report of investigation from the U.S. Department of Homeland Security, Transportation Security Administration (TSA), documenting their investigation. Copies of the incident reports and video of the incident involving Deputy Armstrong, provided by TSA, were received and reviewed by Internal Affairs Detectives. An additional CD containing recorded interviews with Deputy Armstrong and Deputy Stier were also sent later to Internal Affairs Detectives for review.

On June 4, 2018, TSA turned their findings over to Assistant U.S. Attorney (AUSA) Embry Kidd, U.S. Attorney's Office (USAO) Middle District of Florida (MDFL) Orlando Division. They declined prosecution of Deputy Armstrong for violation of Title 18 USC section 641 (theft of U.S. Government property).

On July 24, 2018, Deputy Armstrong was served with a Notification of Internal Investigation along with a copy of his Officer Bill of Rights. *(See Tab- B for Official Correspondence)*

According to TSA findings, on May 23, 2018, Transportation Security Officer (TSO) John Alvarez, TSA hazmat coordinator at the Daytona Beach Airport, was loading voluntarily abandoned property (VAP) in the form of full or partially full liquor bottles into a TSA storage container, when he discovered most of the previously stored liquor bottles were missing. The container is located in a secured area used by TSA. According to TSO Alvarez's sworn written statement, he is the one in charge of putting the hazmat items in the bin; he advised the bin was at least half full approximately three months ago. TSO Alvarez reported the missing items to Supervisory Transportation Security Officer (STSO) Arthur Larson.

STSO Larson reviewed the security video recordings and discovered the liquor bottles were taken on April 27, 2018, at approximately 2:14 am, by a Volusia County Sheriff's Office Deputy. Deputy Armstrong was later identified through schedules, security access badge records, and the security video. It was determined that twenty-six liquor bottles estimated to be valued at \$500 were taken by Deputy Armstrong from the TSA hazmat container on April 27, 2018. *(See Tab – D for Digital Media)*

Deputy William Armstrong

On June 12, 2018, Special Agent Cary Rosoff, with TSA Investigations, conducted a recorded interview with Deputy Armstrong; Sergeant Brodie Hughes was present during this interview. Deputy Armstrong also provide TSA with a sworn written statement following this interview. During the interview Deputy Armstrong admitted to taking liquor bottles on April 27, 2018 from the DAB VAP (voluntarily abandoned property) hazmat container with the intent that they would be for personal use. He also stated he believed the items were designated for disposal and were trash. He denied that any other VCSO or TSA personnel were aware of the incident.

During his interview, Deputy Armstrong advised he has worked at the airport for three years and admitted he took stuff from the barrels in the past such as; suntan lotions, perfumes, and shaving

cream. He recalled the TSA hazmat storage barrels being present in their current location for approximately three years, this was the first time he observed liquor being stored in the TSA hazmat barrels. Deputy Armstrong advised he read the outside hazmat barrel, but could not recall what it said. He admitted he went to the Delta airlines ramp side maintenance area to obtain the empty cardboard boxes he used to load the liquor bottles. Deputy Armstrong reported taking one of the boxes home the first night, and took the second box home a couple days later, after initially leaving the second box under his desk in the DAB VCSO office. He advised he still had all of the liquor bottles in his garage at home, and planned on retrieving the liquor bottles and return them to the airport after the interview. He advised the liquor was for personal use, he stated *“I’m not a big drinker I have a wedding coming up so.”*

During the interview, Deputy Armstrong advised Deputy Stier (Ronald Stier) was in the DAB control Room when he took the liquor bottles, he could not recall if he told Deputy Stier he took the liquor, or if he discussed anything about the liquor with him.

Deputy Armstrong advised a few years prior, while working at the airport, he asked an unidentified TSA employee what they did with the items surrendered by passengers at the check point (the VAP). Deputy Armstrong was told the items were brought downstairs for disposal (and stored in the hazmat containers at their current location). No TSA employee ever told Deputy Armstrong they took the VAP home. Deputy Armstrong reported being aware that the cleaning employees were taking sun tan lotions and other items from the garbage cans, he advised they were saving spray sun tan lotions for a previous Sergeant (Dave Ingram), who is now retired. As far as Deputy Armstrong is aware, there are no other VCSO deputies or TSA employees taking items from the barrels. *(See Tab – D for Digital Media)*

According to TSA, following his interview, Deputy Armstrong returned all twenty-six liquor bottles he took on April 27, 2018, to TSA Investigations; they were placed into the DAB TSA hazmat container from which they were originally stored. The containers are now secured with TSA issued locks. According to TSA reports, it should be noted that an examination of the notice that was taped to the side of the TSA VAP hazmat barrel (containing the liquor bottles stored for disposal), did not mention the contents are considered TSA property. The notice had the

Department of Homeland Security label, but only stated the contents will be recycled into ethanol. It was recommended by TSA Investigations that the DAB TSA management replace the notice on all of the TSA hazmat containers warning that any unauthorized removal of any of the contents stored in the containers would be considered a violation of Title 18 USC section 641 (Theft of U.S. Government property), and may be subject to federal prosecution. Federal prosecution against Deputy Armstrong was declined by the U.S. Attorney's office Middle District of FL, Orlando Division.

Deputy Ronald Stier

On June 12, 2018, Special Agent Cary Rosoff with TSA Investigations, conducted an interview with Deputy Stier, Sergeant Brodie Hughes was present during this interview. During the interview Deputy Stier did not have knowledge of the blue barrels or hazmat items stored by TSA. He was informed by SA Rosoff of VAP (voluntarily abandoned property) that's taken from passengers and stored in the barrels, he was informed that liquor bottles are now stored in the same area. Deputy Stier denied having any knowledge of Deputy Armstrong taking the liquor bottles, he wasn't even aware they had liquor there, and he never discussed the liquor bottles with him. Deputy Stier advised all the stuff that was usually taken (VAP), the cleaning staff and Sergeant Ingram used to take it, he denied ever taking or using the items.

Deputy Stier provided a sworn written statement, in which he stated he had no knowledge Deputy Armstrong took liquor bottles from the DAB TSA hazmat containers, that any items were being removed from DAB TSA hazmat containers, or that TSA had hazmat containers at the airport.

Detective Burke reviewed the audio recorded interviews and video recordings of the incident involving Deputy Armstrong. In the video recordings, Deputy Armstrong can be viewed in various locations throughout the airport. Deputy Armstrong can be seen in the videos; taking bottles of alcohol from the blue barrel, obtaining empty boxes from another location, returning to the blue barrel and loading the empty boxes, and then ultimately loading one box into his marked patrol car back seat, his vehicle was parked outside at the airport. TSA Investigations also provided a Daytona Beach Airport CCTV footage time-line for April 27, 2018, of the incident.

(See Tab – D for Digital Media)

Conclusion:

On August 28, 2018, this investigation was presented to the Sheriff. After review, the Sheriff determined the violation of the below listed department police for Deputy Armstrong to be:

86-453	Volusia County Merit System Rules and Regulations (2)	Sustained
86-453	Volusia County Merit System Rules and Regulations (13)	Sustained
86-453	Volusia County Merit System Rules and Regulations (21)	Sustained
26.2.77	Alcoholic Beverages in Department Facilities	Sustained

On August 29, 2018, Deputy Armstrong was issued a Letter of Reprimand as a result of the findings documented in this report. *(See Tab – B for Official Correspondence)*

Exhibits:


- A. Report of Investigation
- B. Official Correspondence
- C. Miscellaneous Documents
- D. Digital Media

WITNESS:

Deputy Ronald Stier
Volusia County Sheriff's Office
386-736-5961

Special Agent Cary Rosoff
TSA Investigations
Daytona Beach Airport

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

DETECTIVE:  DATE: 09/20/18
Detective Tara Burke
Internal Affairs Detective

APPROVED BY:  DATE: 9/21/18
Chief Deputy John Creamer
SHERIFF MICHAEL J. CHITWOOD
VOLUSIA COUNTY FLORIDA