



Please type or print in black or blue and use capital and small letters for names, titles, and address

OFFICER

1. Social Security Number: [REDACTED]
2. Officer's Name: Geremia Frank Fernandes
Last First MI
3. Officer's Last Known Address: [REDACTED] [REDACTED] [REDACTED]
Street City State Zip Code
4. Officer's Telephone Number: [REDACTED]

AGENCY

5. Agency ORI: FL 0640100 6. Agency Name: Daytona Beach Police Department
7. Agency Contact Person: Detective Thomas Monaco 8. Agency Contact Person's Telephone Number: 386-671-5122
9. Agency Fax Number: 386-671-3984

VIOLATION - ALLEGATION

10. Nature of Allegation(s): 200.13 Code of Conduct-Knowledge of Laws, Rules and Directives (Sustained)
200.6 Code of Conduct-Neglect of Duty (Not Sustained), 200.12 Code of Conduct-Coworker and Public Respect (Not Sustained), 200.24 Code of Conduct-Public Criticism (Not Sustained)
11. Agency Disposition: Sustained – (Violation of Section 943.13(4) or (7) or Rule 11B-27.0011, F.A.C.
Sustained – (Violation of Agency Policy): Not Sustained: Unfounded: Exonerated:
12. Limitation Period for Disciplinary Action: Date Internal Investigation Initiated: 09-22-15 Date Internal Investigation Completed: 02-04-16

Exception to limitation period for disciplinary action: Place a check mark by the exceptions to limitations that apply

Days Told

- Written waiver of limitation by officer
- Ongoing criminal investigation or criminal prosecution
- Officer incapacitated or unavailable
- Multi-jurisdictional investigation
- Emergency or natural disaster as declared by the Governor

13. Criminal Charges Filed: N/A
14. Agency Disciplinary Action: Written Reprimand
15. If the allegation has been sustained and determined to be a violation of Section 943.13(4) or (7), F.S. or Rule 11B-27.0011, F.A.C., attach and forward the following documentation to the Florida Department of Law Enforcement.

- Summary of the Facts Internal Investigation Report Name and Address of Witness
- Witness Statement/Disposition Certified Court Documents Other Supportive Information

NOTICE: Pursuant to Section 943.1395(5), F.S., an employing agency must conduct an internal investigation when having cause to suspect that an officer it employs is not in compliance with Section 943.13(4) or (7), F.S. or Rule 11B-27.0011, F.A.C. If the investigation is sustained, the employing agency must forward a report to the Commission as specified by Rule 11B-27.003.

16. Agency administrator's signature

02-05-16

17. Date signed

Michael J. Chitwood, Chief of Police


18. Agency administrator's name and title

Daytona Beach Police Department

Office of Professional Standards

Memorandum

TO: Michael J. Chitwood, Chief of Police

FROM: Thomas Monaco, Detective, Office of Professional Standards 

SUBJECT: Project No: 102-IA2015-015

DATE: October 22, 2015

Synopsis

On September 19, 2015 at 1455 hours, Officer Frank Geremia's step-daughter received a parking citation from LAZ Parking Enforcement while parked in the Boardwalk area behind the Bandshell. On the same day, Officer Geremia received this information from his wife and he contacted parking enforcement employee, Victor Kares. Officer Geremia was allegedly rude and derogatory toward Kares and used his official position to have a citation voided.

On the same day, Captain Newcomb received text messages from LAZ Parking Enforcement supervisor, Mandie Hampshire. Hampshire stated that Officer Geremia scolded Victor Kares about issuing citations on the Boardwalk and was very rude. Victor took back the citation to have it voided. Officer Geremia asked for the citation back later in the day and it was ultimately paid for by Dyan Geremia, Officer Geremia's wife, on September 28, 2015.

I was notified of the prior events on October 5, 2015, at which time Chief Chitwood authorized the Office of Professional Standards to conduct an internal investigation.

Officer Geremia was served with a Notice of Investigation on October 13, 2015 and an Administrative Investigation Interview Notice on October 17, 2015.

Daytona Beach Police Department

Michael J. Chitwood, Chief of Police

MEMORANDUM

TO: Officer Frank Geremia

FROM: Michael J. Chitwood, Chief of Police *MJC*

SUBJECT: **Notice of Discipline: Written Reprimand (#IA2015-15)**

DATE: February 3, 2016

Current Incident

On November 17, 2015 you signed for and received a Notice of Proposed Discipline. The Notice of Proposed Discipline indicated my tentative decision to assess the penalty of termination for the violations described. You were given an opportunity to submit any comments and/or concerns to my office within ten days regarding this investigation.

On November 25, 2015 I received your request for a meeting. Following this I did meet with you to discuss this matter. At this time I have arrived at my final decision in this matter.

Findings

I find you in violation of **Departmental Standards Directive 200.13 – Code of Conduct/Ethics, Professional Conduct and Responsibilities** which states, *“Every employee and member shall be required to establish and maintain a working knowledge of the Federal, State and local laws and ordinances that he/she is charged with enforcing. Every member and employee is expected to observe and obey laws and ordinances, and the rules, orders and directives of the department.”*

~~I do not sustain the allegation that you violated~~ **Departmental Standards Directive 200.6 – Code of Conduct/Ethics, Professional Conduct and Responsibilities** which states, *“Employees shall not engage in any conduct which constitutes neglect of duty or which is likely to adversely affect the discipline, good order or reputation of the department, including, but not limited to, conduct prohibited by this directive.”*

~~I do not sustain the allegation that you violated~~ **Departmental Standards Directive 200.12 – Code of Conduct/Ethics, Professional Conduct and Responsibilities** which states, *“Employees shall always be courteous, civil and orderly in their contacts with each other and with the public in general. They shall refrain from the use of profane or disrespectful language or adopting an attitude of officiousness or superiority.”*

Notice of Discipline: Written Reprimand (#IA2015-15)

February 2, 2016

~~I do not sustain the allegation that you violated~~ **Departmental Standards Directive 200.24 – Code of Conduct/Ethics, Public Criticism** which states, *“Employees and members shall not publicly criticize or ridicule the department, its policies, directives or its employees by talking, writing or expression in any manner where such talking, writing, or expression is defamatory, obscene, unlawful or tends to impair the operation of the department by impairing its efficiency, or interfering with the ability of supervisors to maintain discipline.”*

Penalty

For violating the aforementioned rules and regulations, you are hereby reprimanded in writing.

Appeal Procedures

Should you decide to appeal this decision you will be guided by the Grievance and Arbitration Procedures outlined in Article XII of the current Collective Bargaining Agreement with the City of Daytona Beach.

MJC/ss
100.2016.6500

Personnel File: Officer Frank Geremia