

FDLE

AFFIDAVIT OF SEPARATION

Florida Department of Law Enforcement

Incorporated by Reference in Rules 11B-20.001(3)(a)5.a., and 11B-27.002(3)(a)15., F.A.C.



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1. Last Four Digits of Social Security Number: ██████		Employment Class <input checked="" type="checkbox"/> Law Enforcement <input type="checkbox"/> Correctional <input type="checkbox"/> Correctional Probation <input type="checkbox"/> Concurrent <input type="checkbox"/> Special Elected or Appointed <input type="checkbox"/> Instructor Employment Type <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time <input type="checkbox"/> Auxiliary	
2. Name: <u>Bainbridge, Kyle T</u>			
Last	First		MI
3. Agency Name: <u>Volusia County Sheriff's Office</u>			
4. Agency ORI: <u>FL0640000</u>			
5. Date Employed: <u>07/09/2007</u>	6. Separation Date: <u>05/21/2021</u>		

7. Separation Reasons

7A. ADMINISTRATIVE-ROUTINE <input type="checkbox"/> Voluntary separation not involving misconduct <input type="checkbox"/> Transfer within agency. No break in service <input type="checkbox"/> Retired. Not involving misconduct <input type="checkbox"/> Deceased <input type="checkbox"/> Budgetary constraints. Local and Federal grants not renewed <input type="checkbox"/> Extended leave of absence Type: _____ Periods of Time: _____ <input type="checkbox"/> Military leave of absence Periods of Time: _____ <input type="checkbox"/> Suspension Periods of Time: _____ <input type="checkbox"/> Administrative separation not involving misconduct <input type="checkbox"/> Special elected or appointed Position: _____ Anticipated Term: _____ <input type="checkbox"/> Instructor request for change of affiliation 7B. ADMINISTRATIVE-NON-ROUTINE <input type="checkbox"/> Failure to complete basic recruit training <input type="checkbox"/> Failure to pass the State Officer Certification Examination	7C. ADMINISTRATIVE – SUBSTANDARD PERFORMANCE <input type="checkbox"/> Failure to satisfactorily complete the agency fieldtraining program (training performance issues) <input type="checkbox"/> Failure to perform assigned tasks satisfactorily. 7D. OTHER - EXAMPLE <input type="checkbox"/> Excessive absenteeism, failure to report for duty, sleeping on duty, etc. 7E. UNFAVORABLE – MISCONDUCT <input type="checkbox"/> Voluntary separation or retirement while being investigated for violation of agency or training school policy not involving a moral character violation defined in Rule 11B-27.0011, F.A.C. <input type="checkbox"/> Voluntary separation or retirement in lieu of termination for violation of agency or training school policy not involving a moral character violation defined in Rule 11B-27.0011, F.A.C. <input type="checkbox"/> Terminated for violation of agency or training school policy not involving a moral character violation defined in Rule 11B-27.0011, F.A.C. NOTE: The agency administrator or designee shall provide written documentation of the internal or criminal investigation upon request by Commission staff.	7F. Pursuant to Section 943.1395(5), F.S., an employing agency must conduct an internal investigation when having cause to suspect that an officer or instructor it employs or employed at the time of the alleged violation, or employed on a Temporary Employment Authorization is not in compliance with Section 943.13(4) or (7), F.S., or Rule 11B-27.0011, F.A.C. <input checked="" type="checkbox"/> Voluntary separation or retirement while being investigated for violation of Section 943.13(4), F.S., or violation of moral character standards defined in Rule 11B-27.0011, F.A.C. <input type="checkbox"/> Voluntary separation or retirement in lieu of termination for violation of Section 943.13(4), F.S., or violation of moral character standards as defined in Rule 11B-27.0011, F.A.C. <input type="checkbox"/> Terminated for violation of Section 943.13(4), F.S., or violation of moral character standards as defined in Rule 11B-27.0011, F.A.C. NOTE: The agency administrator or designee shall provide written documentation of the internal or criminal investigation upon request by Commission staff.
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NOTICE: Section 943.139(2), F.S., requires the execution of an Affidavit of Separation by the employing agency in a case of officer separation.
WARNING: Intentional false execution of this Affidavit of Separation constitutes a misdemeanor of the second degree.

	<u>Joseph F. Gallagher</u>	<u>06/04/2021</u>
8. Agency Administrator or Designee's Signature	9. Agency Administrator or Designee's Printed Name	10. Date
<u>Chief Deputy</u>		
11. Agency Administrator or Designee's Title		

12. OATH
Pursuant to Section 117.05(13)(a), Florida Statutes

STATE OF FLORIDA, COUNTY OF Volusia

Sworn to (or affirmed) and subscribed before me by means of Physical Presence OR Online Notarization this 4th day of JUNE, year 2021, By JOSEPH GALLAGHER

Signature of Notary Public – State of Florida

JAVIER ORLANDO RUIZ-PEREZ
Commission # 00971743
Expires March 22, 2024
Bonded thru Troy Fair Insurance 800-385-7019

Print, Type or Stamp Commissioned name of Notary Public JAVIER ORLANDO RUIZ-PEREZ

Type of Identification Produced Personally Known OR Produced Identification



INTERNAL INVESTIGATION REPORT

Florida Department of Law Enforcement

Incorporated by Reference in Rule 11B-20.001(3)(a)5.b. and 11B-27.003(2)(a), F.A.C.



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

OFFICER

- 1. Last Four Digits of Officer's Social Security Number: [REDACTED]
- 2. Officer's Name: Bainbridge Kyle T.F.
Last First MI
- 3. Officer's Last Known Address: [REDACTED] DeBary Florida 32713
Street City State Zip Code
- 4. Officer's Telephone Number: [REDACTED]

AGENCY

- 5. Agency ORI: FL 0640000 6. Agency Name: Volusia Sheriff's Office
- 7. Agency Contact Person: Lieutenant Daniel Shivers 8. Agency Contact Person's Telephone Number: (386) 736-5961
- 9. Agency Fax Number: (386) 740-5190

VIOLATION - ALLEGATION

10. Nature of Allegation(s): VSO General Orders: GO-026-02.IV.B.3 – Any conduct or action, on-duty or off-duty, of such seriousness that disciplinary action is considered warranted; GO-026-02.IV.C.5.a – Leaving Assigned Work Area; GO-026-02.IV.C.5.f – Inattention to Duties, Loafing, Sleeping; GO-026-02.IV.C.5.g – Failure to Follow General Order, Standard Operation Procedure, or Order; GO-026-02.IV.D.2.h – Harassment; GO-026-02.IV.D.2.i – Sexual Harassment; and GO-026-2.IV.E.2.d – Compliance with Direct Order of a Superior or Competent Authority

- 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: 04/22/2021 Date Internal Investigation Completed: 07/06/2021

Exception to limitation period for disciplinary action: Place a check mark by the exceptions to limitations that apply	Days Told
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- 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 _____
- Ongoing compliance hearing proceeding _____

13. Criminal Charges Filed: None

14. Agency Disciplinary Action: Employee resigned under investigation.

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 Information Supportive

FDLE INTERNAL INVESTIGATION REPORT

Florida Department of
Law Enforcement

Incorporated by Reference in Rule 11B-20.001(3)(a)5.b. and 11B-27.003(2)(a), F.A.C.



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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 or employed at the time of the alleged violation, or employed on a Temporary Employment Authorization 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

July 6, 2021

17. Date signed

Chief Deputy Joseph Gallagher

18. Agency administrator's name and title

