



Sheriff's Office

Volusia County

Ben F. Johnson, Sheriff

To: Chief Deputy Mike Coffin *MC*

Date: August 29, 2012

From: Lieutenant Erik Eagan
Internal Affairs Unit *EE*

File: 043M003.12

Subject: Supervisor's Inquiry - Deputy Michael Sawicki #7633

Please accept this memorandum as the official Report of Investigation. This complaint was assigned to me for investigation on August 27, 2012.

Summary of Complaint

On August 27, 2012 Ashley Harty, the ex-live in girlfriend of Deputy Michael Sawicki came to the Sheriff's Administration building in DeLand, FL and alleged on August 24, 2012 between the hours of 1245 and 1330, she had sexual intercourse with Deputy Sawicki. Ms. Harty further alleged Deputy Sawicki was working/on-duty during the time he had sex with her.

Description

On August 27, 2012 Ashley Harty, the ex-live in girlfriend of Deputy Michael Sawicki came to the Sheriff's Administration building in DeLand, FL and requested a meeting with me. I had previously handled an internal investigation against Deputy Sawicki involving Ms. Harty that concluded on August 1, 2012. Sergeant Tom Tatum and I met with Ms. Harty and her friend Alesia Suarez in the Internal Affairs interview room. Ms. Harty alleged during the meeting that on August 24, 2012, while working overtime in DeBary, FL. Deputy Sawicki communicated with her both by phone and text message and arranged to buy condoms and rendezvous at her house to have sexual intercourse.

Ms. Harty alleged Deputy Sawicki went to the Winn Dixie store in DeBary on his lunch break between the hours of 1245 and 1330, used the self checkout lane to surreptitiously purchase condoms along with a Hungry Man dinner. She said Deputy Sawicki then unplugged his AVL and drove to her home at 43 Hydrangea Ln, DeBary, FL where they had sexual intercourse. Ms. Harty alleged just prior to having sexual relations, Deputy Sawicki received a call over his police radio and he answered, "Ok, I'll be there in 10 minutes." Deputy Sawicki supposedly tells Ms. Harty, "We have to hurry."

Ms. Harty told investigators Deputy Sawicki brought coffee to her at her home later that afternoon around 1430 hours.

Physical Evidence

On August 27, 2012 I obtained video surveillance footage from the DeBary Winn Dixie store of Deputy Sawicki purchasing Hungry Man Boneless Fried Chicken \$3.89, Trojan Sensitivity Ultra Thin condoms \$8.49 and Vivarin Original \$3.39 plus tax \$.56, totaling \$16.33 on August 24, 2012 at 1313 – 1314 hours. On August 29, 2012 I obtained a printout of the sales record from Deputy Sawicki's purchase from the DeBary Winn Dixie store on August 24, 2012 at 1314 hours.

On August 28, 2012 I obtained Deputy Sawicki's Automated Vehicle Locator (AVL) records from VCSO Information Systems for the month of August 2012. The records indicate Deputy Sawicki's AVL disconnected at 1309 hours and reconnected at 1337 hours on August 24, 2012. Deputy Sawicki's AVL is then disconnected a second time at 1534:14 hours at Laspada's restaurant in Orange City, FL where he just finished his meal break. His AVL then reconnects at 1551:53 hours and is seen on AVL at 1608:46 hours at Ohio Ave and 3rd St, Orange City on an illegal parking call.

Non-Edited Investigative Statement

On August 27, 2012 Sergeant Tatum and I conducted a sworn recorded interview with Ms. Ashley Harty at the Sheriff's Administration building, Internal Affairs interview room. This is a summary of her statement.

Ms. Harty told investigators she had invited Deputy Sawicki over to her home on August 24, 2012 to have sex with her. According to Ms. Harty, *"I said to bring condoms and he said he didn't have any and I said to get some. He said he couldn't get those in uniform so by the time he had got to my house I was like "well how did you do it?" like "how did you get them?" and he said he went through a self check out at Winn Dixie and just hid the box behind a TV dinner Hungry Man frozen thing and that's how he was able to."*

Ms. Harty continued with her explanation of events that day with Deputy Sawicki. She said Deputy Sawicki told her the night before that he was "voluntold" to work overtime in the DeBary Orange City zone. Ms. Harty lives in DeBary and said Deputy Sawicki came to her home and had sex with her between the hours of 1246 and 1400. Prior to the recorded interview Ms. Harty told investigators that when Deputy Sawicki arrived at her home he received a call over his police radio. She did not know the nature of the call, but said Deputy Sawicki answered the radio saying, "OK, I'll be there in 10 minutes." She then said that Deputy Sawicki said they had to hurry. Ms. Harty e-mailed me and Sergeant Tatum photographs of Deputy Sawicki's text messages to her on August 24, 2012. Ms. Harty told investigators that Deputy Sawicki came over to her home later that afternoon, after returning from the jail and brought her coffee. She said the time was somewhere around 1430 hours.

Ms. Harty's motivation for filing the complaint appeared to be revenge. She expressed contempt for Deputy Sawicki and said their relationship was volatile. She had just found out in the early morning hours on August 23, 2012 that Deputy Sawicki had a sexual relationship with her best friend sometime around Halloween in 2011.

On August 27, 2012 Sergeant Tatum and I conducted a sworn recorded interview with Ms. Alesia Suarez at the Sheriff's Administration building, Internal Affairs interview room. This is a summary of her statement.

Ms. Suarez is Ms. Harty's close friend and came for moral support while Ms. Harty made the complaint against Deputy Sawicki. Ms. Suarez did not have any personal knowledge related to the complaint, other than seeing Deputy Sawicki in an off-duty capacity hanging around Ms. Harty's place of employment. Ms. Harty and Ms. Suarez both work for Applebee's Restaurant in Heathrow, FL. Ms. Suarez told investigators that she has seen Deputy Sawicki on a couple of occasions spending close to an hour at the Applebee's Restaurant waiting for Ms. Harty to get off work. She said on one occasion Deputy Sawicki sat in an unused section of the restaurant and Ms. Harty took an order from him for cheese sticks. Ms. Suarez told investigators she delivered the cheese sticks to Deputy Sawicki and they exchanged salutations. Ms. Suarez did not have any other information to share with investigators.

On August 27, 2012 I responded to the Winn Dixie grocery store in DeBary, FL. There I met with the store director, Daniel Sitarik and requested to review his video surveillance footage for the self checkout lines on August 24, 2012. I located Deputy Sawicki using one of the four self checkout lines to purchase items on August 24, 2012 from 1313 - 1314 hours. I videotaped the footage because Mr. Sitarik did not have access to the hard drive to retrieve a copy of the original video footage. Mr. Sitarik told me the person who could access the sales record from the date and time Deputy Sawicki purchased items would not return to work until August 29, 2012.

On August 27, 2012 I contacted VCSO Information Systems Programmer Jaime Martinez to obtain Deputy Sawicki's AVL records from August 24, 2012. After receiving the records I then asked for Deputy Sawicki's AVL records for the month of August 2012. An analysis of Deputy Sawicki's AVL records received on August 28, 2012 show that on August 24, 2012 at 1309:36 hours, his AVL is disconnected while stationary at the District 6 - DeBary sub-station. His AVL is then reconnected on the same date at 1337:35 hours and located at Saxon Blvd and Veteran's Memorial Parkway, Orange City, FL en route to the Volusia County Branch Jail.

Deputy Sawicki's AVL is then disconnected a second time at 1534:14 hours at Laspada's restaurant in Orange City, FL where he just finished his meal break. His AVL then reconnects at 1551:53 hours and is seen on AVL at 1608:46 hours at Ohio Ave and 3rd St, Orange City on an illegal parking call.

On August 29, 2012 I received the sales record from Deputy Sawicki's Winn Dixie purchase from the self checkout line on August 24, 2012 at 1314 hours. The record shows that Deputy Sawicki purchased Hungry Man Boneless Fried Chicken \$3.89, Trojan Sensitivity Ultra Thin

condoms \$8.49 and Vivarin Original \$3.39 plus tax \$.56, totaling \$16.33. The record also indicates an anonymized version of Deputy Sawicki's debit card account number for reference.

On August 29, 2012 I was contacted by Teamster's representative Josh Vedder and told that Deputy Sawicki tendered his resignation, effective immediately. Therefore I concluded my supervisor's inquiry.

Evaluation of Complaint

Based on a review of the incident, physical evidence, related records and interviews with Ms. Harty and Ms. Suarez it is apparent that Deputy Sawicki did have contact with Ms. Harty in violation of his Last Chance "Agreement" with Sheriff Johnson and the County of Volusia. He also purchased condoms and a Hungry Man meal, disconnected his AVL during the times alleged and had a radio transmission with Deputy Nick Yackel as described by Ms. Harty. The purchase of condoms on-duty in uniform during the middle of Deputy Sawicki's patrol shift causes great concern to the allegation of sex on duty.

Attachments

Deputy Michael Sawicki's AVL record for the month of August.

Winn Dixie sales record of Deputy Sawicki's purchase.

Deputy Michael Sawicki's text messages to Ms. Harty.

CD – Video of Deputy Sawicki making purchase at Winn Dixie.

MICHAEL SAWICKI GPS CONNECTION DATA AUGUST 2012

| Time | Status |
|-------------------------|---------------------------------|
| 08/13/2012 05:14:53.000 | GPS Device Connected at Startup |
| 08/13/2012 05:21:56.000 | GPS Device Connected at Startup |
| 08/13/2012 08:48:36.720 | GPS Device Disconnected |
| 08/13/2012 08:48:50.877 | GPS Device Connected |
| 08/17/2012 05:13:07.000 | GPS Device Connected at Startup |
| 08/17/2012 13:46:35.000 | GPS Device Connected at Startup |
| 08/19/2012 18:55:51.313 | GPS Device Disconnected |
| 08/19/2012 19:15:18.000 | GPS Device Connected |
| 08/20/2012 17:19:12.000 | GPS Device Connected at Startup |
| 08/20/2012 17:33:28.000 | GPS Device Connected at Startup |
| 08/21/2012 14:02:54.000 | GPS Device Connected at Startup |
| 08/23/2012 05:04:17.000 | GPS Device Connected at Startup |
| 08/24/2012 05:36:08.000 | GPS Device Disconnected |
| 08/24/2012 08:57:25.860 | GPS Device Connected |
| 08/24/2012 13:09:36.750 | GPS Device Disconnected |
| 08/24/2012 13:37:35.127 | GPS Device Connected |
| 08/24/2012 13:45:26.000 | GPS Device Connected at Startup |
| 08/24/2012 15:34:14.407 | GPS Device Disconnected |
| 08/24/2012 15:51:53.953 | GPS Device Connected |
| 08/24/2012 16:01:43.000 | GPS Device Connected at Startup |
| 08/24/2012 17:53:13.530 | GPS Device Disconnected |
| 08/24/2012 18:03:23.923 | GPS Device Connected |
| 08/24/2012 22:57:33.000 | GPS Device Connected at Startup |
| 08/26/2012 09:35:00.000 | GPS Device Connected at Startup |
| 08/27/2012 05:12:19.000 | GPS Device Connected at Startup |

| | | |
|-------------------------|-------|---|
| H MAN BL FRD CHIK | 3.89 | F |
| TRJN SENS UL/THN | 8.49 | H |
| VIVARIN ORIGINAL + | 3.39 | P |
| **** TAX .56 TOT | 16.33 | |
| **** TAX .56 TOT | 16.33 | |
| **** TAX .56 TOT | 16.33 | |
| **** TAX .56 TOT | 16.33 | |
| B602 FREE ITEM QUANTITY | 39210 | |
| B602 FREE ITEM QUANTITY | 39208 | |
| B602 FREE ITEM QUANTITY | 39206 | |
| B602 FREE ITEM QUANTITY | 39202 | |
| B612 WD DELI CHEESE 1LB | 39117 | |
| B602 FREE ITEM QUANTITY | 39219 | |
| B602 FREE ITEM QUANTITY | 39217 | |
| B602 FREE ITEM QUANTITY | 39215 | |
| B602 FREE ITEM QUANTITY | 39213 | |
| B602 FREE ITEM QUANTITY | 39253 | |
| B602 FREE ITEM QUANTITY | 39251 | |

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|------------|------------------|---------------------|-----------|-----------|
| F1 | F2 | F3 QUIT | F4 PRINT | F5 |
| F6 | F7 | F8 | F9 REPEAT | F10SEARCH |
| Time=09:21 | Current Window=1 | Number of Windows=1 | | |

B602 FREE ITEM QUANTITY 39249
 B612 10% WINE DISC 39300
 Approved 000-756647
 APPROVED THANK YOU
 ACCOUNT NUMBER [REDACTED]
 VF Debit 16.33
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 783.09

8/24/12 1:14 PM [REDACTED]

 WT 12CT SUGAR COOKIES 3.99 F
 WT CHOC CHIP COOKIES 3.99 F
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 ARB MIST SAN WTZI* RC 4.99 T
 WD CREME MAC SALAD 2.79 F
 REWARD CUSTOMER [REDACTED]
 ©RC WD CREME MAC S (2.50) .29-
 ©RC ARB MIST SAN W (3.99) 1.00-

F2 F3 QUIT F4 PRINT F5
 F7 F8 F9 REPEAT F10SEARCH
 Time=09:21 Current Window=1 Number of Windows=1



[Redacted name]



August 24, 2012

the things I've done but I'm not that person. I made bad decisions but I'm not a bad person. I'll d

12:46 PM

o anything. It's fucked up what I did or how I thought during those times but that's not the person inside me. Please just call or text or talk to me som

12:46 PM

etime. I will never do a damn thing to cause regret in your life again. It's hard I know but you gotta believe me.

12:46 PM





[Redacted name]



August 24, 2012

I can bring you some if you want in a lil 02:34 PM

?? 02:42 PM

1 blocked call 02:53 PM

1 blocked call 02:54 PM

1 blocked call 02:54 PM





[Redacted name]



August 24, 2012

I love you.

01:40 PM

You have some to make??

02:33 PM

Sorry was at the jail

02:33 PM

I can bring you some if you want in a lil

02:34 PM





[Redacted name]



August 24, 2012

1 blocked call 02:59 PM

1 blocked call 03:00 PM

1 blocked call 03:00 PM

I tried calling but your phone is being super weird n not even going to vmail. Let me know if you want food or coffee or anything. I'm leaving the jail.

03:01 PM

