

OFFICE OF THE STATE ATTORNEY

SEVENTH JUDICIAL CIRCUIT OF FLORIDA
VOLUSIA, FLAGLER, PUTNAM & ST. JOHNS COUNTIES



To: File

From: Managing Assistant State Attorney Mike Willard

Date: July 6, 2021

Re: State of Florida v. Tammy Stuck

The State Attorney's Office received a criminal complaint against Tammy Stuck for violation of Florida statute 837.06 - Knowingly Making a False Official Statement. This charge arises from a written complaint the defendant authored against Deputy William Thomas. Florida Statute 837.06, a second degree misdemeanor, states "whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty."

The building has metal detectors and is protected by the Volusia County Sheriff's Office. It is important to note that these security measures were put in place *AFTER* Mr. Stuck - Tammy Stuck's husband - attended a meeting and produced, via his cell phone, disturbing and threatening rhetoric aimed at the Deltona City Commission. Attached to this memo are media reports documenting the vulgar and threatening rhetoric and subsequent meeting enacting the security screenings.

After review of numerous reports, witness statements, and videos, it is clear the facts are not in dispute, since the incident is caught on video. The defendant and her husband attended a town hall meeting at Deltona City Hall. The Defendant went through the metal detector and set it off. After setting off the metal detector the defendant tells Deputy Thomas she has a knee brace and indicates where the knee brace is. She is wearing pants covering the brace. The Deputy conducts a pat down lightly touching the brace to confirm it truly is a knee brace. The touching is on both sides of the defendant's knee and for less than a second. At that time the Defendant's husband stated "get your hands off my wife," and the wife laughs/giggles in response.

Several days after this incident the defendant completed a sworn written complaint alleging that the Deputy improperly touched her. Her specific allegation is that the Deputy was "feeling my inner part of my leg in the area of my thigh." The complaint is saturated with her own editorial and opinion. The only fact she presents is that the deputy felt the area of her thigh. Said statement is true in the sense that he was required to pat down the area on both sides of the knee to confirm the existence of the brace in lieu of a potential weapon. The Defendant's written statement is arguably politically motivated as she has called for the scanning device and process to be removed and discontinued as a pre-requisite to enter the Deltona City Commission meetings. Coincidentally, the security measures were put in place in response to her husband's activity at a previous meeting. The complaint is an attempt to insinuate inappropriate conduct on

the part of the Deputy. To the contrary, the Deputy was doing his job to ensure the safety of all those attending the meeting. It is obvious and evident that there was no untoward or inappropriate behavior on the part of the Deputy.

Turning now to the charge alleged in the complaint against Mrs. Stuck, to prove the charge it is necessary to establish a written false statement. While Stuck's written statement is arguably politically motivated, the Deputy did touch her leg on both sides of the knee to confirm the existence of the brace and not a weapon. She is careful not to make any other factual allegations regarding the alleged touching. Her comments evincing her opinion and innuendo do not fall within then purview of criminal conduct under the statute enumerated in the complaint.