



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.



CJSTC 78

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: Mitchell Robert J
Last First MI
3. Officer's Last Known Address: [redacted]
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 Ben Gordon 8. Agency Contact Person's Telephone Number: (386) 736-5961
9. Agency Fax Number: (386) 740-5190

VIOLATION - ALLEGATION

10. Nature of Allegation(s): GO-026-02.V.C.5.g - Failure to Follow General Order, Standard Operation Procedure, or Order; GO-026-02.V.G.1.c - General Proficiency; GO-026-02.V.G.2.b - Knowledge of Official General Orders and Pertinent Standard Operating Procedures; GO-026-02.V.D.9.x - Code of Conduct; GO-026-02.V.C.5.b - Horseplay or Other Distracting Activity; GO-026-02.V.D.1.a - Personal Bearing; GO-026-02.V.C.5.m - Negligence, Not Endangering; GO-026-02.V.C.5.f - Inattention to Duties, Loafing, Sleeping; GO-026-02.V.D.1.j - Use of Blogs, Web Postings, Chat Rooms, etc; GO-001-04.III.C.1 - Law Enforcement Code of Ethics; GO-026-02.V.D.8.a - Untruthfulness

- 11. Agency Disposition: Sustained - (Violation of Section 943.13(4) or (7) or Rule 11B-27.0011, F.A.C. [checked]
Sustained - (Violation of Agency Policy): [checked] Not Sustained: [ ] Unfounded: [ ] Exonerated: [ ]

12. Limitation Period for Disciplinary Action: Date Internal Investigation Initiated: 01/31/2024 Date Internal Investigation Completed: 07/15/2024

Table with 2 columns: Exception to limitation period for disciplinary action: Place a check mark by the exceptions to limitations that apply, Days Tolled. Rows include: 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: N/A

14. Agency Disciplinary Action: Employee separation prior to disposition

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 [checked] Internal Investigation Report [checked] Name and Address of Witness [checked]
Witness Statement/Disposition [checked] Certified Court Documents [ ] Other Supportive Information [checked]



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**CJSTC**  
**78**

**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

07/29/2024  
17. Date signed

**Chief Deputy Brian Henderson**  
\_\_\_\_\_  
18. Agency administrator's name and title



1. Last Four Digits of Social Security Number: [REDACTED]

2. Name: Mitchell, Robert J  
 Last First MI

3. Agency Name: Volusia Sheriff's Office

4. Agency ORI: FL0640000

5. Date Employed: 08/05/2013 6. Separation Date: 02/08/2024

**Employment Class**

Law Enforcement  
 Correctional  
 Correctional Probation  
 Concurrent  
 Special Elected or Appointed  
 Instructor

**Employment Type**

Full Time  
 Part Time  
 Auxiliary

7. Separation Reasons

**7A. ADMINISTRATIVE-ROUTINE**

Voluntary separation not involving misconduct  
 Transfer within agency. No break in service  
 Retired. Not involving misconduct  
 Deceased  
 Line of Duty Death  
 Budgetary constraints. Local and Federal grants not renewed  
 Extended leave of absence  
 Type: \_\_\_\_\_  
 Periods of Time: \_\_\_\_\_

Military leave of absence  
 Periods of Time: \_\_\_\_\_

Suspension  
 Periods of Time: \_\_\_\_\_

Administrative separation not involving misconduct  
 Special elected or appointed  
 Position: \_\_\_\_\_  
 Anticipated Term: \_\_\_\_\_

Instructor request for change of affiliation

**7B. ADMINISTRATIVE-NON-ROUTINE**

Failure to complete basic recruit training  
 Failure to pass the State Officer Certification Examination

**7C. ADMINISTRATIVE - SUBSTANDARD PERFORMANCE**

Failure to satisfactorily complete the agency fieldtraining program (training performance issues)  
 Failure to perform assigned tasks satisfactorily.

**7D. OTHER - EXAMPLE**

Excessive absenteeism, failure to report for duty, sleeping on duty, etc.

**7E. UNFAVORABLE - MISCONDUCT**

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.  
 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.  
 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.

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.  
 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.  
 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.

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.

Brian Henderson  
 8. Agency Administrator or Designee's Signature

Brian Henderson  
 9. Agency Administrator or Designee's Printed Name

03/09/2024  
 10. Date

Chief Deputy  
 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 9  
day of March year 2024, By Brian Henderson

Signature of Notary Public - State of Florida

Print, Type or Stamp Commissioned name of Notary Public Personally Known  OR Produced Identification   
Type of Identification Produced