



Rick Staly, Sheriff

FLAGLER COUNTY SHERIFF'S OFFICE

"An honor to serve, a duty to protect."

Internal Investigation Report

Internal Inquiry Incident #2020-0182

Sworn Employee

Detention Corporal Peter Descartes

Internal Inquiry Incident #:2020-0182

Subject Employee: Detention Corporal Peter Descartes

Division: Corrections/Detention

Date of Hire: 11/6/2003

Probation Status (if any): None

Date of Most Recent Promotion: 11/10/2010

Previous Corrective Measures: 10/24/2018

List of Witnesses:

Inmate: Christopher Brock
Inmate: Jason Gwaltney
Inmate: John Lles
Inmate: Ernest Riley
Inmate: Jordan Manning

List of Exhibits:

1. Grievance 2020-1666
2. Grievance 2020-1793
3. Grievance 2020-2019
4. Grievance 2020-1427
5. Grievance 2020-2066
6. Memorandum Commander A. Civil via Chain of Command Chief Engert.
7. Memorandum Commander B. Pasquariello via Chain of Command Chief Engert.

Incident and Complaint:

On Friday, November 20, 2020 Commander A. Civil reviewed Telmate Request/ Grievances to include ones filed by the listed group of witnesses. The primary complaint was initiated by Inmate Christopher Brock in regards to Corporal Descartes allegedly calling him a "Thirsty nigger." The incident is alleged to have been witnessed/overheard by the listed inmates Gwaltney, Lles, Riley and Manning. The complaint alleges that while in line for meal service Inmate Brock refused to exchange his drink cup. Moving forward to afternoon meal distribution Inmate Brock requested a disposable white-Styrofoam cup and was denied by Cpl. Descartes. Brock is alleged to have called Descartes "Nasty" at which time, Descartes is alleged to have replied by calling him a "Thirsty Nigger."

Investigation:

Cmdr. Civil documented in her memorandum that at some point after her review she in fact interviewed Inmate Brock. Brock informed Cmdr. Civil that this is not the first time that Cpl. Descartes has denied him a cup which resulted him in not receiving a beverage with his meal. Brock advised that he informed Descartes that he was going to write him up at which time, Descartes is alleged to have told him to go ahead and called him a "Thirsty Nigger."

Cmdr. Civil also interviewed each of the named inmate witnesses and all confirmed that Cpl. Descartes called Inmate Brock a "Thirsty Nigger or Thirsty N Word."

Cmdr. Civil also met with Cpl. Descartes and informed him of the complaint and allegation. Cpl. Descartes responded by confirming there was an incident with Brock however, Descartes advised he never uses that terminology and advised that he called Inmate Brock a "Thirsty Nuca." No further explanation was given at that time. Cmdr. Civil then generated a memorandum to Chief Engert Via Chain of Command outlining the grievance and the interviews conducted.

On Tuesday, December 1, 2020 Commander B. Pasquariello generated a memorandum to Chief Engert Via Chain of Command requesting the complaint be forwarded to Professional Standards for Unbecoming Conduct. On December 8, 2020, Chief M. Strobridge Authorized Detective R. Doyle to Conduct an Internal Inquiry. On Thursday, January 7, 2021, Det. Doyle served Cpl. Descartes formal Notice of Internal Investigation at 1755 hours. Cpl. Descartes was also provided a notice of Confidentiality Acknowledgement.

Discussion:

On Wednesday, February 18, 2021, Cpl. Descartes signed a request for Expedited Discipline and waived any further investigation. This request was delivered to Cmdr. Pasquariello and then forwarded to Professional Standards.

Distribution: Original to investigative file

Linked To: General Order #019

FCSO # IA-004 (08/18)

The request was signed by Cpl. Descartes and acknowledges line 2 of the document which, specifies that he does not wish to contest the factual allegations made against him, and is waiving his rights under FSS 112, for the purpose of moving forward.

Interview: Cpl. P. Descartes

On Friday, February 26, 2021 at 1030 hours, Detective R. Doyle met with Cpl. P. Descartes at 1769 E. Moody Blvd. within the Assistant State Attorney's Office for the purpose of obtaining a statement.

Det. Doyle reviewed the complaint and allegations against Cpl. Descartes at which time, Cpl. Descartes was sworn in and put under oath. Det. Doyle also reviewed all of the paperwork generated in this case included the expedited discipline. Cpl. Descartes was read the Garrity Notice and Cpl. Descartes signed the document.

Cpl. Descartes was then asked to provide his account of the incident and complaint filed against him. Cpl. Descartes explained the procedure involved during meal distribution. Descartes explained that this procedure involves a cup exchange with the inmates. Descartes identified Inmate Brock as being a repeated violator of the cup exchange procedure and on this particular the trustee attempted to give Brock a Styrofoam cup at which time, Descartes advised the trustee to stop what he was doing and if Brock did not have a cup to exchange he would not be given a drink at that time. Descartes advised that Brock then said the Descartes, "You real nasty." Descartes advised that he responded to Brock that he would continue to be so but that he Brock would go thirsty for the evening. Descartes advised that as Brock continued to walk through the line he continued to make remarks and was bantering while stating something about Descartes being nasty again. Descartes advised that he responded by saying, "Ya and you will be a thirsty knucka." Descartes explained the term and its origin by advising that it is a term that he uses with his family, nieces and nephews. Descartes further explained that the term "Knucka" means knucklehead. Descartes immediately advised that he as a deputy knows that he should not refer to the inmates by anything other than their name and he acknowledged that he got caught up in the moment and knows his response was incorrect and regardless of what was actually said. Descartes stated, "It was wrong that I addressed him by anything other than his name." Descartes again identified that he has been employed with the Flagler County Sheriff's Office for 18 years and knows that in his capacity as a supervisor he should act as a model to those that he supervises.

Descartes confirmed that there is history between Inmate Brock and himself however minor the issue it is history and something as small as a cup restriction can be perceived by an inmate as a large issue. Descartes did not suggest that this was a vindictive and condemning complaint fabricated by Brock but Descartes did not discount that this could have been a motivating factor when breached by Detective Doyle. Det. Doyle questioned the distance of the other inmates involved as well as Brock from Descartes at the time of the verbal volley.

Descartes advised they were in line behind Brock each five to six feet apart and there was other conversation taking place at the time. Descartes was clear that the term “Knucka” does have inflection that could have been misheard by others in the area as the term “Nigger” but Descartes is adamant that he did not and would not use that term at any time. Descartes was asked if the term “Knucka” is an actual form of or slang for the term “Nigger?” Descartes advised that he has never heard it and he is not aware of it.

Descartes was asked if there was anything else that he would like to add or anything that he believed the agency should be made aware of. Descartes advised that he wished that he could have had the opportunity to explain and inform Brock that he did not use the term described nor would he ever. Descartes advised that he too finds the term offensive and it is just not in his nature to use such a derogatory term.

Based on the facts provided along with the incident account provided by Cpl. Descartes, it is clear that the interaction between Cpl. Descartes and Inmate Brock was less than professional and should not have occurred. Descartes has taken accountability for his actions for engaging in an unprofessional verbal exchange while remaining adamant that he did not use the term “Nigger” and never would. There is nothing in Descartes employment history to indicate that he has or does use profanity or racial slurs during the course of his duties or in his private life. Cpl. Descartes appears to be genuinely sincere in his response to these allegations and accepts responsibility for any discipline associated with these actions.

Interview concluded at 1045 hours.

Research was conducted however with a google search of the internet and the Urban Dictionary.

Urban Dictionary:

nucca

The word is used for a **white person** to call each other. If **they say** nigga, they are racist, **so white** people call themselves nuccas.

nucca

The version of **nigga white** people are **allowed** to say and not be **labeled** racist.

Findings:

This Investigation has been **Sustained** for the following violations.

Flagler County Sheriff's Office General Order 020 Standards of Conduct

Category 9 violations:

(2) (f) Unbecoming Conduct: Personnel shall conduct themselves at all time, both on and off duty, in such a manner as to reflect most favorably on FCSO. Conduct Unbecoming shall include that which brings the FCSO into disrepute or reflects discredit upon the personnel as a member of the FCSO, or that which impairs the operation or efficiency of the FCSO or personnel.

Category 2 violations:

(9) (a) Behavior and Language: In the performance of their duties, all personnel will maintain command of temper, patience, and discretion. Employees shall refrain from using improper, obscene, profane, or insolent language.

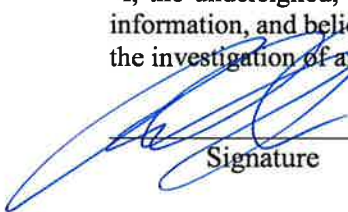
Disciplinary Action: Flagler County Sheriff's Office General Order 019 outlines punishment for

Category 9 violations: Includes all ranges of discipline, from suspension up to and including termination.

Category 2 violations: Any non-disciplinary action and/or 12 hours up to 24 hours of suspension

To be Completed by the Investigating Supervisor or Official:

"I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any rights contained in ss. 112.532 and 112.533, Florida Statutes.



Signature

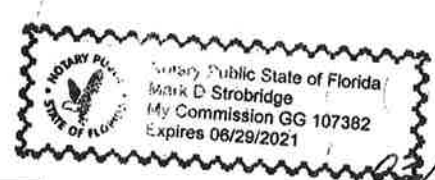
3/11/21

Date

Sworn to and subscribed before me, the undersigned, this 11th day, March month, 2021 year.



Notary



MARK D. STROBRIDGE

Reviewing Supervisor Printed Name

03/11/2021

Date



Signature of Reviewing Supervisor