



# Flagler County Sheriff's Office

*Donald W. Fleming, Sheriff*

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## Internal Affairs Investigation 2012-004

Deputy Sergeant Jaime Roster

### *Investigative Report*



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## Internal Affairs Investigation

2012-004

### Subject Employee

- *Sergeant Jaime Roster*

### List of Witnesses

- Deputy Fred Smith
- Deputy Dominic Guida
- Deputy Arthur Erlandson
- Deputy Joseph Costello
- Deputy Jonathan Welker
- Deputy Carmine Celico
- Robert Urie, MS/911 Director
- Deputy Jonathan Dopp
- Deputy Joseph Dailey
- Major Steve Clair
- Lt. Steve Birdsong

### List of Exhibits

- 1) CD containing Sergeant Roster's emails, Unit Log Listing hours and dates worked and calls for K9-2, Z157 and 157.
- 2) CD containing vehicle and portable radio logs, calendar for months of June, 2011 through December 2011, individual interview report on each of the above captioned witnesses and excel work sheet.
- 3) Copy of 2011 FCSO Holiday Schedule
- 4) Copy of Sergeant Jamie Roster's pay rate from 3/1/04 to 8/24/11.
- 5) Copies of Sergeant Jaime Roster's time sheets from June 29, 2011 through January 10, 2012.
- 6) Eleven (11) DVD's containing the above listed witnesses respective sworn statements.
- 7) SWAT training logs for the time period of July 6, 2011 through December 28, 2011.
- 8) K-9 work schedule for time period of 12/14/2011 through 2/7/2011.
- 9) CST work schedules for time period of 9/7/2011 through 2/7/2012.



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- 10) SWAT details from July 29, 2011 through January 10, 2012.
- 11) Notes prepared by Deputy Jonathan Dopp.
- 12) Notes prepared by Deputy Fred Smith.
- 13) Notes prepared by Deputy Joseph Dailey.
- 14) Notes prepared by Deputy Carmine Celico.

## **The Incident and Complaint**

On Tuesday, January 10, 2012 I was assigned an Internal Investigation pertaining to an allegation of theft of time and falsifying official documents leveled against Sergeant Jaime Roster, IA case # 2012-004.

## **The Investigation**

Tuesday, January 10, 2012

On the above date I took receipt of a thumb drive from Bob Urie which contained such requested information as Sergeant Roster's assigned calls, on-duty and off-duty status, (dates and times) and emails.

Wednesday, January 11, 2012

On the above date I prepared and provided to Sergeant Jaime Roster a "Notice to Personnel", IA-011-2008 citing the above captioned allegations. I also provided Sergeant Roster with a copy of form # IA-018-2008, "Internal Inquiry Form". The aforementioned documents were provided to Sergeant Roster in person at approximately 1215 hours in the parking lot of the SunTrust Bank located at Flagler Plaza. Sergeant Roster asked me "am I going to get fired?" Sergeant Roster requested I explain to him the charges to which I responded that an allegation had been made that he falsified his time sheets and did not work the hours reflected on same. Sergeant Roster asked if he could speak to me to which I responded I was not prepared to speak to him at this time. Sergeant Roster responded "this is all political because I pissed on Major



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O'Brien's cape". Sergeant Roster went on to state he told the Sheriff if he appointed Major O'Brien to Chief Deputy he, Sergeant Roster, would not support the Sheriff in the next election.

I advised Sergeant Roster to speak to no one about this investigation, to contact his attorney and union representative.

On the above date I made contact with Deputy Fred Smith and made an appointment to secure a statement from him scheduled for Thursday, January 12 at 1600 hours.

Thursday, January 12, 2012

On the above date I accessed the SWAT Team training schedules for July 2011 through December 2011. I printed the Flagler County Sheriff's Office SWAT Team Training and Activity Worksheets for the above captioned months. Upon examination of said documents Sergeant Jaime Roster's name appears once on the December 28, 2011 worksheet as being present.

I examined the "Unit Log Listing" provided by Bob Urie which indicated one occasion, December 28, 2011 at 1421 hours, showing Sergeant Roster at SWAT training which is consistent with the Training logs.

On the above date I took receipt of Sergeant Jaime Roster's time sheets for the time period of 6/29/2011 through 12/27/2011, from Sergeant Sepe.

On the above date I took a recorded sworn statement from Deputy Fred Smith.

Following Deputy Fred Smith's statement I requested he provide me with a copy of all documented items from his note book. Deputy Fred Smith made copies of his notes while at the State Attorney's Office. I further requested he initial and date said copies which are contained within this case file.

(See recorded statement which is on DVD within this case file.)



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Wednesday, January 18, 2012

On the above date Deputy Dominic Guida responded to the SAO for the purpose of an interview. During Deputy Guida's sworn statement he spoke of a sign in sheet which recorded training hours. Deputy Guida stated the training hours were written down, signed off by Sergeant Roster and submitted to Lt. Weston.

(See recorded statement which is on DVD within this case file.)

On the above date I sent an email to Lt. Weston as follows: "LT. I need all Sergeant Roster's K-9 training records from July 1, 2011 through December 2011 as well as Fred Smith and Dominic Guida." I received an email from Lt. Weston which indicated he had only one such document on file dated 2-17-2010.

Thursday, January 19, 2012

On the above date I took a recorded sworn statement from Deputy Arthur Erlandson.

On the above date I took a recorded sworn statement from Deputy Joseph Costello.

(See recorded statements which are on DVDs within this case file.)

Wednesday, January 25, 2012

On the above date I took a recorded sworn statement from Deputy Jonathan Welker.

(See recorded statement which is on DVD within this case file.)

On the above date I took a recorded sworn statement from Deputy Carmine Celico. Deputy Celico provided me with notes he kept in reference to Sergeant Roster's work hours, dates and times. Following Deputy Carmine Celico's statement I requested he provide me with a copy of all documented items from his note book. Deputy Carmine Celico made copies of his notes while at the State Attorney's Office. I further requested he initial and date said copies which are contained within this case file.

(See recorded statement which is on DVD within this case file.)



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Friday January 27, 2012

On the above date I took a recorded sworn statement from Robert Urie, MS/911 Director for the Flagler County Sheriff's Office.

(See recorded statement which is on DVD within this case file.)

On the above date I took a recorded sworn statement from Deputy Jonathan Dopp. Deputy Dopp provided me with notes he maintained which were that of recorded dates and times Sergeant Roster worked. Following Deputy Jonathan Dopp's statement I requested he provide me with a copy of all documented items from his note book. Deputy Jonathan Dopp made copies of his notes while at the State Attorney's Office. I further requested he initial and date said copies which are contained within this case file.

(See recorded statement which is on DVD within this case file.)

Monday, January 30, 2012

On the above date I retrieved from Aegis all SWAT call outs for the time period of July 1, 2011 through January 1, 2012. There are a total of nine (9) recordings, eight (8) of which had reports of attendance. Of the eight (8) call outs for said time period Sergeant Roster appears in attendance on two (2), 10/27/2011, 1735 hours and 11/04/2011, 1559 hours.

Wednesday, February 1, 2012

On the above date at approximately 1615 hours Deputy Joseph Dailey responded to the SAO for the purpose of a recorded sworn statement.

Following Deputy Joseph Dailey's statement I requested he provide me with a copy of all documented items from his note book. Deputy Joseph Dailey made copies of his notes while at the State Attorney's Office. I further requested he initial and date said copies which are contained within this case file.

(See recorded statement which is on DVD within this case file.)



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Thursday, February 2, 2011

On the above date I received requested radio logs, car radio and portable, from Director Robert Urie for Sergeant Roster from June 27, 2011 through January 10, 2011.

Monday, February 06, 2012

On the above date I was advised by Linda Bolante as to Sergeant Roster's pay scale. Sergeant Roster pay rate from April 1, 2009 through August 24, 2011 was \$23.64 an hour. Sergeant Roster's pay rate from August 25, 2011 to present is \$25.27 hourly.

## **The investigation revealed the following:**

For the pay period of June 29, 2011 through July 12, 2011 Sergeant Roster listed on his time sheet 56 REG, 4 OT, 12 HW, 24 CU, 80 hours regular, 4 hours overtime and 12 hours present holiday. Sergeant Roster's hours on the "Unit Log Listing" were 34 hours and 2 minutes, a **shortage of 22 hours, \$520.08, 10 hours overtime, \$354.60 and Present Holiday Other, 12 hours \$709.20.**

For the pay period of July 13 through July 26, 2011 Sergeant Roster listed on his time sheet 80 REG, 4 OT, 12 OT and 10 OT. Sergeant Roster's hours on the "Unit Log Listing" were 25 hours and 5 minutes, a shortage of 68 hours and 55 minutes. It should be noted on July 23 and July 24, 2011 Sergeant Roster notes on his time sheet a trip to Pennsylvania for a total of 22 hours still leaving him a **shortage of 55 hours, \$1300.20, 16 hours overtime, \$567.36 and 10 hour banked.**

For the pay period of July 27 through August 9, 2011 Sergeant Roster listed on his time sheet 80 REG and 4 OT. Sergeant Roster's hours on the "Unit Log Listing" were 65 hour and 23 minutes, a **shortage of 14 hours and 37 minutes, \$354.60 and 4 hours overtime, \$141.84.**

For the pay period of August 10 through August 23, 2011 Sergeant Roster listed on his time sheet 80 REG, 4 OT and 3 OT BK. Sergeant Roster's hours on the "Unit Log Listing" were 65 hours and 41 minutes, a **shortage of 14 hours and 19 minutes, \$330.96 and 7 hours overtime, \$248.22.**



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For the time period of August 24 through September 6, 2011 Sergeant Roster listed on his time sheet 80 REG, 4 OT and 10.5 H. Sergeant Roster's hours on the "Unit Log Listing" were 59 hours and 43 minutes, a **shortage of 20 hours and 17 minutes, \$505.40 and 4 hours overtime, \$151.64.**

For the pay period of September 7 through September 20, 2011 Sergeant Roster listed on his time sheet 80 REG and 4 OT. Sergeant Roster's hours on the "Unit Log Listing" were 87 hours and 26 minutes, an overage of **3 hours and 26 minutes, \$113.73.**

For the pay period of September 21 through October 4, 2011 Sergeant Roster listed on his time sheet 80 REG and 4 OT. Sergeant Roster's hours on the "Unit Log Listing" were 69 hours and 4 minutes, a **shortage of 10 hours and 56 minutes, \$277.97 and 4 hour overtime, \$151.64.**

For the pay period of October 5 through October 18, 2011 Sergeant Roster listed on his time sheet 80 REG, 4 OT, and 2 OT TIMES 3. Sergeant Roster's hours on the "Unit Log Listing" were 63 hours and 49 minutes, a **shortage of 16 hours and 11 minutes, \$404.32 and 10 hour overtime, \$379.10.**

For the pay period of October 19 through November 1, 2011 Sergeant Roster listed on his time sheet 74.5 REG, 5.5 SL, 4 OT, 2 OT and 8 OT. Sergeant Roster's hours on the "Unit Log Listing" were 73 hours and 21 minutes, a **shortage of 1 hour, \$25.27 and 14 hours overtime, \$530.74.**

For the pay period of November 2 through November 15 Sergeant Roster listed on his time sheet 80 REG, 4 OT, 10.5 PH, 34.5 OT and 8.5 BANKED OT. Sergeant Roster's hours on the "Unit Log Listing" were 83 hours and 40 minutes, a **shortage of 22 hours overtime, \$871.93 plus 7 hours banked.**

For the pay period of November 16 through November 29, 2011 Sergeant Roster listed on his time sheet 80 REG, 4 OT and 10.5 PH. Sergeant Roster's hours on the "Unit Log Listing" were 50 hours and 41 minutes, a **shortage of 29 hours and 19 minutes, \$732.83 and 4 hours overtime, \$151.64.**



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For the pay period of November 30 through December 13, 2011 Sergeant Roster listed on his time sheet 44.5 REG, 4 OT, 10.5 PL and 25 CU. Sergeant Roster's hours on the "Unit Log Listing" were 50 hours and 45 minutes, an overage of **2 hours and 15 minutes, \$75.82.**

For the pay period of December 14 through December 27, 2011 Sergeant Roster listed on his time sheet 68 REG, 4 OT, 18 HW, 6 HO and 12 PL. Sergeant Roster's hours on the "Unit Log Listing" were 68 hours and 55 minutes, a **shortage of 3 hours and 5 minutes in overtime, \$113.73.**

For the pay period of December 28, 2011 through January 10, 2012 Sergeant Roster listed on his time sheet 60 REG, 4 OT, 8 HW, 4 HO and 20 CU. Sergeant Roster's hours on the "Unit Log Listing" were 75 hours and 31 minutes, an overage of **16 hours and 30 minutes.**

(See excel spread sheet which documents "Unit Log Listing" and time sheets submitted by Sergeant Roster.)

Sergeant Roster indicates on his time sheet, PHO, for July 4, 2011, 12 or 16 hours. There is no documented record of Sergeant Roster being in service via "Unit Log Listing", no emails and no radio traffic recorded for K-9 2, 157 or Z157.

During the six month period, June 29, 2011 through January 10, 2010, none of Sergeants Roster's time sheets matched the "Unit Log Listing".

On numerous occasions during the 6 month period Sergeant Roster submitted several times sheets which indicate hours worked not recorded by the "Unit Log Listing" or vice versa.

Dates and hours pertaining to Sergeant Roster's emails where documented; the hours and minutes noted on the time stamp have a minimal impact in support of Sergeant Roster's time sheets.

Deputy Fred Smith documented as a witness approximately eighteen (18) events pertaining to Sergeant Roster's time sheet and "Unit Log Listing". Deputy Fred Smith's observations were supported by the "Unit Log Listing".

Deputy Jonathan Dopp stated during his sworn statement that he recalled a time when he picked up Sergeant Frank Celico and took him to fleet to pick up his vehicle. Deputy Dopp was in his



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work vehicle had his computer on and observed Sergeant Roster was listed as available. Deputy Dopp observed Sergeant Roster mowing a lawn on Fern Lane while on duty. Deputy Dopp stated he did not recall the specific date but indicated it was about 4 to 5 months ago.

Numerous Deputies stated Sergeant Roster would make them aware he would not be available to their respective unit due to an obligation to a different unit, SWAT, CST and or K-9. Deputies would attempt to confirm the respective obligation with the group in question it was learned the information was unfounded. The most spoken about incident was that of a CST search warrant. K-9 handlers were told by Sergeant Roster he would not be available for training that day as he was needed with CST to execute a search warrant. Later that day K-9 handlers met with CST members and asked how the search warrant went and were advised there was no search warrant and neither unit had seen Sergeant Roaster that day up until that time.

All SWAT call outs for the time period of July 1, 2011 through January 1, 2012 were pulled from AEGIS. There are a total of nine (9) recordings, eight (8) of which had reports of attendance. Of the eight (8) call outs for said time period Sergeant Roster appears in attendance on two (2), 10/27/2011, 1735 hours and 11/04/2011, 1559 hours.

The SWAT Team training schedules, "Flagler County Sheriff's Office SWAT Team Training and Activity Worksheets" for July 2011 through December 2011 were pulled from the PUB. Upon examination of said documents Sergeant Jaime Roster's name appears once on the December 28, 2011 worksheet as being present.

I pulled Canine work schedule for December 14, 2011 through February 7, 2012 and CST's schedule from August 31, 2011 through February 7, 2012. On the CST schedule Sergeant Roster was listed to attend SWAT training on September 7 and 28, 2011, October 5 and 26, 2011, November 2 and 23, 2011 and December 7 and 28 2011. The only date of the aforementioned dates Sergeant Roster's name appears on an attendance sheet for SWAT training is December 28, 2011.

Numerous Deputies spoke of an incident where Deputy Celico was working the interstate and made a stop which resulted in the seizure of a sizable amount of suspected cocaine. Deputy Celico advised Sergeant Roster of the seizure, by cell phone, to which Sergeant Roster told him to stand by and wait for him. Sergeant Roster responded to the incident in his personal vehicle,



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Avalanche, wearing plain clothes. It should be noted the "Unit Log Listing for K-9 2 indicates 12/13/2011 08:08 Available, 12/13/2011 18:02 Off Duty, 9 hours 54 minutes, 12/13/2011 19:12 Available, 12/14/2011 02:49 Off Duty, 7 hours 37 minutes. Sergeant Roster's time sheet indicates P8/CU 8/4. (FCSO case number 80049-11, 12/13/11, 1730 hours)

An examination of Sergeant Roster's radio logs, car radio and portable, from June 27, 2011 through January 10, 2011 was conducted. Dates and hours pertaining to Sergeant Roster's radio transmissions was documented; the hours and minutes noted on the time stamp have a minimal impact in support of Sergeant Roster's time sheets.

This investigation will SUSTAIN that Sergeant Jaime Roster is in violation of the following policy and/or procedures:

- Policy 81.16, Modified Dispatching, paragraphs (31), (44) and (47)
- Policy 17.2, Payroll, paragraphs (16) and (17)

## **Statement of Deputy Fred Smith**

On 1/12/2012, at 4:13 pm, Dep. **Fred Smith** provided a sworn, recorded statement to Cpl. Flach. This interview occurred at the State Attorney's Office.

### SWORN STATEMENT OF FRED TOD SMITH

- Smith stated he started documenting Sergeant Jamie Roster's work hours on September 1, 2011 which was precipitated by an incident where Sergeant Roster threatened Smith with his removal from the K-9 unit.



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- “9-06-11 Jamie Roster went home at 8:00 PM and did not work whole shift and had Guida train me”. The hours listed on the “Unit Log Listing” for unit K-9 2, Star number 157-Roster, for September 6, 2011 indicates available 1630 hours, 2032 hours off duty, 3 hours and 2 minutes, canine training. The hours listed on Sergeant Roster’s time sheet for September 6, 2011 indicate P-8, 10.5 hours worked.
- “9-7-11 Jaime Roster did not even show up for training left training for Guida.” The hours listed on the “Unit Log List” for unit K-9 2, star number 157-Roster for September 9, 2011 are 0629 available and 2341 unit timer expired with no notes as to unit location. Sergeant Roster’s time sheet reflects P-8, 10.5 hours worked.
- “9-21-11 Jamie Roster was 10-8 at 5:30 PM and then went home 10-7 at 12:00 AM”. The “Unit Log List” indicates K-9 2, Star number 157-Roster on September 21, 2011 worked from 1742 hours to 2351 hours, 6 hour and 9 minutes. Sergeants Roster’s time sheet reflects P-8, 10.5 hours worked.
- “9-23-11 Jamie Roster came in at 5:30 pm and went home at 9:30 pm that night and told me I could work the road or go home and use vacation to get my hours.” The hours listed on the “Unit Log List” for unit K-9 2, star number 157-Roster for September 23, 2011 are available 1708 hours, off duty 2111 hours, 4 hours and 3 minutes, canine training. Sergeant Roster’s time sheet reflects OFF 10.5 hours although Sergeant Roster did include the 10.5 hours to achieve his 80 hours regular and 4 hours overtime.
- “10-05-11 Fell while climbing try for civil hide fell down about 8’ at about 8:00pm then went home using sick leave.” The “Unit Log List” indicates K-9 2, Star number 157-Roster on October 5, 2011 at 1608 hours available, canine training, off duty October 6, 2011 0142 hours, 9 hours and 34 minutes. Sergeant Roster’s time sheet indicates P-8, 10.5 hours worked.
- “10-14-11 Jaime Roster was 1:45 late to work training started at 5 and he was 10-8 at 6:45. Jaime also went 10-7 at 11:48 that night.” The “Unit Log List” indicates K-9 2, Star number 157-Roster on October 14, 2011 available at 1842 hours, canine, and off



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duty at 2348 hours, 5 hours and 6 minutes. Sergeant Roster's time sheet indicates P8, 10.5 hours worked.

- "10-18-11 Jaime Roster was 1:17 mins late work supposed to be 10-8 4:30 came 10-8 5:47" The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for October 18, 2011 are available 1745 hours, canine, off duty 0148 hours, 8 hours 3 minutes. Sergeant Roster's time sheet indicates P8, 10.5 hours worked.
- "10-21-11 Jamie Roster was 30 mins late for work. Training started at 4:30 he was 10-8 at 5:06." The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for October 21, 2011 was available 1823 hours, off duty 2354 hours, 5 hours 1 minute. Sergeant Roster listed on his time sheet P8, 10.5 hours worked.
- "10-25-11 Jamie Roster was 2:15 min. late for work. Training stated at 4:30 pm Roster was 10-8 6:45. Roster went home at 12:30." The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for October 25, 2011 was available 1844 hours, off duty 0104 hours, 6 hours and 20 minutes. Sergeant Roster listed on his time sheet P8, 10.5 hours worked.
- "10-28-11 At approximately 1am Jamie Roster told us he was canceling K-9 school that night due to the fact he was too busy with CST to conduct school. Jamie told me to use vacation leave or comp time to cover my hours for that day. Talked with CST members and the advised Jamie did not work that day." The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for October 28, 2011 are 00:16 Available Unit Timer Expired, 10/28/2011 01:24 Off Duty Unit Status Change. Sergeant Roster listed on his time sheet P8/SL 5/5.5. The hours listed on the "Unit Log List" for 10/29/2011 are 11:09 Available, 15:28 Off Duty, 4 hours and 19 minutes. Sergeant Roster listed on his time sheet for October 29, 2011 Off, 0 hours worked.
- "11-09-11 Jamie Roster came to work at 6:37 approximately 2 hours late for work." The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for



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November 9, 2011 are 1829 hours available, canine, 11/10/2011 02:29 Off Duty, 8 hours. Sergeant Roster listed on his time sheet P8, 10.5 hours worked.

- “11-11-11 at approximately 8:30 pm Jamie Roster stopped training for the night and told us to go home.” The hours listed on the “Unit Log List” for unit K-9 2, star number 157-Roster for November 11, 2011 are 1215 hours available, 2207 hours off duty, 9 hour 52 minutes. Sergeant Roster listed on his time sheet P8, 10.5 hours.
- “11-17-11 Jamie Roster was 3:30 hours late to work. K9 school started at 1pm and Jamie Roster was 10-8 at 4:30pm.” The hours listed on the “Unit Log List” for unit K-9 2, star number 157-Roster for November 11, 2011 are 1630 hours, canine, off duty 2231 hours, 6 hours 1 minute. Sergeant Roster listed on his time sheet P8, 10.5 hours worked.
- “12-19-11 Jamie Roster called me at 3:34 and told me I was it that he was going home that he had to due some earns. He worked approximately 6 hours on this day.” The hours listed on the “Unit Log List” for unit K-9 2, star number 157-Roster for December 19, 2011 are available 0909 hours, off duty 1541 hours, 6 hour 22 minutes. Sergeant Roster listed on his time sheet P8, 12 hours worked.
- “12-20-11 Jamie Roster worked from approximately 10 am till 4:30 pm called and told me he was going home if I needed him to call him at home that night at 7:00 pm had first K9 apprehension and bite and had no supervisor other than road supervisors called and notified Roster by phone of incident” The hours listed on the “Unit Log List” for unit K-9 2, star number 157-Roster for December 20, 2011 are 0958 hours available, 1728 off duty, 6 hours and 32 minutes. Sergeant Roster listed on his time sheet P8, 12 hours worked.
- “12-25-11 Jamie Roster worked till 6pm and went home for the night worked approx. 8 hrs.” The hours listed on the “Unit Log List” for unit K-9 2, star number 157-Roster for December 25, 2011 are 0917 available, 1816 off duty, 8 hours 59 minutes. Sergeant Roster listed on his time sheet PH, 12 hours worked.



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- "1-2-12 Jaime Roster went to work at 12:00 hrs and worked road till 17:28 then went to in department vehicle status on the computer working approximately 7:30 hrs this day." The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for January 2, 2012 are 1213 hours available, 1928 in departmental vehicle, 7 hours 15 minutes. Sergeant Roster's listed on his time sheet "OFF, 0 hours worked".
- "1-7-12 Jaime Roster called Lt. J. Stuart and told him that he had 24 hours of OT he had from this pay period and was taking Saturday th 7<sup>th</sup> of and Sunday the 8<sup>th</sup> of instead of putting in for OT." The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for the pay period of 12-28-11 to 1-10-12 show 80 hours and 30 minutes worked.

Do you have any further information that you wish to add? Answer paraphrased: The rest of the items are not in reference to the allegations.

This interview was concluded on 1/12/2012, at 4:50 pm.

## **Statement of Deputy Dominic Guida**

On 1/18/2012, at 2:20 pm, Deputy Dominic Guida provided a sworn, recorded statement to Cpl. Flach. This interview occurred at the State Attorney's Office.

### SWORN STATEMENT OF DOMINIC GUIDA

- Deputy Guida stated his immediate supervisor is Sergeant Jaime Roster.
- Deputy Guida stated he and his K-9 partner, Char completed their Patrol Training with Deputy Fred Smith and his K-9 partner Tag. Guida stated the Patrol Training portion ran from August to beginning of December, 2011.
- Deputy Guida stated part of the required training was a two mile run at the beginning of each shift.
- Deputy Guida stated Sergeant Roster only attended a few of the runs throughout the training time period indicating Sergeant Roster was late for work. Sergeant Roster told Deputy Guida on a few occasions he was working with CST which is why he was absent.



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- Deputy Guida stated there were occasions when Sergeant Roster would state he was going home and he, Deputy Guida, and Deputy Smith had the option to go home using vacation time or comp time to make up their respective hours. Deputy Guida stated he and Sergeant Roster would continue their training in Sergeant Roster's absence. Deputy Guida could not give me dates but did recall on these occasions he would check the computer and Sergeant Roster was not on the screen.
- Deputy Guida recalled on one occasion, the end of October or the beginning of November he was told by Sergeant Roster he would be late for training due to the execution of a search warrant with CST. Deputy Guida spoke to Deputy Carmine Celico in reference to the alleged search warrant to which Deputy Celico replied they had a search warrant written to execute but had not done so. Deputy Guida contacted Sergeant Roster and asked how the search warrant went to which he responded the search warrant was not executed and they would meet at Home Depot to train.
- Deputy Guida stated he had a few conversations with Deputy Jon Dopp and Deputy Carmine Celico where Deputy Dopp and Deputy Celico were questioning Sergeant Roster's whereabouts as they were told Sergeant Roster was working K-9 and Deputy Guida indicated he was not.

Do you have any further information that you wish to add? No

This interview was concluded on 1/18/2012, at 2:44 pm.

## **Statement of Deputy Joseph Costello**

On 1/19/2012, at 2:27 pm, Deputy Joseph Costello provided a sworn, recorded statement to Cpl. Flach. This interview occurred at the State Attorney's Office.

### SWORN STATEMENT OF JOSEPH COSTELLO

- Deputy Costello stated he is presently assigned to the CST unit and up until approximately 2 weeks ago his immediate supervisor was Sergeant Jaime Roster.
- Deputy Costello stated his work hours would fluctuate as work assignments require.



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- Deputy Costello stated he would on occasion check his work schedule on the PUB but did not concern himself with Sergeant Roster's CST schedule.
- Deputy Costello stated there were occasions where Sergeant Roster told members of CST he was working with K-9 and it got back to CST that Sergeant Roster was not working with K-9 and vice versa.
- Deputy Costello stated he was aware of an incident where Sergeant Roster was supposed to be doing a search warrant with CST when he wasn't but Deputy Costello did not recall a date.
- Deputy Costello stated he was told by Sergeant Roster he was going to be late for work.
- Deputy Costello stated he recalled times when CST was told to go home early by Sergeant Roster, as much as four hours on one occasion. One occasion was a training day when CST was training with K-9 on airlifts and tracking at Bings Landing. Deputy Costello stated he recalled two or three occasions when Sergeant Roster told him to go home early. Deputy Costello stated he did not go home early and further stated "I'm not going to do something that I feel is wrong to justify maybe what you are going to do".

Do you have any further information that you wish to add? No sir.

This interview was concluded on 1/19/2012, at 2:46 pm.

## **Statement of Deputy Arthur Erlandson**

On 1/19/2012, at 11:20 am, Deputy Arthur Erlandson provided a sworn, recorded statement to Cpl. Flach. This interview occurred at the State Attorney's Office.

### SWORN STATEMENT OF ARTHUR ERLANDSON

- Deputy Erlandson is presently assigned to the CST unit and his immediate supervisor up until recently was Sergeant Jaime Roster.



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- Deputy Erlandson stated his hours fluctuate as his assignment requires.
- Deputy Erlandson stated he was told by a member of his team, Deputy Dopp, Sergeant Roster was working with K-9 when he was not.
- Deputy Erlandson stated he recalled Sergeant Roster told him he would be working on November 25, 2011, Black Friday, starting at 0600 hours. Erlandson stated he and Deputy Carmine Celico were assigned to the Target store complex in reference to retail theft. Erlandson stated he saw Sergeant Roster at Target in plain clothes that morning approximately 0603 hours and questioned him as to his dress. Sergeant Roster replied he was not working that day he was shopping for his son. A check of Sergeant Roster's time sheet and "Unit Log Listing" show no hours worked that day.
- Deputy Erlandson stated he did not pay attention to the hours Sergeant Roster worked.
- Deputy Erlandson stated there was frequent conversation between his team members as to Sergeant Roster's whereabouts as he was often not available.
- Deputy Erlandson stated he did not follow Sergeant Roster's work hour via his computer, monitoring mobile.

Do you have any further information that you wish to add? No

This interview was concluded on 1/19/2012, at 11:37 am.

## **Statement of Deputy Jonathan Welker**

On 1/25/2012, at 10:27 am, Deputy Jonathan Welker provided a sworn, recorded statement to Cpl. Flach. This interview occurred at the State Attorney's Office.

### SWORN STATEMENT OF JONATHAN ADAM WELKER

- Deputy Welker is presently assigned to the K-9 unit and his immediate supervisor is Sergeant Jaime Roster. Deputy Welker's partner is named Blu. Deputy Welker was out with an injury for approximately the last three months.



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- Deputy Welker stated when he comes on duty he either logs on with his computer or notifies dispatch via radio and the same applies for his off duty status. Deputy Welker stated he has received instruction from Sergeant Roster as to the changes in coming on duty from Sergeant Roster.
- Deputy Welker stated when Sergeant Roster took command of CST he was rarely seen by K-9 members.
- Deputy Welker stated there were occasions Sergeant Roster told him he would not be available as he would be training with SWAT.
- Deputy Welker stated there were incidents when he would have a conversation with CST members and they were told by Sergeant Roster that he would be working with K-9 when he wasn't and vice versa.
- Deputy Welker stated he was told by Sergeant Roster that he would have to burn some hours due to overtime acquired due to an operation.
- Deputy Welker spoke of training logs as well as deployment logs and traffic stop documentation which is filled out and at the end of the month the documents are turned over to Sergeant Roster.
- Deputy Welker recalled there were occasions when Sergeant Roster did not attend training.

Do you have any further information that you wish to add? No Sir.

This interview was concluded on 1/25/2012, at 10:48 am.

## **Statement of Deputy Carmine Celico**

On 1/25/2012, at 2:42 pm, Deputy Carmine Celico provided a sworn, recorded statement to Cpl. Flach. This interview occurred at the State Attorney's Office.

## SWORN STATEMENT OF CARMINE CELICO



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- Deputy Celico is presently assigned to the Crime Suppression Team and has been since its inception. Deputy Celico's immediate supervisor, until recently, was Sergeant Jaime Roster.
- Deputy Celico stated he does not believe there are any training records on file for the training he has received during his tenure with CST.
- Deputy Celico stated it was kind of a "running joke" between CST and K-9 that Sergeant Roster was never around.
- Deputy Celico stated he was asked by Deputy Fred Smith on one occasion in reference to the results of a search warrant CST had done that day. Deputy Celico advised Deputy Smith CST had not done a search warrant at which point Deputy Smith, who was in the presence of Deputy Guida, advised Deputy Celico that Sergeant Roster canceled their K-9 training that day and told them the reason was he was needed at the CST search warrant. Deputy Celico was uncertain as to the exact date but indicated the date was within the last two or three months.
- Deputy Celico stated there were several occasions when Sergeant Roster told K-9 he was going to be with CST and vice versa.
- Deputy Celico stated Sergeant Roster also told him he was going to be at SWAT training but was not. Deputy Celico stated on one occasion CST responded to Tiger Bay for training with SWAT. Deputy Celico was under the impression Sergeant Roster was to be there also but did not show.
- Deputy Celico spoke of an incident when CST trained with K-9 at Bings Landing. The training was that of tracking on an island across from Bings Landing. CST trained for about five hours and then broke to eat. Deputy Celico and the CST members met at the landfill where K-9 members and Sergeant Roster were. Deputy Celico stated Sergeant Roster told CST to go home early, which he did not.
- Deputy Celico stated he was working the interstate and made a stop which resulted in the seizure of a sizable amount of suspected cocaine a couple of weeks ago. Deputy Celico advised Sergeant Roster of the seizure to which Sergeant Roster told him to stand by and wait for him. Sergeant Roster responded to the incident in his personal vehicle, Avalanche, plain clothes. It should be noted the "Unit Log Listing for K-9 2 indicates 12/13/2011 08:08 Available, 12/13/2011 18:02 Off Duty, 9 hours 54 minutes,



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12/13/2011 19:12 Available, 12/14/2011 02:49 Off Duty, 7 hours 37 minutes. Sergeant Roster's time sheet indicates P8/CU 8/4. (FCSO case number 80049-11, 12/13/11, 1730 hours)

- Deputy Celico stated there were several occasions when Sergeant Roster was out in his personal vehicle with his portable and computer.
- Deputy Celico read dates he had recorded dates and times representing hours worked by Sergeant Roster as follows:
- "Oct. 25, 2011 5:11 PM still not at work, came to work 6:44 to 1:00 AM" The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for October 25, 2011 are 18:44 Available, 10/25/2011 21:53 Available Unit Timer Expired, 10/26/2011 01:04 Off Duty, 6 hours and 20 minutes. Sergeant Roster's time sheet for October 25, 2011 reflects P8, 10.5 hours worked.
- "Oct. 26 2:05 in service 12:15 not on comp". The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for October 26, 2011 are 14:03 Available, 22:16 Off Duty, 8 hours and 13 minutes. Sergeant Roster's Time sheet for October 26, 2011 reflects P8, 10.5 hours worked.
- "10/27 5:06 inserv. 1:30." The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for October 27, 2011 are 17:06 Available, 01:24 Off Duty, 8 hours and 18 minutes. Sergeant Roster's time sheet for October 27, 2011 reflects P8 10.5 hours worked.
- "10/28 2:30-4:00 meeting HSS" There are no hours listed on the "Unit Log List" for Sergeant Roster on October 28, 2011. Sergeant Roster's time sheet for October 28, 2011 reflects P8/SL, 5/5.5. Deputy Celico stated on this date Sergeant Roster responded to said meeting in his personal vehicle in plain clothes.

Do you have any further information that you wish to add? No.

This interview was concluded on 1/25/2012, at 3:29 pm.

## Statement of MIS/911 Director Robert Urie



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On 1/27/2012, at 9:49 am, Director Robert Urie provided a sworn, recorded statement to Cpl. Flach. This interview occurred at the State Attorney's Office.

## SWORN STATEMENT OF ROBERT URIE

- Urie is presently the director of MIS and 911 for the Flagler County Sheriff's Office.
- Director Urie provided to Sergeant Sepe and me, upon written request, records for star number 157, K-9 2 and Z-157. The records were that of "Unit Log Listing" which included calls handled, dates and times for the aforementioned call signs were recorded as being on shift, off shift, available, busy, in department vehicle etc. Director Urie also provided all emails sent from star number 157.
- Director Urie stated there are three ways to go on duty, radio call to dispatch, sign on as on duty and by simply opening Mobile. The same can be said for off duty status.
- Director Urie stated although there have been upgrades since July 1, 2011 none of which would have altered the requested records.
- Director Urie stated the "Unit Log Listing" records are maintained on the server as EOC.
- Director Urie stated the time stamp on the Unit Log Listing records is a time EOC receives via satellite and is directed to all Flagler County Sheriff's Office computers.
- Director Urie stated the stamp "Unit Timer Expired" is that of a 10-4 check/ unit check when on a call.
- Director Urie stated even when Mobile goes down logs are still maintained real time. The entire system would have to go down before the system would stop recording. The whole system has gone down in the past 8-10 months but for only a short period of time, 10-15 minutes not hours.

Do you have any further information that you wish to add? No

This interview was concluded on 1/27/2012, at 10:05 am.

### Statement of Deputy Jonathan Dopp



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On 1/27/2012, at 2:28 pm, Deputy Jonathan Dopp provided a sworn, recorded statement to Cpl. Flach. This interview occurred at the State Attorney's Office.

## SWORN STATEMENT OF JONATHAN DOPP

- Deputy Dopp is presently assigned to CST and up until recently Sergeant Jaime Roster was his immediate supervisor.
- Deputy Dopp stated his schedule fluctuated frequently due to job assignments. Deputy Dopp stated he did not know when Sergeant Roster was scheduled to work.
- Deputy Dopp stated he recalled on several occasions Sergeant Roster was to be working with SWAT, K-9 or CST and was not with the respective groups as he said he would be. Deputy Dopp stated he had conversations with members of the K-9 unit and it was learned there were discrepancies pertaining to Sergeant Roster's whereabouts.
- Deputy Dopp stated he recalled one occasion when Sergeant Roster canceled K-9 training advising K-9 members he had to execute a search warrant with CST. Deputy Dopp stated, although he could not remember the exact date he did recall having a conversation with members of the K-9 unit in reference to the search warrant on the day the warrant was allegedly served, CST did not execute a search warrant on that day.
- Deputy Dopp stated there were occasions when he observed Sergeant Roster on the screen but did not see or hear from him during that time frame.
- Deputy Dopp stated he recalled a time when Sergeant Roster responded to I-95 in reference to a traffic stop in his personal vehicle and in plain clothes. Sergeant Roster was on scene for approximately 30 minutes and left. (FCSO case number 80049-11, 12/13/11, 1730 hours) There were several occasions when Sergeant Roster responded to calls in his personal vehicle.
- Deputy Dopp recalled a time when he picked up Sergeant Frank Celico and took him to fleet to pick up his vehicle. Deputy Dopp was in his work vehicle had his computer on and observed Sergeant Roster was listed as available. Deputy Dopp observed Sergeant Roster mowing a lawn on Fern Lane while on duty. Deputy Dopp stated he did not recall the specific date but indicated it was about 4 to 5 months ago.
- Deputy Dopp recorded dates and times Sergeant Roster worked as follows:



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- "10/25/11 1845 to 0030" The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for October 25, 2011 are 1844 to 10/26/2011 01:04 Off Duty, 6 hours 20 minutes. Sergeant Roster's time sheet reflects P8, 10.5 hours worked.
- "10/26/11 14:05 to \* before midnight" The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for October 26, 2011 are 14:03 Available, 22:16 Off Duty, 8 hours 13 minutes. Sergeant Roster's time sheet for October 26, 2011 reflects P8, 10.5 hours worked.
- "10/27/11 1700-\*0100" The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for October 27, 2011 are 17:06 Available, 10/28/2011 01:24 Off Duty, 9 hours 13 minutes. Sergeant Roster's time sheet for October 27, 2011 reflects P8, 10.5 hours worked.
- "10/28/11 CST meeting @ 1430 (HSS) plain clothes, POV stated "lets make this quick, I don't wanna be here on my day off" off rest of day returned for about 45 mins for warrant @ Rogers towing". The meeting lasted about 1.5 hours. There are no hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for October 28, 2011. Sergeant Roster's time sheet for October 28, 2011 reflects P8/SL, 5/5.5.
- "11/17 1630-2230?" The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for November 17, 2011 are 16:30 Available, 22:31 Off Duty, 6 hours 1 minute. Sergeant Roster's time sheet for November 17, 2011 reflects Off, 0 hours worked.
- "11/25 stated on 11/24 he would be @ work @ 6 AM. Was seen by D/S Erlandson + Celico shopping @ target around 6:15 AM. He did not report to work the whole day. There are no hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for November 25, 2011. Sergeant Roster's time sheet for November 25, 2011 reflects H, 10.5 hours.
- "12/20 10-8 @ 9:30 AM 10-7 @ 4:30 PM" The hours listed on the "Unit Log List" for unit K-9 2, star number 157-Roster for December 20, 2011 are 09:58 Available, 16:30 In Department Vehicle, 6 hours 32 minutes. Sergeant Roster's time sheet reflects P8, 12 hours worked.
- Deputy Dopp spoke of K-9 CST training at Bings Landing which lasted about 6 hours. Deputy Dopp stated Sergeant Roster instructed CST members to complete in service training on the computer and go home.



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- Deputy Dopp spoke of a training day at Tiger Bay with SWAT members. Deputy Dopp stated he understood Sergeant Roster was going to be late for said training but was going to attend. Sergeant Roster did not show for the training.

Do you have any further information that you wish to add? Nothing specific.

This interview was concluded on 1/27/2012, at 3:06 pm.

## **Statement of Deputy Joseph Dailey**

On 2/1/2012, at 4:22 pm, Deputy Joseph Dailey provided a sworn, recorded statement to Cpl. Flach. This interview occurred at the State Attorney's Office.

### SWORN STATEMENT OF JOSEPH DAILEY

- Deputy Dailey has been a K-9 handler with the Flagler County Sheriff's Office for two and a half years and his immediate supervisor for that time period was Sergeant Jaime Roster.
- Deputy Dailey's partners' name is Reno.
- Deputy Dailey stated the K-9 unit has formal training in either four hour or eight hour blocks depending on the training needs and weather. Deputy Dailey stated in the last six to seven months there has been no formal training but he would take Reno to the training sessions Deputy Guido and Deputy Smith were attending. I spoke to Deputy Dailey in reference to training logs to which he responded a monthly log is completed and placed in Sergeant Roster's mail box.
- When asked as to Sergeant Roster's schedule Deputy Dailey responded he did not know Sergeant Roster's schedule but it was common question between CST and K-9 as to Sergeant Roster's whereabouts.
- Deputy Dailey recalled an incident when Deputy Carmine Celico stopped a vehicle on I-95 which contained a substantial amount of suspected cocaine. Deputy Dailey stated Sergeant Roster was not on the computer screen and when he responded to I-95 he was in his personal vehicle, in plain clothes.



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- Deputy Dailey was in the presence of Deputies Fred Smith and Carmine Celico when a conversation came up as to a warrant service which was to be executed by CST. Deputy Dailey stated Deputy Smith questioned Deputy Celico as to the search warrant Sergeant Roster spoke of which prevented Sergeant Roster from attending K-9 training. Deputy Celico responded there was no search warrant executed that day.
- Deputy Dailey recorded a few dates and times as to Sergeant Roster's work hours as follows:
- "10-26-11 Roster clocked in at 1405 hours for training at 1400 hrs. showed up at 1445 + Birdsong .... Asked where he was." The hours listed on the "Unit Log Listing" for unit K-9 2, Star number 157-Roster, for October 26, 2011 were 14:03 Available, 22:16 Off Duty, eight (8) hours and 13 minutes. The hours listed on Sergeant Roster's time sheet for October 26, 2011 indicate P8, 10.5 hours.
- Deputy Dailey spoke of an email he received which Sergeant Roster authored in reference to logging on and off when in department vehicle off duty. (See email which is enclosed within this case file.)
- Deputy Dailey stated he rarely saw or spoke to Sergeant Roster.

Do you have any further information that you wish to add? Everybody knew about Sergeant Roster not being present for work.

This interview was concluded on 2/1/2012, at 4:40 pm.

## **Statement of Major Steve Clair**

On 2/21/2012, at 8:13 am, Major Steve Clair provided a sworn, recorded statement to Cpl. Flach. This interview occurred at the State Attorney's Office.

Major Clair stated, after review of Sergeant Roster's time sheets, he has signed off on time sheets for Sergeant Roster during the time period in question. Major Clair indicated to his knowledge the time sheets were accurate. Major Clair stated he was aware Sergeant Roster did on occasion flex out his hours.

This interview was concluded on 2/1/2012, at 8:20 am.



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## Statement of Lieutenant Steve Birdsong

On 2/21/2012, at 9:05 am, Lieutenant Steve Birdsong provided a sworn, recorded statement to Cpl. Flach. This interview occurred at the State Attorney's Office.

Lieutenant Steve Birdsong stated he did sign time sheets for Sergeant Roster during the time frame in question. Lieutenant Birdsong stated to his knowledge the time sheets were accurate and he was unaware of any additional hours Sergeant Roster may have worked not reflected on his time sheet.

This interview was concluded on 2/1/2012, at 9:09 am.

## Statement of Sergeant Jaime Roster

On 02/16/2012, at 1:59 pm, Sergeant Jaime Roster provided a sworn, recorded, "Garrity" statement to Cpl. Flach. This interview was conducted at the State Attorney's Office. Sergeant Jaime Roster was represented by PBA Attorney Arielle Tyree.

This interview was concluded on 02/16/2012, at 3:33 pm.

## Exhibit

*A Gmail communication listing personnel and hours worked on a detail for the dates of July 3, July 4, July 5, July 6, July 7 and July 8, 2011.*

*A three page document by Sergeant Roster indicating numerous occasions he worked but did not either document same on time sheet, log on Mobile or notify dispatch.*

- Prior to the onset of Sergeant Roster's interview I read out loud the Garrity Notice which was witnessed by Sergeant Roster's attorney, Arielle Tyree and swore Sergeant Roster to his statement.
- Sergeant Roster stated when he comes on duty he either indicates his status via his computer or by radio. Sergeant Roster does not always have his computer with him when he is working, such as in a surveillance situation, but does have his portable, "most of the time".
- Sergeant Roster spoke of a detail early July 2011 when his unit, CST, worked in conjunction with FDLE, ICE and SWAT members. The detail was that of a tractor



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trailer loaded with stolen electronics from New York coming to Palm Coast. Sergeant Roster provided me with an email addressed to his personal Gmail, [yardscapes@gmail.com](mailto:yardscapes@gmail.com). The email indicated personnel and a schedule of hours worked by CST members. Sergeant Roster stated the schedule was true to the hours he worked on said detail, a total of 35.5 hours. Sergeant Roster stated the reason there was no record on the Unit Log for his call sign was he ordered all FCSO members on said detail not to sign on Mobile nor notify dispatch they were in service during the detail. Sergeant Roster also stated there was no recorded radio traffic for him during that detail as he was operating on a FDLE radio. I asked Sergeant Roster if he submitted an OPS Plan to which he stated he did not but believed FDLE did. Later in the interview Sergeant Roster stated the detail was that of Deputy Erlandsons' so he was responsible for the OPS Plan. Sergeant Roster stated supervisors and dispatch were aware CST was doing surveillance in county. In the email Sergeant Roster indicated he worked five (5) hours on 7/5/11 yet on his time sheet he indicated he worked P8, 12 hours. I made Sergeant Roster aware of this discrepancy to which he had no response. Sergeant Roster's schedule indicates he worked 35.5 hours not documented on the "Unit Log Listing" although he was required by policy to be logged on. The 35.5 hours Sergeant Roster stated he worked accumulates to 3.5 hours overage for the pay period of June 29, 2011 through July 12, 2011.

- Sergeant Roster stated the dates he traveled to Pennsylvania to pick up Deputy Fred Smith's dog were from July 19, 2011 through July 25, 2011. Although Sergeant Roster's travel to Pennsylvania provides him with more hours than noted on the "Unit Log Listing" he is still 6 hours short, 16 hours overtime short and 10 booked short. Sergeant Roster's time sheet indicates he was OFF on July 24th and 25<sup>th</sup>, 2011.
- Sergeant Roster stated he did not always put himself in service when responding to a work related event. I asked Sergeant Roster if he was aware by policy he was required to do so to which he responded he was unaware he was required to do so if in his personal vehicle or a rental.
- Sergeant Roster provided a three page type written list of dates and times he worked but was not on the computer nor had he notified dispatch. Sergeant Roster stated often times he was in his personal vehicle when he went to CID meetings, OPS and court to name a few. Sergeant Roster stated he did not put himself on duty for such as he would



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flex said time out and his supervisors, Major Clair, Captain Catoggio, Lt. Birdsong and even the Sheriff were aware of such.

- Sergeant Roster stated he did receive training during his F.T.O. training in reference to accurately completing a Flagler County Sheriff's Office time sheet. Sergeant Roster stated the longest tour he worked during the time period of June 29, 2011 through January 10, 2012 was during the detail July 3, July 4, July 5, July 6 and July 7 of 2011. The schedule Sergeant Roster provided to me lists 16.5 hours on July 4, 2011. When asked as to dates when hours exceeded 16.5 hours such as July 2, 2011, 20 hours 21 minutes, September 7, 2011, 17 hours 12 minutes, November 2, 2011, 17 hours 2 minutes, November 15, 2011, 19 hours 2 minutes, December 13, 2011, 18 hours 41 minutes and December 29, 2011, 21 hours 58 minutes Sergeant Roster responded that it must have been computer error.
- Sergeant Roster's time sheets were discussed and although it appears impossible to determine how many hours Sergeant Roster worked on any given pay period his time sheets were inaccurate as to documenting hours worked.
- When asked if Sergeant Roster could explain the discrepancies as to his time worked versus his time sheets Sergeant Roster stated the juggling of two units and a K-9 school all at the same time "it was very hard to track all my hours, it actually became humanly impossible". Sergeant Roster spoke of occasions when he responded to incidents involving his unit/s and was not on the clock such as Deputy Costello's crash, search warrant at Rogers Towing, Deputy Celico's traffic stop on I-95, maintaining the K-9 training area at the land fill, surveillance in personal vehicle, SWAT try outs when Sergeant Roster was on Unit Log Listing as S157, typing K-9 test at home and monitoring trackers at home.
- Sergeant Roster stated "I feel like that if I'm guilty of anything I'm guilty of not properly tracking my time and not documenting every minute and just doing too much on my own".

## Discussion

This investigation reveals after the examination of Sergeant Jaime Roster's "Unit Log Listing", emails, calls for service and radio traffic there is an approximate shortage of 177 hours in regular pay, \$4,148.35, 76 hours in overtime, \$3,548.71, 12 hours in Holiday pay, \$709.20,



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approximately \$8,406.26 in over pay for the time period of June 29 2011 through January 10, 2012. Sergeant Roster also banked 17 hours for the respective pay periods; no dollar value is listed for said banked hours in this report. Sergeant Roster worked an overage of 5 hours and 41 minutes, \$303.28. Both the dollar amount and time have been subtracted from the above figures.

Sergeant Roster's time sheets were examined and it appears impossible to prove how many hours Sergeant Roster worked on any given pay period as his time sheets do not match the "Unit Log Listing" and are inaccurate as to documenting days and hours worked.

Sergeant Jaime Roster stated he worked a 35.5 hour special detail, with an OPS plan, in county and did not put himself in service.

Sergeant Jaime Roster, in his sworn statement, stated he worked in excess of 110 hours which are not on record.

## Findings

This Investigation has **sustained** the following charges against Sergeant Jaime Roster:

Policy 81.16, Modified Dispatching

This order shall apply to all members utilizing Mobile Data Terminals and the radio channels.

- 31 Units should complete unit status changes via MDT unless exigent or emergency circumstances exist. The status changes include but are not limited to:

En-route

On-scene

**Available**

**Off duty**

On portable (enter location)

Busy (enter location)



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## Court

In Department Vehicle

At Destination (for follow-up to primary call)

To Destination (for follow-up to primary call)

Meal Break (enter location)

Report Writing

Special Detail (enter locations; utilize when no Operation Plan)

Training (enter location)

Transport (enter beginning and ending mileage)

44. Units will log themselves on MDT when their shift begins and log themselves off at the end of their shift.

47 When working off-duty employment, all units shall log into the MDT utilizing their individual ID number and providing the location of their detail. The dispatcher shall be notified via voice transmission:

During details utilizing an Operational Plan, the Officer in Command (OIC) shall create a Call for Service and be entered as the primary unit.

Additional deputies working the same detail shall place themselves "en route" and "on scene" to the "Call for Service".

## Policy 17.2, Payroll

12. Each member shall complete a daily time sheet.

16. Falsification of any attendance record shall be cause for dismissal.

17. All hours will be recorded to nearest quarter of an hour using the time sheet legend.



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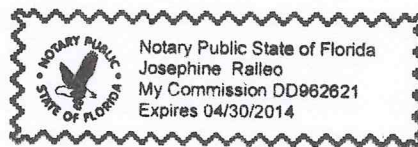
"I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any rights contained in ss. 112.532 and 112.533, Florida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

CPL N W R 211  
Cpl. Nathan W. Flach

2-27-12  
Date

Sworn to and subscribed before me, the undersigned, this 27 of February 2012.

Josephine Ralleo  
Notary



Danison  
Reviewing Supervisor

2/27/12  
Date



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# Flagler County Sheriff's Office

Donald W. Fleming, Sheriff

1001 Justice Lane • Bunnell, Florida 32110

## Reviewing Supervisor Recommendations:

SUPERVISOR:

\_\_\_\_\_  
(NAME) (SIGNATURE) (TITLE) (DATE)

COMMENTS/RECOMMENDATIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WATCH COMMANDER (IF APPLICABLE):

\_\_\_\_\_  
(NAME) (SIGNATURE) (TITLE) (DATE)

COMMENTS/RECOMMENDATIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DIVISION MAJOR:

\_\_\_\_\_  
(NAME) (SIGNATURE) (TITLE) (DATE)

COMMENTS/RECOMMENDATIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CHIEF DEPUTY:

\_\_\_\_\_  
(NAME) (SIGNATURE) (TITLE) (DATE)

COMMENTS/RECOMMENDATIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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