Sheriff

Larry Ashley, *Okaloosa County Sheriff*

Headquarters: 50 2nd Street, Shalimar Florida 32579-1234
Phone: (850) 651-7410, Email: Sheriff@sheriff-okaloosa.org

To: Major Arnold Brown
From: Lt. Gary Venuti
Ref: Deputy Dwayne Vasiloff
IA 2017 -22

Major,
Sgt. Lenny Holloway conducted and Internal Investigation on Deputy Dwayne Vasiloff in which the allegations were sustained. He was found to be in direct violation of General Order 18.04 by not properly conducting a criminal complaint by means of taking an initial report. He was also found to be in violation of SOP 19.23 SRO procedures (4)(A) which clearly states that when a Protective Investigator from the Department of Children and Families arrives on campus and if the offense occurred in OCSO jurisdiction a discovery interview will be conducted. It was clearly noted that Investigators (8) with the Department of Children and Families have clearly lost confidence in Deputy Vasiloff. This was stated in videoed interviews that were conducted.
Based on the evidence provided Deputy Vasiloff's IA was found sustained and my recommendation for discipline is as follows:
Unsatisfactory Performance G.O. 11.03(E1) CAT 1
Obeying Rules G.O. 11.03(E45) CAT 2
6 Month probation, 2 days suspension without pay,
I also believe that Deputy Vasiloff needs a new assignment that will provide him with more direct supervision. I am requesting he be transferred.

For your consideration,

Gary Venuti
Lieutenant
Youth Services Division

Concur, however recommend 12 months probation
#8

I also concur, 12 MONTHS probation and other recommendations above
6/27/17

Supervisory Inquiry
Investigative Summary

To: Major Arnold Brown

CC: Captain Ted Pecot, Lieutenant Gary Venuti

From: Sergeant Lenny Holloway

RE: Investigative Summary /OCSO17CAD094895 – SC2017-22

Investigative Summary

On 26 May 2017, information was gleaned regarding Deputy Dwayne Vasiloff and his willful disregard during Department of Children and Families (hereafter referred to as DCF) joint child abuse investigations occurring at Kenwood Elementary School. These concerns were detailed by child protective investigators with DCF that involved Deputy Vasiloff's blatant and overt failure to participate in joint child abuse investigation. Due to Deputy Vasiloff's alleged neglect of duty, numerous reports documenting the joint abuse investigations being conducted at Kenwood Elementary were not authored. Similarly, on several occasions, patrol deputies and/ or criminal investigators had to author reports that should have been generated by Deputy Vasiloff at the time of the investigations.

Recorded interviews of eight DCF child protective investigators were conducted, in the furtherance of this investigation, at the Child Advocacy Center located in Niceville, Florida. Synonymous accounts were described by nearly all of the above investigators detailing Deputy Vasiloff's willful neglect of duty. Firsthand information was gleaned from these investigators regarding his recurrent use of excuses to circumvent policy e.g. not authoring reports and/ or participating in abuse investigations, and how his begrudging demeanor seemed incessant when abuse investigators arrived on campus.

During the recorded Garrity Interview of Deputy Vasiloff, he fanatically denied any wrong doing and stated his behavior was misinterpreted by DCF investigators. He continued and stated that it

was his belief the DCF investigators were "banding together," essentially against him, due to their similar statements.

Deputy Vasiloff's case management, body borne camera system, and the Sheriff's Office CAD system were researched. Deputy Vasiloff only had seven child abuse reports generated from August 2016 – June 2017 which married up with the videos from his camera and the CAD system. These reports are a glaring contradictory from testimony given by the DCF investigators to wit: forty-six to fifty-six investigative visits to Kenwood Elementary School. Kenwood Elementary has a population that includes students with exceptionalities. With this type of demographic, it has been seen that a school with this type of population would be more prone to DCF investigations due to students with exceptionalities; yet, this is not reflected in Deputy Vasiloff's case management.

Based on the information garnered from this investigation, there is a preponderance of evidence to substantiate policy violation specifically G.O. 11.03 (E1, E37, and E45) to wit: Unsatisfactory Performance, Unbecoming Conduct, and Obeying Rules respectively.

Lenny Holloway, Sergeant
Okaloosa County Sheriff's Office

Supervisory Inquiry
Investigative Report

To: Major Arnold Brown

CC: Captain Ted Pecot, Lieutenant Gary Venuti

From: Sergeant Lenny Holloway

RE: Administrative Investigation /OCSO17CAD094895 – SC2017-22

Initial Notification:

On 26 May 2017, I was notified by Investigator Kelly Henderson of concerns she received involving Deputy Dwayne Vasiloff. These concerns were detailed by child protective investigators with the Department of Children and Families (hereafter referred to as DCF); they pertained to allegations involving Deputy Vasiloff and his willful disregard during joint child abuse investigations with DCF. These investigation occurred at Kenwood Elementary School, Deputy Vasiloff's assigned duty assignment. Additionally, Investigator Henderson related the following: On numerous occasions, Deputy Vasiloff blatantly failed to participate in joint child abuse investigation; and when requested by DCF for assistance, Deputy Vasiloff would deliberately respond with an excuse as to why he could not render his assistance. Lastly, Deputy Vasiloff, due to his complete disregard, failed to author reports documenting the joint abuse investigations being conducted at Kenwood Elementary.

Background:

During the 2016-2017 school year, DCF conducted numerous investigative visits/follow ups at Kenwood Elementary School where Deputy Vasiloff is the assigned school resource officer (hereafter referred to as SRO). These visits were in response to abuse allegations, some with alleged physical injuries and/ or sexual abuse. During such time, Deputy Vasiloff, principally, neglected his duties and failed to participate in the investigations; and then secondly, he overtly

neglected to author reports documenting the incident and the details surrounding the abuse allegations.

Deputy Vasiloff is currently an SRO assigned to the Okaloosa County Sheriff's Office (hereafter referred to as OCSO) Youth Services Division. Deputy Vasiloff has been in this capacity since 2013 and is currently assigned to Kenwood Elementary School. This investigation will identify any violations of OCSO General Orders (G.O.) and will specifically address G.O. 11.03 (E1, E37, and E45) to wit: Unsatisfactory Performance, Unbecoming Conduct, and Obeying Rules respectively.

Witnesses and Interviews:

Shelley Jacobs - Witness, DCF Child Protective Investigator (at the time of the incidents), DCF Child Protective Team Case Coordinator, Child Advocacy Center, 401 McEwen Drive, Niceville, Florida

Mellie Diane Roberts - Witness, DCF Child Protective Investigator, Child Advocacy Center, 401 McEwen Drive, Niceville, Florida

Danielle Elizabeth Jacka - Witness, DCF Child Protective Investigator, Child Advocacy Center, 401 McEwen Drive, Niceville, Florida

Kristopher Howard Staley - Witness, DCF Child Protective Investigator, Child Advocacy Center, 401 McEwen Drive, Niceville, Florida

Angela Marie Viramontes - Witness, DCF Child Protective Investigator, Child Advocacy Center, 401 McEwen Drive, Niceville, Florida

Amanda Shively - Witness, DCF Child Protective Investigator, Child Advocacy Center, 401 McEwen Drive, Niceville, Florida

Yari Arlette Mesa - Witness, DCF Child Protective Team Supervisor, Child Advocacy Center, 401 McEwen Drive, Niceville, Florida

Christina Fernandez - Witness, DCF Child Protective Investigator, Child Advocacy Center, 401 McEwen Drive, Niceville, Florida

Narrative:

During the 2016 – 2017 school year, Deputy Vasiloff was employed with the OCSO in the capacity of an SRO. His duty station during this specific time frame was Kenwood Elementary School located in Fort Walton Beach, Okaloosa County, Florida. Deputy Vasiloff's duties include but are not limited to the safety of the students, faculty, and whomever is employed and/ or present at the school. Equally, he is required by OCSO policy and, explicitly, expected to author reports that are generated at the school and/ or have a nexus to the school. During the aforesaid school year, it is alleged Deputy Vasiloff failed to adhere to OCSO policy by neglecting his duty in relation to joint child abuse investigations being conducted at Kenwood Elementary School. Specific allegations relating to Deputy Vasiloff's wanton indifference towards these investigations and failure to participate in interviews and/ or author reports have been made.

Shelley Jacobs provided the following account: She was newly assigned as a child protective investigator with DCF during the timeframes of October 2016 – December 2016. She was previously working in the same capacity in another jurisdiction, however, had transferred to Okaloosa County. During the aforementioned dates, she visited Kenwood Elementary School on several occasions for the purpose of conducting joint child abuse investigations. On one specific incident, she presented Deputy Vasiloff with information (intake report) regarding a student at said school with suspected injuries stemming from a child abuse allegation. Deputy Vasiloff appeared to not want to participate and/ or author a report and referenced the time of day stating: "'It's late in the afternoon…if [I] have to take a report, it'll be close to five [o'clock]….'" After speaking with her supervisor and explaining the situation, she continued with the investigation and subsequent interview without Vasiloff. The incident was documented in her report specifically noting Deputy Vasiloff's non-participation in the investigation.

During a second incident at Kenwood Elementary, she provided Deputy Vasiloff with an intake report describing alleged physical harm to a child. She offered Deputy Vasiloff the opportunity to participate in the interview; at which time, he advised he didn't have his computer (MCT) and that it was in his vehicle. He then asked if she needed him and sensing the same tone as previous encounters, she advised in the negative.

During the interview, Jacobs advised she had visited Kenwood Elementary School on a minimum of seven times and Deputy Vasiloff only authored one report. She found this specific occasion odd since Deputy Vasiloff, on previous encounters, failed to render any assistance. During other incident(s), Deputy Vasiloff would make references to how long it would take to author the report and the time of day (being close to school dismissal) of DCF's arrival. Jacobs advised she mentioned her interactions with Deputy Vasiloff to other DCF investigators in an attempt to gain some insight as to how to facilitate assistance; she was apprised the above actions were common for Deputy Vasiloff and "that's his reputation" referring to him not taking reports. Also, she was told he would flagrantly provide excuses as to why he cannot or will not participate in joint investigations.

At the conclusion of the interview, Jacobs was asked, explicitly, while conducting investigative visits/follow ups at Kenwood Elementary, did she ask for the SRO (Deputy Vasiloff) and she replied: "yes." She advised she was cognizant of this due to her previous assignment in Santa Rosa County where she was not obligated to inform law enforcement when conducting an abuse investigation at the schools. After being asked, she then reiterated the fact that she asked Deputy Vasiloff to "sit in" on interviews on two separate occasions whereby he provided excuses as to why he could not participate. Moreover, he never interjected himself during the interviews to render assistance and Jacobs completed the interviews, solely, and without any assistance from Deputy Vasiloff. Jacobs' interview was conducted on 31 May 2017 at the Child Advocacy Center in Niceville, Florida. The interview was digitally captured utilizing a body borne camera system.

Mellie Diane Roberts advised the following account: She has been a child protective investigator with DCF since December 2016 and has conducted child abuse investigations at Kenwood Elementary. During one of her first investigations with DCF and with an SRO, she visited Kenwood Elementary and had contact with Deputy Vasiloff. She was in the company of Shelley Jacobs and the two were present to conduct a joint child abuse investigation. The child victim was autistic, had allegedly sustained a head injury(ies), and an interview was intended with the victim. While at the school, she and Jacobs asked Deputy Vasiloff to assist with the

interview/investigation to which he replied: "'oh ya'll need me?'" After being told "yes," Deputy Vasiloff looked at his watch and advised "'we're done in twenty minutes'" referring to school dismissal and "'it wouldn't make any sense to start a report.'" After being told the interview could lead to a CPT interview, Deputy Vasiloff continued further with his banter for nearly ten - fifteen minutes. He finally agreed to participate in the interview; during such time, it appeared he was rushing through it. Furthermore, it was noted that Deputy Vasiloff did not take in account the victim's exceptionality i.e. autism and was closely prodding with his finger and camera in the victim's face. His actions raised concerns with Roberts and Jacobs. During a second incident, Deputy Vasiloff advised his computer was either broke or not working (Roberts could not specifically recall) and, again, did not participate in a joint child abuse investigation.

During the interview, she advised she has had approximately ten abuse investigations/reports at Kenwood Elementary from the date range of December 2016 – April 2017 whereby Deputy Vasiloff would recurrently ask "'hey, do you need me?'" and ultimately would not participate in the joint investigations. Likewise, she advised out of approximately ten abuse report, Deputy Vasiloff only authored one maybe two reports. Additionally, she related on two specific incidents when Deputy Vasiloff failed to participate and/ or author initial reports, patrol and/ or the criminal investigative section (OCSO) had to conduct necessary follow ups due to his lack of diligence regarding the documentation of the allegations.

Roberts was asked, explicitly, while conducting investigative visits/follow ups at Kenwood Elementary, did she ask for the SRO (Deputy Vasiloff) and she nodded in the affirmative. She was asked, explicitly, to her recollection about how many times did Deputy Vasiloff provide excuses to which she stated: One time referencing his computer being broken/not working and three – four times referencing the time of day and dismissal. Roberts, at one point, believed Deputy Vasiloff's actions were the norm for SROs (due to her being newly assigned); however, she was apprised and gleaned otherwise when interacting with other SROs. Equally, she stated she was under the impression Deputy Vasiloff was a newly hired deputy based on his lack of attentiveness and cooperation and that he gave the impression that he did not wish to provide assistance and/ or write abuse reports. Roberts' interview was conducted on 1 June 2017 at the

Child Advocacy Center in Niceville, Florida. The interview was digitally captured utilizing a body borne camera system.

Danielle Elizabeth Jacka advised the following account: She is a DCF child protective investigator and has had interactions with Deputy Vasiloff stemming from investigative visits to the school. During a specific investigation, she arrived at the school and made contact with Deputy Vasiloff. The six year old child victim allegedly was struck about the face with an object and possibly had injuries. This was relayed to Deputy Vasiloff to which he advised he would look over the victim and if he/she did not have any signs of injury, he probably would not sit in during the interview and/or author a report. The report was completed due to the child having visible marks.

Jacka, during the interview, described her initial impression of Deputy Vasiloff was that of he did not appear to want to take a report; and, she rarely encountered this type of apprehension that was displayed that day in the three years she has been with DCF. She related she very rarely has had this type of issue and that her experiences with SROs have been positive. She views SROs as helpful tools within the school environment and praised their works; the incident with Deputy Vasiloff was contrary to her previous experiences with other SROs. Jacka's interview was conducted on 6 June 2017 at the Child Advocacy Center in Niceville, Florida. The interview was digitally captured utilizing a body borne camera system.

Kristopher Howard Staley advised the following accounts: He is a child protective investigator with DCF. He has had three encounters with Deputy Vasiloff ranging from the dates of November 2016 – May 2017 while at Kenwood Elementary stemming from child abuse investigations. On 26 May 2017, he traveled to Kenwood Elementary in response to a child abuse complaint. While accessing the intake report, via his phone, Deputy Vasiloff continually asked: "'do I need to be in here...do you need me?'" After being advised "yes" and trying to discern the information, Deputy Vasiloff stated the victim was "'a little liar'" and continued to ask: "'do you need me...do you need me?'"

While reviewing the intake report, the victim's address was misrepresented. Observing this, Deputy Vasiloff then stated: "'I'm in the city...I'm in the city'" possibly referring to the school's

address or the victim's address. After bantering back and forth about jurisdiction, Deputy Vasiloff then stated "'you don't need me'" and the interview was then done without his assistance.

During a second incident, Staley was present regarding a child victim with an alleged bruise to the buttocks region. After explaining the intake information, Deputy Vasiloff stated his (Staley) intended actions regarding viewing the suspected injury were considered a strip search and that he needed the parents' consent. He then exited and failed to participate or document the incident.

A third incident was recounted and according to Staley occurred similar to the above two.

Staley advised during his encounters with Deputy Vasiloff he persistently removed himself from child abuse investigations/interviews that were being conducted at the school. He continued and stated he has never encountered resistance from other SROs and that they are more than willing to provide assistance in the furtherance of his cases. Staley's interview was conducted on 6 June 2017 at the Child Advocacy Center in Niceville, Florida. The interview was digitally captured utilizing a body borne camera system.

Angela Marie Viramontes provided the following account: She is a child protective investigator with DCF. She has been a DCF investigator for four and half years and has had encounters with Deputy Vasiloff while at Kenwood Elementary stemming from child abuse investigations. Deputy Vasiloff has stated on several occasions: "'do you really need me?'" and "'is this really my jurisdiction?'" He often finds ways to remove himself from the investigations and has also stated: "'you're interrupting my lunch.'" Often times and due to his poor attitude, child crimes investigators with the OCSO would be called to help facilitate the child abuse investigation.

During the interview, Viramontes stated she has had a minimum of fifteen responses to Kenwood Elementary and Deputy Vasiloff's has competed reports. However, she advised he is extremely reluctant in doing them and displays a poor, irritated attitude during these times. She went as far to say that when an intake report is received for Kenwood Elementary DCF investigators execrate and are unenthusiastic about responding to the school due to Deputy Vasiloff's reputation. According to Viramontes, this is due to Deputy Vasiloff's behavior and

lack of help. Viramontes' interview was conducted on 6 June 2017 at the Child Advocacy Center in Niceville, Florida. The interview was digitally captured utilizing a body borne camera system.

Amanda Shively provided the following account: She is a DCF child protective investigator with about four and half years' experience; she just returned back to DCF near the end of 2016. She has had approximately three – four encounters with Deputy Vasiloff since February 2017 stemming from abuse investigations. One incident involved a special needs child with autism with alleged physical injury; Deputy Vasiloff appeared aggravated and didn't want to take the report. He was strongly urged that a report needed to be done in order to facilitate her investigation. Deputy Vasiloff begrudgingly advised it was late in the day, close to dismissal and that he would have to stay late to do the report. During the interview, Deputy Vasiloff minimized the suspected injuries which could have compromised the case.

During a second incident, she arrived and asked for Deputy Vasiloff on three occasions. After about an hour, she proceeded with the interview without Deputy Vasiloff. After disclosure was made, she stopped the interview, exited the room, and again asked for Deputy Vasiloff to respond. After he arrived, he stated irritably: "'you know we're going to have to re-interview the child right?'" He then sat in on the interview and again began minimizing the child's injuries. Deputy Vasiloff appeared frustrated and annoyed that he had to participate in the investigation.

During two other incidents, she had to adamantly state to him that he would take a report to document the incidents.

During the interview with Shively, she expressly stated Deputy Vasiloff habitually tries to "get out of work" and gives the appearance that he does not want to be there. Furthermore, she advised she has to essentially "twist his arm" to do his job. This is the norm, according to Shively, regarding Deputy Vasiloff's work ethic, or lack thereof, and is contrary to other SROs at other schools. Moreover, when asked, she added if it wasn't for her persistence, Deputy Vasiloff would have not authored any reports nor participated in any investigations. Shively's interview was conducted on 6 June 2017 at the Child Advocacy Center in Niceville, Florida. The interview was digitally captured utilizing a body borne camera system.

Yari Arlette Mesa provided the following account: She is the child protective team supervisor and has been with DCF for about five years. She has encountered Deputy Vasiloff on one occasion while at Kenwood Elementary. This encounter involved an abuse allegation with suspected injury near the beginning of the 2016 school year. She arrived at the school and made contact with Deputy Vasiloff. She explained the allegations and asked if he wanted to participate in the interview/investigation to which he asked: "do you need me there?" and "I don't need to be in there." After informing him it was her protocol to have a deputy present when allegations of physical abuse are present, she advised Deputy Vasiloff it was up to him if he wished to participate. Deputy Vasiloff turned around, walked away, and never interjected himself in the interview nor provided any assistance.

When interviewing Mesa, she advised after the aforesaid encounter she inquired of the other DCF investigators about Deputy Vasiloff's behavior. She, like others, were told this was the norm for Deputy Vasiloff. She concluded by stating Deputy Vasiloff's actions and behavior are contrary to what she has seen of other deputies and SROs who have been more than willing to offer their assistance during DCF investigations. Mesa's interview was conducted on 6 June 2017 at the Child Advocacy Center in Niceville, Florida. The interview was digitally captured utilizing a body borne camera system.

Christina Fernandez provided the following account: She is a DCF child protective investigator and has been for approximately five years; she has also had encounters with Deputy Vasiloff at Kenwood Elementary School. During investigative visits/investigations at Kenwood Elementary, Deputy Vasiloff, in response to being asked for assistance, would ask "'do I need to take a report?'" and "'I really don't want to, should I?'" During a specific incident that occurred at the school involving a child on child sexual abuse allegation, Deputy Vasiloff asked: "'do I need to take a report…should I sit in...I don't even know if I have to sit in.'" After being advised, a second time, of the alleged abuse report and that the incident occurred at the school, he responded: "Well, I think this is Fort Walton's (Police Department) jurisdiction…." After some time, he finally sat in, yet appeared to be rushing through the interview.

During another incident that occurred later in the day, she responded to the school and then to the home. Deputy Vasiloff called her on several occasion regarding demographical information of

those involved. After being told she hadn't gathered it yet, he stated: "'I'm ready to go home, you haven't got it yet?'" and "'it's close to five, I'm ready to go home....'" Fernandez's interview was conducted on 6 June 2017 at the Child Advocacy Center in Niceville, Florida. The interview was digitally captured utilizing a body borne camera system.

Garrity interview with Deputy Dwayne Vasiloff: On 13 June 2017, prior to the Garrity Interview with Deputy Dwayne Vasiloff, he was informed in writing of this investigation, via a "Notification of Administrative Inquiry/Investigation." Deputy Vasiloff read and signed this document; he also read and signed a "Notice of Confidentially" acknowledging his understanding of the confidentiality requirements pertaining to this investigation.

On 14 June 2017, a digitally recorded Garrity Interview was conducted with Deputy Dwayne Vasiloff. This interview was concerning the aforesaid complaints contained therein; the interview occurred during Deputy Vasiloff's regular duty hours. The interview was conducted at the Okaloosa County Sheriff's Office Headquarters Building located at 50 2nd Street, Shalimar, Florida specifically in the Criminal Investigative Section. Deputy Vasiloff was provided and read a copy of the "Garrity Warning." The Garrity Warning was also read out loud to him prior to his signature. Deputy Vasiloff was provided a copy of F.S.S. 112.532 to wit: Law enforcement officers' and correctional officers' rights and provided time to review the document. He rendered his signature acknowledging that the document was provided to him. Deputy Vasiloff was then provided the opportunity to view the evidence contained within this investigation which consisted of eight recorded interviews with the aforementioned DCF personnel.

Following Deputy Vasiloff's video review, he expressed his opposition to what was said by the eight DCF investigators during the above interviews and believes the amount of responses and/ or DCF investigations at Kenwood Elementary were inaccurate. It should be noted during interviews with the DCF investigators and according to their accounts, approximately forty-six to fifty-six investigative visits to the school were done during the 2016-2017 school year. This number reflects the visits by the above eight child protective investigators. Deputy Vasiloff, when researching CAD, only showed seven generated reports for the above school year to wit:

Incident Number	Date/Time	Complaint/Nature	Responding Unit	Agency	Additional Info
OCSO17CAD083745	05/16/2017 13:02:33	ABUSE - CHILD JI	VASILOFF, DWAYNE	OCSO	OCSO17OFF006421
OCSO17CAD052337	03/31/2017 10:48:01	ABUSE - CHILD JI	VASILOFF, DWAYNE	OCSO	OCSO17OFF003986
OCSO17CAD029382	02/21/2017 14:54:02	ABUSE - CHILD JI	VASILOFF, DWAYNE	OCSO	OCSO17OFF002066
OCSO16CAD203130	12/13/2016 13:18:16	ABUSE - CHILD JI	VASILOFF, DWAYNE	OCSO	OCSO16OFF015432
OCSO16CAD182440	11/03/2016 12:47:19	ABUSE - CHILD JI	VASILOFF, DWAYNE	OCSO	OCSO16OFF013942
OCSO16CAD175453	10/21/2016 14:02:27	ABUSE - CHILD JI	VASILOFF, DWAYNE	OCSO	OCSO16OFF013471
OCSO16CAD158989	09/23/2016 11:35:47	ABUSE - CHILD JI	VASILOFF, DWAYNE	OCSO	OCSO16OFF012134

It should be noted OCSO17OFF04355 was closed as a battery; however, it was investigated as an alleged child abuse.

Deputy Vasiloff maintained this position and stated that when DCF arrives at his school and if they need assist e.g. a report, he completes one. He added that his demeanor and/ or communication may have been perceived wrong, but if he is asked to participate he does. Deputy Vasiloff denied and/ or did not recollect saying the abovementioned "excuses" to DCF personnel and advised he has communicated previously about it being close to dismissal only to speed the investigative process. He advised he has never stated or made inference to it being close to dismissal in order to circumvent a report. Further, he stated that he did not recollect occasions where DCF investigators have visited the school where he has had this type of dialog with DCF.

During the interview, I inquired about specific statements that were conveyed from DCF investigators during their interviews regarding language specifically i.e. "'you're interrupting my lunch,'" "'do you really need me?'" Deputy Vasiloff advised he did not recall saying these

statements and/ or denied them all together. I then reiterated to Deputy Vasiloff about the nature of the investigation and that being truthful during the investigation was imperative. Equally, it was explained his truthfulness was explicitly required. He was, again, asked about the disproportionate number of DCF responses in relation to authored reports and using excuse(s) to circumvent the documenting of said event(s). He again denied ever conveying anything of this nature and stated if DCF needed assistance he would provide it without apprehension. He concluded the interview by expressing his opinion regarding to the above interviews by stating he felt they (DCF) were "banding together" due to their similar statements and that their perception of him was a matter of "interpretation."

Conclusion:

The recurrent alleged incidents concerning Deputy Vasiloff and his wanton neglect of duty i.e. deliberate indifferent during joint child abuse investigations, failing to participate in joint child abuse investigations and/ or interviews, and failing to author reports documenting joint child abuse interviews/investigations occurring at Kenwood Elementary School, based on the preponderance of the evidence, appears to have taken place.

During the interviews of eight DCF child protective investigators with whom had contact with Deputy Vasiloff at Kenwood Elementary, similar, if not identical, statements were made detailing the aforementioned allegations. Similarly, these statements detailed the alleged gross neglect on the part of Deputy Vasiloff. Conversely, Deputy Vasiloff denied any wrong doing; however, on multiple occasions during his recorded interview, he advised "[he] did not recall" specific incident(s) with DCF investigators and/ or incident(s) where he voluntarily removed himself from abuse investigations. He adamantly advised he would be more than willing to assist DCF which is contradictory to what was stated during recorded interviews. Deputy Vasiloff's case management was reviewed in an effort to further this investigation. The information gleaned from case management was compared to the Sheriff's Office CAD system and Deputy Vasiloff's body borne camera system. The information ascertained from Deputy Vasiloff's case management reflected seven generated child abuse reports at Kenwood Elementary School (detailed above); the CAD system and Deputy Vasiloff's camera system married up with the above report management system.

On 19 June 2017, I contacted Mesa and inquired about possibly obtaining recorded notes, written comments, etc. that either she and/ or other DCF investigators might have scribed pertaining to Deputy Vasiloff and the aforesaid allegations. Mesa apprised DCF lacks a centralized database that tracks individual cases and/ or lacks discrimination based on location. She added that without specific information e.g. victim's name, case number, etc. the above investigators would have to arduously examine every case they had received for the school year (August 2016 - May 2017). She did advised when visiting schools within the county, DCF investigators, among others, sign in at the front office area indicating their presence on campus and intentions.

Following the above conversation, I traveled to Kenwood Elementary and established contact with front desk personnel. There, a "DCF/FFN (Families First Network)" log in sheet was acquired. This log detailed specific dates, agencies, caseworker/investigator name, purpose of visit, and logged times. A total of six pages were obtained starting with a date of 25 April 2016 and ending with 26 May 2017. Starting at the 2016 school year (August 2016), forty-three DCF visits were noted for Kenwood Elementary; thirty-nine of the forty-three visits were noted as "interview or int.," three visits were noted as "child visits," and one as "paperwork." After gleaning this information, I contacted Mesa for clarification of the above. She expounded and stated that "interview or int." represented an interview with a child victim (discovery interview) which accompanied a DCF intake report; "Child visits" were explained as being just viewing of or "putting eyes on" a child victim which more than likely pertained to a follow up. After inquiring and providing specific information regarding the above investigation she conducted at Kenwood Elementary, Mesa was able to provide written documentation of her notes, via a "Chronological Notes Report"; this report corroborated her above recorded statement pertaining to Deputy Vasiloff not being present in the joint abuse investigation/interview. Similarly, notes from Jacobs and Staley were obtained; both corroborated their respective recorded statements regarding Deputy Vasiloff not participating in the discovery interview and Deputy Vasiloff indicating a child victim was a "liar," "he's in the city," and recurrently asking if he (Deputy Vasiloff) was needed respectively. The DCF/FFN log and "Chronological Notes Report" were added in this case file.

On 20 June 2017, a subsequent digitally recorded interview was conducted with Deputy Vasiloff concerning the abovementioned newly acquired information and to provide him the opportunity to review said evidence. This interview occurred during Deputy Vasiloff's regular duty hours and was held at the Okaloosa County Sheriff's Office Headquarters Building located at 50 2nd Street, Shalimar, Florida specifically in the Criminal Investigative Section.

After affording Deputy Vasiloff the opportunity to review the most recently obtained evidence, I inquired if he desired to add anything to his previous statement from 14 June 2017. Deputy Vasiloff replied in the negative and stated that the DCF/FFN log only informed when DCF visited the school. After explaining the terminology and their meaning i.e. "interview, int.," "child visit," etc. and the amount of DCF visits to the school, he remained unwavering in his statement and essentially advised if DCF arrived at the school they would have been asked by the school secretary if they wished for assistance by the SRO and; if they said no, they would have conducted their own investigations without him. I then inquired if he believed DCF deliberately failed to contact him during the forty-three, or even a fraction of this number, responses to the school and again he advised if they (DCF) advised the secretary they didn't need him he wouldn't have knowledge of their presence.

I then shifted the questioning to the "Chronological Notes Report" and specifically inquired about Mesa, Jacobs, and Staley's notes. Deputy Vasiloff refuted Staley's statement that he (Deputy Vasiloff) called a child victim a "liar" and that Staley informed him that he didn't need his participation in the investigation. After pointing out the specifics regarding his repeated asking "do you need me" etc. contained within Staley's report, he advised he only asked Staley twice and after being told he wasn't needed he removed himself from the investigation. I then inquired about Jacobs and Mesa's notes specifically addressing his lack of participation in interviews; Deputy Vasiloff advised that he could not recall the investigation/interview with Mesa due to the investigation being done at the beginning of the school year. He was then asked if he thought the DCF investigators were being untruthful about their statements and recorded notes and he stated: "yes" and advised if they needed him he would oblige. He again refuted the log referencing DCF not needing him and the log still showing an interview taking place. He was directed, explicitly, to the notes Jacobs recorded i.e. "CPI informed Kenwood SRO about

investigation...he did not participate in the interview...."; Deputy Vasiloff responded with: "she could be writing that down to cover her own behind" and "I don't not recall...."

Following the above, I provided Deputy Vasiloff a copy of G.O. 18.04 and Standard Operating Procedure SOP 19.23 to wit: *Investigations of Criminal Complaints* and *SRO – Procedures* respectively. He was afforded time to review both documents in their entirety. I then explained both documents as they pertained to addressing complaints and the protocol as to handling said incidents. Additionally, I directed Deputy Vasiloff to page 2 and page 3 of the G.O. and SOP, respectively, which explicates the duties when conducting a preliminary investigation and the duties of an SRO concerning DCF investigations, discovery interviews, etc. Deputy Vasiloff, at the conclusion, was asked if he preferred to add anything else to his previous statement, following the review of the newly acquired documents, and he advised: "no."

The abovementioned seven offense numbers reflect the entirety of abuse reports generated by Deputy Vasiloff from the start of the school year to the end (August 2016 – June 2017). This number is in stark contrast to what was depicted by the above DCF child protective investigators. An approximate number of school visits, according to DCF investigators, tallied about forty-six to fifty-six visits. Within this number, it is understood that a fraction of these visits may only be "eyes on" checks of a child victim with no interview; however, the above numbers would also reflect visits where abuse investigations/interviews would have taken place. A more precise number of investigations/investigative visits were concreted after obtaining a sign in log from Kenwood Elementary. Forty-three DCF visits at Kenwood Elementary were logged for the 2016-2017 school year: thirty-nine as discovery interviews where law enforcement is required. Equally and according to recorded testimony, many times these investigators have arrived at the school for the purpose of conducting interviews and have, likewise, requested Deputy Vasiloff at which time, no assist was rendered. It should be noted Kenwood Elementary has a population that includes students with exceptionalities. With this, the school would potentially be more prone to DCF investigations due to the special needs population; yet, Deputy Vasiloff's offense numbers do not represent this. Specific verbiage was used by several of the DCF investigators detailing Deputy Vasiloff's verbal communication when attempting to remove himself from investigations and/ or having done so. Comments to include: "Do you need me, do you need

me..." "is this my jurisdiction..." "do you think I need to write a report, should I write a report" and "it's close to three o'clock...." are just a few excuses allegedly used by Deputy Vasiloff and found to be synonymously described among nearly all the DCF investigators. These allegation statements were corroborated after obtaining a "Chronological Notes Report" for three DCF child protective investigators to wit: Mesa, Jacobs, Staley. Their respective notes contained therein are nearly verbatim to their recorded interviews; they describe Deputy Vasiloff's flagrant indecorous actions and neglect of duty. Deputy Vasiloff's explanation or belief is that these investigators are somehow "banding together" in unison against him for some unknown cause. Equally, he was resolute in his belief that their statements and recorded documentation were untrue; yet, when challenged with the newly obtained evidence, he advised he could not recall some aspects or encounters with DCF personnel. Deputy Vasiloff's above perceptions are highly implausible with the most reasonable rationalization being: a gross neglect of duty did occur involving Deputy Vasiloff. Consequently, his actions did violate Sheriff's Office G.O. 18.04 and SOP 19.23 to wit: ***Investigation of Criminal Complaints*** and ***SRO – Procedures*** respectively. See excerpts from the above G.O. and SOP:

G.O. 18.04

D. Preliminary Investigations

1. A properly conducted preliminary investigation may be sufficient to bring a case to a satisfactory conclusion, thereby eliminating the need for follow-up investigation. A preliminary investigation is the activity that begins when uniformed deputies arrive at the scene of an incident. The activity should continue until such time as postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation. Preliminary investigations are to be conducted by uniformed deputies unless the case is reported in person at the Headquarters building or is of a specialized nature, i.e., proactive investigations conducted by the Criminal Investigation Division, etc.

2. When conducting preliminary investigations of reported crimes the deputy/investigator shall employ one or more of the following steps:

a. Upon arrival at the scene, observe all conditions, events, and note any remarks made by

witnesses or others on scene. [CALEA 42.2.1 a]

b. Determine if an offense has actually been committed, and if so, the exact nature and circumstances of the incident.

c. Locate, identify, interview, and obtain statements from witnesses and/or affidavits from victims. [CALEA 42.2.1 b and d]

d. Determine the identity of the suspect or suspects, and effect an arrest if it can be accomplished either at the scene or through immediate pursuit.

I. Furnish other field units, through the communications system, descriptions, method and direction of flight, and other relevant information concerning wanted persons or vehicles.

e. Maintain the crime scene and protect evidence. [CALEA 42.2.1 c]

I. Arrange for the collection of evidence in accordance with General Order 35.02. [CALEA 42.2.1 c]

f. Check surrounding residences and/or business establishments for video surveillance systems that might have recorded the crime and or possible suspects.

g. Interview the suspect(s).

SOP 19.23

SRO – Procedures

D. Law Enforcement Authority

4. The SRO will conduct the discovery interview in Child Abuse complaints that occur on their campus.

a. If a Protective Investigator from the Department of Children and Families arrives on campus unaccompanied, the SRO will determine the venue of the occurrence, notify the responsible agency. If the offense occurred within the jurisdiction of the OCSO, the SRO will conduct the discovery interview, notify SRO Supervision who will forward the investigation to the appropriate division for follow-up.

Deputy Vasiloff's personnel file only reflected one disciplinary action taken against him which occurred in 2013 to wit: IA# 13-18 Unbecoming Conduct. This action resulted from an internal investigation and, subsequent, sustained policy violation. This specific investigative internal inquiry concerned federal tax returns and levied tax liabilities against Deputy Vasiloff which he defaulted on. His actions resulted in wage garnishments sent to the Sheriff's Office, federal liens, and an IRS agent being dispatched to his home. Thus, Deputy Vasiloff received a written reprimand and twelve months disciplinary probation following the aforesaid inquiry.

Based upon the above accounts contained therein, there is a preponderance of evidence to substantiate violations of policy specifically G.O. 11.03 (E1, E37, and E45) to wit: Unsatisfactory Performance, Unbecoming Conduct, and Obeying Rules respectively.

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 of the rights contained in ss. 112.532 and 112.533, Florida Statutes and declare that I have read the foregoing Internal Investigation Report and that the facts stated in it are true and correct to the best of my knowledge and belief.

Lenny M. Holloway, Sergeant
Okaloosa County Sheriff's Office