



SUNRISE POLICE DEPARTMENT

Daniel J. Ransone
Chief of Police

10440 W Oakland Park Blvd
Sunrise, Florida 33351
(954) 764-4357



Internal Affairs Complaint Report Narrative

I. INTRODUCTION:

Subject Employee: Officer [REDACTED]

Complainant: Daniel J. Ransone, Acting Chief of Police

Witnesses: Officer [REDACTED] Adrienne VanTongerloo, Mateusz Nowak

Narrative:

On August 14, 2023 Officer [REDACTED] was dispatched as the primary officer on a call regarding harassment and stalking. Officer [REDACTED] responded to the parking lot area of 12594 W. Sunrise Blvd. and contacts a male identified as John Tobler. Immediately, John appears fidgety and despondent. John alerts Officer [REDACTED] to several “conspiracy theories” where he believes that someone has “hacked” into his personal cellular phone as well as the computer inside his vehicle. During the first few minutes of the interaction, John seems tense and distrustful of Officer [REDACTED] and exhibits certain signs and symptoms consistent with a mentally disturbed person. Officer [REDACTED] recognizes these signs and works to build a rapport and quickly deescalates the tension exuding from John. Officer [REDACTED] expresses his concern for the mental well being of John and attempts to delve into John’s mental health background. John offers that he has been prescribed anti-depressants in the past and has also struggled with alcoholism.

John explains that he recently ended his relationship with his girlfriend and continues to struggle in his battle with alcohol addiction. From my perspective, these factors seem to be the underlying triggers that may have sparked John’s mental health instability.

The interaction ends with John being released into the custody of his best friend “Jimmy.” At the conclusion of the call, Officer [REDACTED] does not feel that John has met the criteria for a custodial baker act; however, he does convey his genuine concern for John’s well-being and takes steps to secure a proper guardian ad litem.

John's dispositive display of key signs and symptoms synonymous with custodial Baker Acts prompts Officer [REDACTED] to instead have a family member or friend assist him in seeking acute care and treatment. This alternative pathway for treatment is outlined on the standardized Law Enforcement Baker Act Form. Officer [REDACTED] does not write a police report and the only memorialization of the interaction is the Body Worn Camera footage.

Tragically, the next day, John committed suicide by gunfire. John's ex-girlfriend, Adrienne Van Tongerloo, believes that the actions, or more precisely, the perceived inaction of Officer [REDACTED] contributed to John's declining mental state and ultimate suicide.

It is important to note that throughout John's entire interaction with Officer [REDACTED] he seems to display a relatively calm and coherent demeanor. John does appear "shaky" and "sweaty" but those symptoms alone do not automatically give rise to furnishing the criteria needed to initiate a baker act.

The crux of the issue lies not with Officer [REDACTED]'s decision regarding whether or not to enact a baker act. Rather, it lies with the mere fact that he neglected to author a post incident police report, documenting the interaction. This step is crucial in ensuring a full, complete, and transparent investigation is conducted and more importantly, lessens the liability exposure to the officer and to the department.

The *Investigative Narrative* section outlines the details of my investigation into the matter and my conclusions with respect to any policy violations are found in the *Investigative Findings & Disposition* section.



SUNRISE POLICE DEPARTMENT

Daniel J. Ransone
Chief of Police

10440 W Oakland Park Blvd
Sunrise, Florida 33351
(954) 764-4357



Internal Affairs Complaint Report Narrative

II. INVESTIGATIVE NARRATIVE:

On December 26th, 2023 I took over this investigation from Lt. [REDACTED]. I reviewed all of the information that was available up until this date which included the originating email from Ms. Adrienne VanTongerloo, the Preliminary Case Report, and Lt. [REDACTED]'s introduction.

On December 29th, I called Ms. VanTongerloo to inform her I was taking over the investigation. Ms. VanTongerloo did not answer the phone, but I was able to leave her a voice message.

On January 8th, 2024 I reviewed the bodycam footage for Officers [REDACTED] and [REDACTED]. I then requested the 911 call and learned that because of the lapse in time from the incident date to the request date, the call was automatically deleted.

For clarification and insight into the deletion: All 911 calls are deleted within 30 days unless there is a request made to save them prior to the 30-day mark. The incident date for this investigation was August 14th at 8:33 am. Ms. VanTongerloo made a public records request for reports, 911 calls, and any video footage on October 11th, 2023; 58 days after the incident took place. It was at that point there was any indication of a potential policy violation which is why Lt. [REDACTED] authored a Preliminary Complaint Report.

The following is a detailed summary of what I observed after reviewing Officer [REDACTED]'s bodycam footage:

Officer [REDACTED] responded to a [REDACTED] call at or around 8:36 am. [REDACTED] John Andrew Tobler, told [REDACTED] he was being threatened and that his car computer system was compromised. Officer [REDACTED] arrived at or around 8:41 am and met with Mr. Tobler outside of his blue Toyota Tundra in the parking lot near the 12500 block of W. Sunrise Blvd. Mr. Tobler told Officer [REDACTED] that people were talking to him through his phone which was turned off as well as his vehicle stereo system and his home stereo system. Mr. Tobler then said the main reason he [REDACTED] was to see if he needed to tow his vehicle because he had several rifles and pistols inside the vehicle. At that point, Officer [REDACTED] called for backup. While he waited for his backup to arrive, Officer [REDACTED] engaged in conversation with Mr. Tobler striving to understand his claim and offer assistance. Officer [REDACTED] asked if he had any firearms on his person, which Mr. Tobler

denied. Officer [REDACTED] then got contact information for Mr. Tobler's spouse/partner, Ms. Adrienne VanTongerloo as well as Mr. Tobler's contact information.

When Officer [REDACTED] arrived, Officer [REDACTED] informed him of Mr. Tobler's claim of having firearms in the truck. He also told him that he was "talking like signal 20" which is a designation used for an individual that either has mental illness or is experiencing a mental health episode. He also made note that Mr. Tobler was "kind of shaking" and stated that he didn't know what he had right then, meaning that Officer [REDACTED] was still trying to ascertain what actions he needed to take. Officer [REDACTED] then went to his vehicle and called Ms. VanTongerloo. The call was on speakerphone and captured on his body camera. Officer [REDACTED] explained to her that he was with Mr. Tobler and that he appeared to be in distress. Ms. VanTongerloo told Officer [REDACTED] that Mr. Tobler was experiencing paranoia and had an alcohol addiction problem. She told Officer [REDACTED] that he did not sound good that morning and confirmed Mr. Tobler's claims of people hacking his phone and stereo system. She then stated that Mr. Tobler had never exhibited traits of paranoia during the time she had known him. Officer [REDACTED] told her that he was concerned for Mr. Tobler's mental state and asked if there was anyone available to come get his truck and firearms should he need to take him to a Baker Act facility. She provided Officer [REDACTED] with contact information for a friend of his, Jimmy, and said that he was the best responsible person to call.

After they hung up, Officer [REDACTED] went back to Mr. Tobler and inquired if he had consumed alcohol. Mr. Tobler replied that while he does drink, he was not currently inebriated. He also confirmed to Officer [REDACTED] that he had undergone alcohol recovery in the past. Officer [REDACTED] then openly expressed his concern for Mr. Tobler's mental state and asked if Mr. Tobler had experienced any previous mental health challenges. Mr. Tobler responded no. He then acknowledged that he has previously taken medication for depression and agreed that what he was claiming "sounded crazy." At that moment, Officer [REDACTED] suggested that his medication might be off and could be contributing to his declining mental health. Shortly after that, Officer [REDACTED] suggested he go to a hospital so they could check his medication and evaluate him. Mr. Tobler appeared to be receptive to that suggestion. Officer [REDACTED] then mentioned having Jimmy respond to the scene so he could help him with his vehicle and transport to the hospital. Mr. Tobler seemed to like that idea and called Jimmy.

Once he got him on the phone, Officer [REDACTED] spoke with Jimmy directly. He told Jimmy that if he was not able to ensure Mr. Tobler was okay with a friend, he might have to initiate a Baker Act on him. Officer [REDACTED] then asked Jimmy if he was able to leave work to come to the scene and provided him with the address. As he awaited Jimmy's response, Officer [REDACTED] asked Mr. Tobler directly if he had any intentions of harming himself or others. Mr. Tobler responded that he did not. Mr. Tobler then told Officer [REDACTED] his next move would be to get a therapist to talk about what he was going through. Officer [REDACTED] in an attempt to be considerate towards Mr. Tobler's well-being, asked if he had other things different than depression, insinuating any thoughts of suicide. Mr. Tobler, appearing to understand Officer [REDACTED] careful choice of words, responded with a head nod and "I understand." He then reiterated "no," "the only time I ever had any mental health was the depression stuff." Jimmy then returned to the phone and Officer [REDACTED] walked away from Mr. Tobler to continue the conversation.

The entirety of the conversation could not be heard, but Officer ██████ explained to Jimmy that Mr. Tobler was not suicidal and that if he was, he would “take him,” meaning Officer ██████ would take him to the hospital under a Baker Act. Officer ██████ again explained that Mr. Tobler was experiencing some delusions and that he should go to the hospital. Officer ██████ then told Jimmy that if he was forced to, he would have to take Mr. Tobler to the hospital himself. Officer ██████ then hung up the phone waiting for Jimmy to call back with an answer if he would be able to respond or not. While they waited, Officers ██████ and ██████ engaged in casual conversation with Mr. Tobler, conveying a caring and concerned demeanor. Officer ██████ also told Mr. Tobler to prioritize his own well-being and self-care over dwelling on the ended relationship. Later in the conversation, Officer ██████ asked Mr. Tobler that if Jimmy was able to respond, they could have breakfast then come up with a plan to go to a doctor. Mr. Tobler excitedly responded that he would love that because he had only had a bagel that morning. It was then that Officer ██████ suggested that he could go to Henderson Behavioral Health so he could speak with somebody.

Officer ██████ then called Henderson Clinic and explained that he had someone who did not meet the Baker Act criteria but needed evaluation. He then asked if they could “walk-in.” It appeared they responded in the affirmative, so he provided Mr. Tobler with a paper, presumably with the location and contact information for Henderson Behavioral Health. Mr. Tobler took possession of the paper, looked at it, and placed it in his pocket, seemingly relieved. Shortly after, Officer ██████ asked why he had not stored his property (meaning his firearms) in the trailer. Mr. Tobler responded that his trailer wasn’t too secure and that his gun safe was in West Palm Beach. Officer ██████ suggested several options to secure his firearms, including having a gun safe installed in the back seat of the vehicle so that they were safe from theft. At that point, Jimmy appeared to call Mr. Tobler to tell him that he was on his way. Mr. Tobler told Officers ██████ and ██████ that Jimmy would be there in 20 or 30 minutes, so he was going to grab a bite to eat while he waited. Officer ██████ said he would wait by his truck until Jimmy arrived, and ended the recording at 9:27am.

Officer ██████ reactivated his body camera when Jimmy arrived on scene around 9:47am. The video captured the conversation between Officer ██████ and Jimmy, where he reiterated his concern for Mr. Tobler’s mental well-being, explaining that Mr. Tobler acknowledged that what he was claiming (the hacking of his phone and car stereo) was far-fetched. Officer ██████ informed Jimmy that he given Mr. Tobler the address of a facility he can go check himself in. Officer ██████ then told Jimmy that Mr. Tobler had his belongings and firearms in the vehicle and that he wanted him to be okay. Officer ██████ explained the situation did not warrant a Baker Act, but having someone willing to accompany Mr. Tobler to facility would be beneficial. Officer ██████ provided Jimmy the name and general location of Henderson, emphasizing that Mr. Tobler had the paper with the necessary information on it. Officer ██████ thanked Jimmy for responding out and being a good friend to Mr. Tobler and ended the call.

Officer ██████ video captured everything Officer ██████ video captured, with the exception of the moments when Officer ██████ walked away to talk on the phone with Ms. VanTongerloo, Jimmy, and Henderson Behavioral Health. In those moments, nothing of great significance was captured that either adds to or detracts from this investigation.

On January 10th, I was able to speak with Ms. VanTongerloo about scheduling an interview with her. She informed me that she would be unavailable until March due to her work schedule. We agreed on March 15th as the date for her to come into the police department to watch the bodycam footage and provide a statement regarding this incident.

On February 28th, Ms. VanTongerloo informed me she was unable to physically come to the police department and preferred to provide her statement over the phone. We then rescheduled our appointment for March 8th.

On March 4th, Ms. VanTongerloo was sent a link to the body camera footage for review prior to her sworn taped statement. In response, she wrote me an email saying that her attorneys advised her not to watch the footage and that because she was beginning treatment for PTSD, watching the footage would induce more trauma. I replied that I understood her decision to abstain from watching the footage and looked forward to obtaining her statement on Officer [REDACTED] lack of documentation regarding his interaction with Mr. Tobler.

On March 7th, Ms. VanTongerloo wrote me an email wanting to clarify her expectations for the investigation. In short, Ms. VanTongerloo did have an issue with Officer [REDACTED] lack of documentation, but she also believed that Officer [REDACTED] was directly responsible for Mr. Tobler's death because he did not initiate a Baker Act, left the firearms in his possession, and did not give Trooper Tyler Sheinberg a full disclosure of his encounter with Mr. Tobler.

The following day, on March 8th, I took Ms. VanTongerloo's sworn statement over the phone. In her statement, Ms. VanTongerloo confirmed her complaint related to Officer [REDACTED] not conducting a Baker Act when it was her opinion it should have been made. She then stated that she had told Officer [REDACTED] about Mr. Tobler attempting to detox on his own and how dangerous it was for someone to do that. I asked Ms. VanTongerloo how many conversations she had with Officer [REDACTED] and she confirmed she only spoke with him one time, on August 14th, 2023, for approximately four minutes. I then went over the transcription of the call between Officer [REDACTED] and Ms. VanTongerloo.

In summary, Ms. VanTongerloo told Officer [REDACTED] that Mr. Tobler had an alcohol addiction problem and that he was paranoid for the past 24 hours. She told Officer [REDACTED] that Mr. Tobler had gone missing for about a week (unknown when) and that he did not sound good the morning of the interaction with Officer [REDACTED]. Ms. VanTongerloo then stated that Mr. Tobler admitted to cheating on her and that someone was trying to blackmail him. She also told Officer [REDACTED] that Mr. Tobler had never expressed any kind of paranoia before, and in the eight years together, he had never shown any paranoid tendencies. She also told Officer [REDACTED] that Mr. Tobler had been in and out of alcohol addiction for five years.

Officer [REDACTED] then asked Ms. VanTongerloo if he had to take Mr. Tobler in for a Baker Act, was there someone who could go get his truck and firearms. Ms. VanTongerloo responded that Jimmy was the best person to call. Ms. VanTongerloo then asked Officer [REDACTED] if Mr. Tobler called for help, and Officer [REDACTED] responded yes. He explained that Mr. Tobler called for help about people hacking his phone and his computer and that he was shaken by the breakup. Officer [REDACTED] then asked if Mr. Tobler had ever been violent. Ms. VanTongerloo's response was that he was a passive and sweet person who had never been violent. Ms. VanTongerloo then asked if

Mr. Tobler could be on drugs, and Officer ██████ responded with “maybe, or alcohol.” Officer ██████ then told Ms. VanTongerloo that he was going to call Jimmy, and she responded okay because she needed to get back to work anyway. Officer ██████ told her he might have to call her back, and she replied with “all right, if you have to take him somewhere for his protection, please do.”

I then asked Ms. VanTongerloo if she knew what Officer ██████ asked Mr. Tobler around the 23-minute mark of his body cam video. She replied that she did not. I also asked her if she had spoken to Jimmy about his interaction that day, and she said he did not give her much detail about what happened. I went on to explain that Officer ██████ asked Mr. Tobler if he wanted to hurt himself or others and that Mr. Tobler was very clear that he was not having those desires. I also informed Ms. VanTongerloo that around the 38-minute mark of Officer ██████ video, he called Henderson Behavioral Health Clinic. Ms. VanTongerloo was unaware of that fact or of what services Henderson Clinic provides. I explained to her that they are the “go-to mental health people” for Broward County and that Officer ██████ essentially made an appointment for Mr. Tobler to go and speak with them.

Since part of Ms. VanTongerloo’s concern is that Officer ██████ did not initiate a Baker Act, I felt it was important to go over the law enforcement criteria with her so that she could better understand it. I explained that one of the necessary criteria for law enforcement to conduct an involuntary Baker Act is that the person has refused a voluntary examination or is unable to determine that one is necessary. The second criteria is that without care or treatment, the person is likely to suffer from neglect or refuse to care for themselves, and such neglect or refusal poses a real and present threat of substantial harm to their well-being; and it is not apparent that such harm may be avoided through the help of willing family members or friends. The third criteria is that there is a substantial likelihood that without treatment the person will cause serious bodily harm to themselves or others, as evidenced by recent behavior. I told Ms. VanTongerloo that at no point during his interaction with Officer ██████ did Mr. Tobler refuse treatment or help. I also mentioned that Mr. Tobler even seemed grateful that Officer ██████ called Henderson Clinic for him and appeared to look forward to going.

Ms. VanTongerloo then asked if I knew how many firearms were in the truck. I told her we did not because the interaction was not documented nor was the vehicle searched. She then explained that she believed Mr. Tobler was suffering from DT (delirium tremens) and had alcoholic hallucinosis from his alcohol withdrawal. I told her that it was apparent he was experiencing a mental health episode and that Officer ██████ attempted to get him help as best he could by calling his friend and by contacting Henderson Clinic. I assured her that I would ask him why he felt Mr. Tobler did not meet a Baker Act criterion.

Towards the end of the statement, Ms. VanTongerloo stated that she believes Officer ██████ withheld information from the Florida Highway Patrol investigator. She claimed that when she asked the investigator if Officer ██████ told him about the number of firearms in the truck, he said Officer ██████ did not. She also stated it is “mind-boggling” the 911 call was deleted. I explained that they are only stored for a certain amount of time and that the calls between different agencies would not have been automatically connected. She then stated that she made the public records request prior to the 30 days being up.

After we concluded our conversation, I contacted Jimmy, whose legal name is Mateusz Nowak. Jimmy told me that he was unable to provide a statement at the moment, but we agreed to speak on March 14th.

On March 11th, I met with Officer [REDACTED] in my office, and he provided a sworn taped statement regarding his involvement and perspective in the interaction with Mr. Tobler.

Officer [REDACTED] explained that he had responded to the scene after Officer [REDACTED] requested a backup officer. From his recollection, the call was about a gentleman who was hearing voices coming through his vehicle and possibly taking over his vehicle. Officer [REDACTED] stated that Mr. Tobler wanted help with checking that out.

Officer [REDACTED] then explained that due to the statements Mr. Tobler was making, they were trying to evaluate his mental state and ascertain the truthfulness of his claims. When asked if they determined if Mr. Tobler wanted to harm himself, Officer [REDACTED] responded that Officer [REDACTED] had asked him a couple of times, and Mr. Tobler was calm when he replied that he did not want to harm himself. Mr. Tobler also agreed that what he was claiming sounded irrational. Officer [REDACTED] stated that Mr. Tobler's response eased any concerns they had for his immediate safety and the safety of others. Officer [REDACTED] also mentioned that he checked the cabin of the truck for weapons and did not find any (I can confirm from body cam footage that Officer [REDACTED] leaned into the driver's side of the vehicle to look, although it was a very cursory check).

Officer [REDACTED] then informed me that after determining that Mr. Tobler did not meet the Baker Act criteria nor posed an immediate threat to himself, Officer [REDACTED]'s focus shifted to finding a place where Mr. Tobler could talk to somebody. This led Officer [REDACTED] to call Henderson Clinic. Officer [REDACTED] also recalled Officer [REDACTED] calling a friend of Mr. Tobler's so he could respond to the scene. Officer [REDACTED] stated that when the friend (Jimmy) arrived, they spent time casually talking and reading Mr. Tobler's mental state. He noted that Mr. Tobler was calm throughout.

When asked if Jimmy was informed of the interaction, Officer [REDACTED] mentioned that Officer [REDACTED] spoke to him separately, but he did not hear the conversation. I then inquired about how the call concluded, and Officer [REDACTED] informed me that once they saw Mr. Tobler was in good hands, they cleared the call. I further asked if Jimmy was expected to continue helping Mr. Tobler, and Officer [REDACTED] confirmed this belief based on the conversation Officer [REDACTED] had with Jimmy.

I then asked Officer [REDACTED] if there was anything significant I needed to know related to the investigation. He mentioned that they spent a considerable amount of time evaluating Mr. Tobler's mental state and listening to him, although they are not mental health professionals capable of diagnosing his exact condition. However, they were comfortable knowing that he did not exhibit signs of wanting to harm himself or others.

Lastly, I asked Officer [REDACTED] if having paranoia by itself was enough to initiate a Baker Act, to which he responded no. I also inquired if hearing voices was sufficient, and again, he responded no. I then asked Officer [REDACTED] to explain the criteria for a Baker Act, and he

explained that they needed verbal or physical expressions indicating a desire to harm oneself or others.

On March 14th, I spoke with Mateusz “Jimmy” Nowak and obtained his sworn taped statement over the phone. For clarity and continuity, I will refer to Mateusz as Jimmy. In his statement, Jimmy recalled his involvement on August 14th, 2023. He stated he received a call from John (Mr. Tobler) who told him he was in distress. Jimmy remembered speaking with a police officer who asked if he could come and pick Mr. Tobler up. Jimmy left work and arrived around 9:45 am, where he met two officers. He spoke with the officers for approximately five minutes. During the conversation, the officers expressed their concern for Mr. Tobler’s state and provided him with some information. Jimmy mentioned that the officers gave Mr. Tobler a pamphlet with information about a place to go for psychological help (Henderson Clinic). After the officers left, Jimmy and Mr. Tobler stood around for about ten minutes and talked about the events. They then went to Office Depot, bought a recorder for Mr. Tobler's vehicle, and continued talking for another ten minutes. Jimmy followed Mr. Tobler to his residence in Fort Lauderdale and took possession of his firearms (except for two) for safekeeping. Jimmy left Mr. Tobler in the camper and returned to work. At some point during the day, the Fort Lauderdale Police responded to the camper. Later that day, Jimmy went back to the camper to check on Mr. Tobler.

When asked if Mr. Tobler had expressed a desire to harm himself or others, Jimmy replied no. He stated that Mr. Tobler was paranoid and believed that people were after him, but he never mentioned harming himself or others. Jimmy mentioned that he attempted to take Mr. Tobler to several places for evaluation after his interaction with the Fort Lauderdale Police. They tried the Broward Addiction Center/Broward Help Center (BARC) first, but when Mr. Tobler was not accepted, they parked the vehicle and called approximately four other places. When asked if they called Henderson Clinic using the number provided by Officer [REDACTED] Jimmy explained they did not find the pamphlet and couldn't remember the name. Jimmy confirmed that Officer [REDACTED] did express concern for Mr. Tobler and mentioned Henderson Clinic during their conversation.

On March 26th, I called Investigator Tyler Sheinberg with the Florida Highway Patrol. I was not able to reach him but I left him a voicemail. I also emailed the commander for his troop explaining my need to speak with him reference this investigation.

On March 27th, I spoke with Investigator [REDACTED] over the phone. He informed me the nature of his conversation with Officer [REDACTED] was simply to build a timeline of Mr. Tobler’s whereabouts leading up to his death. He said it was a very informal phone conversation that lasted approximately five minutes. From his recollection, Investigator [REDACTED] said that Officer [REDACTED] confirmed to him that Mr. Tobler did not meet the Baker Act criteria on the 14th of August, 2023.

I went over the claims Ms. VanTongerloo made, alleging Officer [REDACTED] withheld information about firearms and his conversation with her. Investigator [REDACTED] informed me that he did not ask Officer [REDACTED] about firearms or if he spoke with any family or friends. He reiterated to me that he simply wanted to build a timeline and did not ask specifics about Officer [REDACTED] interaction with Mr. Tobler. Furthermore, Investigator [REDACTED] told me that Officer [REDACTED]

was very forthcoming, open and was actually shocked when he learned that Mr. Tobler had died by suicide.

On April 3rd, I met with Officer [REDACTED] and obtained his sworn taped statement. Officer [REDACTED] informed me that he responded to the parking lot of First Watch and met with Mr. Tobler regarding his car stereo. He explained that he spent some time with Mr. Tobler, trying to understand the circumstances of his life up to that point. Officer [REDACTED] observed that Mr. Tobler was shaky (possibly attributed to having consumed a Red Bull) and had recently broken up with his girlfriend. He sensed that Mr. Tobler might be experiencing a mental crisis and sought to obtain contact information for his family.

In his efforts to gather more information on how to assist Mr. Tobler, Officer [REDACTED] first spoke with Mr. Tobler's partner, Adrienne. He recalled her mentioning that Mr. Tobler was a recovering alcoholic and was having auditory hallucinations in his car. Adrienne also stated that she was far away and couldn't come to the scene. Officer [REDACTED] then spoke with Mr. Tobler's friend, Jimmy, whose support was deemed valuable.

When asked why he determined that Mr. Tobler did not meet the Baker Act criteria, Officer [REDACTED] explained that throughout their conversation, Mr. Tobler remained calm. Officer [REDACTED] believed that Mr. Tobler might require a medication adjustment due to the stress of the breakup. He confirmed that Mr. Tobler did not express any intent to harm himself or others, nor did he exhibit obvious signs of intoxication, either from alcohol or controlled substances.

Regarding his call to Henderson Behavioral Health, Officer [REDACTED] wanted to verify that Mr. Tobler could visit their facility for counseling. He provided Mr. Tobler with their information and also informed Jimmy about Henderson Behavioral Health. Officer [REDACTED] emphasized that if he had doubts about Mr. Tobler seeking help, he would have taken a different course of action.

In addressing concerns about Mr. Tobler's firearms, Officer [REDACTED] expressed more worry about their security than about Mr. Tobler using them. Thus, he suggested Mr. Tobler relocate the firearms from his vehicle.

When questioned about why he chose not to document the incident, Officer [REDACTED] explained that he felt he had provided extensive and sufficient assistance to Mr. Tobler. He mentioned he felt relieved that Jimmy was there to support his friend.

Lastly, Officer Mosher recounted his conversation with Investigator [REDACTED] of FHP, noting it was brief and several months after the initial incident. Officer [REDACTED] remembered feeling distress upon learning about Mr. Tobler's suicide, reflecting on what he observed from Mr. Tobler on the day of their interaction.

Before concluding his statement, Officer [REDACTED] stated that he genuinely cared for Mr. Tobler and believed he had gone beyond the usual scope of duty. He acknowledged that with hindsight, he might have made different decisions.



SUNRISE POLICE DEPARTMENT

Daniel J. Ransone
Chief of Police

10440 W Oakland Park Blvd
Sunrise, Florida 33351
(954) 764-4357



Internal Affairs Complaint Report Narrative

III. INVESTIGATIVE FINDINGS and DISPOSITION:

If Lieutenant [REDACTED]'s allegations are true, Officer [REDACTED] would have violated the following policy:

Policy & Procedure: 14.6.1.13 – The activation and deactivation of BWC's will be documented in all incidents which require documentation to be generated (e.g.; incident report, field interview cards, response to resistance, etc.) If the member is involved in a situation where no written documentation is required to be generated and the member feels it necessary to document the incident, the member will initiate a written report. BWC Data is not a replacement for written reports.

IV: CONCLUSION

On August 14th, 2023 at or around 8:33am, Officer [REDACTED] responded to a call for service at the 12500 block of West Sunrise Blvd. When he arrived on scene, he met with [REDACTED] John Andrew Tobler, who expressed concerns about his phone, car and home stereo systems being hacked, along with alleged blackmail attempts. Mr. Tobler also mentioned having several firearms in the vehicle and sought advice on whether to have it towed. Officer [REDACTED] arrived on scene shortly after Officer [REDACTED] requested backup, allowing them to investigate and evaluated Mr. Tobler's claims and mental state.

Throughout their approximate 90-minute interaction, Officer [REDACTED] deduced that Mr. Tobler might be experiencing a mental-health episode due to life stresses and alcohol abuse. As part of his investigation, Officer [REDACTED] contacted Ms. VanTongerloo and Mr. Mateusz (Jimmy). Ms. VanTongerloo, Mr. Tobler's spouse/partner of eight years, and Jimmy, a close trusted friend, spoke with Officer [REDACTED] during which he provided an honest assessment of Mr. Tobler's condition and expressed a genuine desire to help him. Ultimately, Officer [REDACTED] determined that Mr. Tobler did not meet the involuntary Baker Act criteria. This decision was based on the

fact Mr. Tobler never verbally or physically expressed a desire to harm himself or others. Moreover, Mr. Tobler recognized the fact that he needed help and appeared to look forward to getting evaluated at a hospital or clinic. Jimmy's willingness to respond to the scene and be of assistance to his friend was also a mitigating factor for Officer ██████ decision to initiate a Baker Act.

It is crucial to consider Officer's ██████ actions within the context of the information available to him at the time. While it is evident that Officer ██████ would have made a different decision had he known that Mr. Tobler would tragically die by suicide the following day, nothing during their interaction suggested an imminent threat of self-harm. Officer ██████ felt and believed that he had given Mr. Tobler and Jimmy sufficient information and guidance for him to seek treatment independently.

At the conclusion of the interaction, Officer ██████ decided to not write a police report because he believed that he had gone above and beyond the normal scope of duty. Officer ██████ believed that he had provided Mr. Tobler with extensive assistance and that the call had developed into a routine police service call that did not require documentation. However, Officer ██████ spent a considerable amount of time with Mr. Tobler, speaking with family and friends, and going as far as calling Henderson Behavioral Health to ensure he was able to go seek treatment. Although Mr. Tobler did not make explicit threats or indicate intent to use any of the firearms in his possession, it is not typical for people to travel about with multiple firearms. Policy and common practice warranted this incident to be documented in a police report.

Lastly, it is important to address some of the claims made by Ms. VanTongerloo, not to discredit her or her recollection of the interaction, but to provide an accurate account of what transpired and in what sequence. In her original email to our department, Ms. VanTongerloo wrote:

- *He has however, relapsed in the past week and he is trying to detox himself at home –* Ms. VanTongerloo never said Mr. Tobler was attempting to detox. The word detox never came up in their conversation. She did state that Mr. Tobler had an alcohol addiction problem and that he was trying to get sober. Later in the conversation she stated Mr. Tobler has been in and out of recovery for alcohol addiction and then toward the end of the conversation she asked if he could be on drugs.
- *John is the most gentle and kind man I've ever known, however he is disturbed at the moment and he needs to be taken somewhere safe –* She did not ask Officer ██████ to take him somewhere safe until the very end of their conversation, **after** he suggested the possibility of initiating a Baker Act.
- *Are you aware that he has firearms in the vehicle? Yes, I am aware of that and that is why you need to take John somewhere safe –* During this portion of their conversation, Officer ██████ told Ms. VanTongerloo that he was concerned about Mr. Tobler's mental state. He then asked her that if he had to take Mr. Tobler for a Baker Act, if there was

someone that can come get his truck and all his guns in it. She responded that Jimmy was the best person to call. To reiterate, Ms. VanTongerloo asked Officer [REDACTED] only once, to take John to somewhere safe, **after** he suggested the possibility of a Baker Act.

- *Officer [REDACTED] was well aware of the fact that John had 16 firearms and countless rounds of ammunition in the Toyota Tundra truck along with the knowledge that John was not medically safe or trained to detox himself at home – Officer [REDACTED] only knew that Mr. Tobler had several firearms in the truck. Officer [REDACTED] never asked how many and he did not search the vehicle as it was not germane to his investigation. Again, the word detox never came up in Officer [REDACTED] conversation with Mr. Tobler, Ms. VanTongerloo or Jimmy.*
- *I have spoken with multiple people in law enforcement and they have confirmed that 911 calls do not get deleted, especially when the outcome is the death of the individual [REDACTED] if the call has a direct link to the deceased. Which in this case is both. – As I mentioned earlier in this report, all 911 calls are deleted after 30 days unless it is specifically requested either through a public records request or by the investigating agency. There is no automatic categorizing of calls based on who called, nor are they automatically saved based on the outcome of the incident.*
- *Officer [REDACTED] and Officer [REDACTED] did not attempt to get John help of any kind when I explicitly described John's vulnerable and precarious mental and physical state. – Officers [REDACTED] and [REDACTED] clearly attempted to help John. Officer [REDACTED] specifically spoke to Ms. VanTongerloo in his effort to gain a better understanding into what Mr. Tobler was experiencing. He then called his friend Jimmy in an attempt to offer him help and assistance from someone he knows and is comfortable with. Officer [REDACTED] called Henderson Behavioral Health, ensured he was able to go as a "walk-in" and provided Mr. Tobler with their location and contact information.*
- *Officer [REDACTED] informed me that Officer [REDACTED] withheld the fact that he Officer [REDACTED] was aware that John had 16 firearms in his possession at the time [REDACTED] Sunrise, FL. Officer [REDACTED] also withheld from Officer [REDACTED] our entire conversation that I had with him at 8:49am... Officer [REDACTED] did not disclose to Officer [REDACTED] that John was at risk mentally because of his hallucinations and paranoid delusions nor did he disclose that John was at risk physically due to his attempting to detox at home instead of a hospital or medically equipped facility - I spoke with Investigator [REDACTED] about his conversation with Officer [REDACTED]. Officer [REDACTED] did not withhold information, given the fact that Investigator [REDACTED] did not ask him about the details of his interaction with Mr. Tobler. The purpose of his conversation with Officer [REDACTED] was to establish a timeline for Mr. Tobler. Also, Officer [REDACTED] did not know how many firearms Mr. Tobler had, only that it was several. Additionally, Officer [REDACTED] understood Mr. Tobler was experiencing a mental health episode, not that he was at risk of death. Mr. Tobler's attempt to "detox" was never brought up or addressed by anyone on scene or on the phone.*

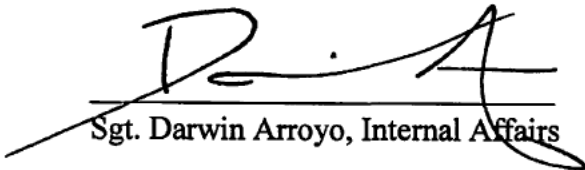
In Summary:

I find the following concerning the allegations of:

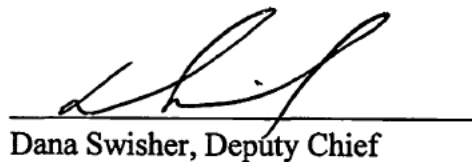
Policy & Procedure: 14.6.1.13 – The activation and deactivation of BWC's will be documented in all incidents which require documentation to be generated (e.g., incident reports, field interview cards, response to resistance, etc.) If the member is involved in a situation where no written documentation is required to be generated and the member feels it necessary to document the incident, the member will initiate a written report. BWC Data is not a replacement for written reports.

As noted above, Officer █████ spent a considerable amount of time with Mr. Tobler, speaking with family and friends, and going as far as calling Henderson Behavioral Health to ensure he was able to go seek treatment. Although Mr. Tobler never threatened to harm himself or others, or threatened to use any of the firearms he had, it is not all that typical for people to travel about with multiple firearms. Policy and common practice suggest that an encounter like the one Officer █████ had with Mr. Tobler should have been documented in a police report. Therefore, and based on the totality of the circumstances, I find the listed policy violation:

SUSTAINED


Sgt. Darwin Arroyo, Internal Affairs

4/10/24
Date


Dana Swisher, Deputy Chief

4/12/24
Date


Daniel J. Ransone, Chief of Police

4/16/24.
Date