



## SUNRISE POLICE DEPARTMENT

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# Internal Affairs Investigation

Subject Officer:

Sgt. [REDACTED]

Case # 23-10-01

Incident Date: October 2, 2023

180 Days: March 27, 2024

Complainant

Lt. Williams Bates

Internal Affairs Investigator

Lt. P. Brian Katz



# SUNRISE POLICE DEPARTMENT



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## Internal Affairs Complaint Report Narrative

### II. INVESTIGATIVE NARRATIVE:

On October 2, 2023, misuse of both the DAVID and LInX law enforcement databases by Sergeant [REDACTED] was discovered by [REDACTED] after a routine audit of the Emergency Contact Information access by departmental personnel. On this same date, Sergeant [REDACTED]'s access to DAVID, LInX, and FCIC / NCIC were all suspended until the conclusion of this investigation.

After reviewing the four (4) years of queries from both DAVID and LInX, it appeared there were several suspicious and possible impermissible queries of various people on behalf of Sergeant [REDACTED]. It appeared he had queried Angie Diez as far back as November 23, 2020, and continued to query her in both DAVID and LInX, as well as her Emergency Contact through September of 2023. There were also other names Sergeant [REDACTED] had repeatedly queried throughout this time frame, including himself. (See attached spreadsheet – APPENDIX 1).

On October 3, 2023, I spoke with both Angie Diez and one of her Emergency Contacts ([REDACTED] [REDACTED]) via telephone, (in the presence of IA Sergeant [REDACTED]) both of whom were queried multiple times by Sergeant [REDACTED] and confirmed these queries were indeed impermissible. Ms. Diez explained she was Sergeant [REDACTED] ex-girlfriend and the two of them dated and even lived together in Sergeant [REDACTED] apartment, located in the City of Sunrise. She stated the two of them met several years ago (circa 2017-2018) at a mutual friend's wedding. She further advised they dated on and off for several months after that (during the years 2021 - 2022) and the relationship was ultimately ended by her sometime in December of 2022. Ms. Diez stated she remained in contact with Sergeant [REDACTED] because she needed to remove some of her personal belongings from his apartment.

Ms. Diez stated after she ended the relationship, Sergeant [REDACTED] remained "sweet and attentive" towards her; however, she advised he later became obsessive about texting her and began to "press her to get back with him." Ms. Diez went on to state she is currently attending flight school at North Perry Airport in Miramar, FL. One night after flight school in March of 2023, she was walking to her vehicle in the parking lot and Sergeant [REDACTED] was parked next to her car in his marked Sunrise Police Vehicle while wearing his Sunrise Police Uniform. She advised Sergeant [REDACTED] pleaded with her to reconcile the relationship. Ms. Diez stated it appeared as if Sergeant [REDACTED] was on-duty during this encounter.

Ms. Diez advised Sergeant [REDACTED]'s behavior became more compulsive and he sent flowers to her mother's house for her and showed up at her mother's house professing his love for her. In addition, Ms. Diez advised Sergeant [REDACTED] began to send her text messages that concerned her. When I asked her to be more specific about the text messages, she stated he would text her things such as: "You know I know where you are" and "You know I'm a cop." Ms. Diez was concerned Sergeant [REDACTED] may be stalking her and / or trying to find out the location of her current residence. She went on to state Sergeant [REDACTED] sent other concerning text messages, such as: "I'll find out who you are with," "I would like to see who you're dating now," and "I'd love to see what this guy looks like." Ms. Diez stated after Sergeant [REDACTED] showed up unannounced at both the airport and her mother's house, coupled with the concerning text messages, she texted him: "I cannot stay in contact with you" and blocked him on her cell phone. Ms. Diez stated after she blocked him, Sergeant [REDACTED] would call her from different phones numbers, in an attempt to hide his identity.

I observed a pattern in Sergeant [REDACTED]'s queries, where he would query the name "[REDACTED]" shortly after querying Angie Diez. Ms. Diez confirmed [REDACTED] is a friend of her family's, almost like a father figure to her, and he is one of her Emergency Contacts in DAVID. Another name suspiciously queried by Sergeant [REDACTED] on more than one occasion after querying Angie Diez was the name "XAVIER GUIDRY" and an address query of "[REDACTED]". Ms. Diez confirmed Xavier Guidry is another ex-boyfriend of hers and the [REDACTED] address is where her and Mr. Guidry used to reside together. Ms. Diez advised she had no knowledge of Sergeant [REDACTED] querying her information until I informed her of such. She further advised she did not request Sergeant [REDACTED] to query her, nor did she give him permission to do so. Ms. Diez could not provide any legitimate reason as to why Sergeant [REDACTED] would have queried her name, her ex-boyfriend's name, or her emergency contact's name through either the DAVID or LInX database system.

Ms. Diez advised because of this new information that I shared with her, she wanted assistance on obtaining a restraining order against Sergeant [REDACTED]. I advised Ms. Diez I would put her in touch with the Sunrise Police Department's Victim Advocate ([REDACTED]) who could assist her with this matter. I also advised Ms. Diez I needed to take a taped statement from her in the near future as well.

**On October 3, 2023,** I left [REDACTED] a voicemail to contact me in reference to this investigation. [REDACTED] called me back later on this date and left me the following message:

*"Lieutenant Katz, my name is [REDACTED]. I am a friend of Angie Diez for quite a long time, and she called me and told me that an officer that she was wrong with for some time that she was seen, has that you called her and told her that she investigated her 15 times and me numerous times also. And that do I want to I want to press charges on this guy. I do not even know him. It is [REDACTED] Angie told me, is his name, I do not know him, okay? And I want to press charges on them. I think that that is criminal. What he did, okay? And he could have affected Angie's chance of becoming a commercial pilot because of investigating her for no reason whatsoever, please"* (See attached voicemail transcript).

I returned [REDACTED] telephone call and he confirmed he has never met Sergeant [REDACTED] he was indeed one of Angie Diez's emergency contacts, and he desired to press charges on Sergeant [REDACTED] if he was unlawfully queried by him. [REDACTED] advised he had no knowledge of Sergeant [REDACTED] querying his information until I informed him of such. He further advised he did not request Sergeant [REDACTED] to query him, nor did he give him permission to do so. [REDACTED] could not provide any legitimate reason as to why Sergeant [REDACTED] would have queried his name through either the DAVID or LInX database system.

I informed [REDACTED] I would be obtaining a taped statement from him in the near future.

**On October 4, 2023**, I requested Ms. Eusebe to pull a Transaction Archive Report (TAR) for FCIC / NCIC for Sergeant [REDACTED] from the time frame of 1/1/2020 – present. Sergeant [REDACTED] had ZERO queries during this time frame in FCIC / NCIC, however Angie Diez was queried in FCIC/NCIC by Sunrise Police Officers (other than Sergeant [REDACTED] a total of seven (7) times. Given the fact Ms. Diez stated she resided with Sergeant [REDACTED] in his apartment, which is located in the [REDACTED], it is not unreasonable she may have had contact with Sunrise Police (other than Sergeant [REDACTED] at some point for legitimate law enforcement purposes. When speaking with Ms. Diez regarding this, she stated she remembered being stopped for speeding in the City of Sunrise at some point. I was unable to determine if any of her queries by other officers were impermissible or at the direction of Sergeant [REDACTED]

**On October 6, 2023**, Victim Advocate [REDACTED] accompanied Angie Diez to the Broward County Courthouse to petition for a temporary restraining order against Sergeant [REDACTED]. The court did not grant Ms. Diez the temporary restraining order.

**On October 7, 2023**, Chief of Police Daniel J. Ransone placed Sergeant [REDACTED] on Administrative Duties until the conclusion of this investigation. Sergeant [REDACTED] was issued a departmental memorandum explaining his administrative duties as well as advising him the following:

***“Your access to certain police databases has been suspended. Furthermore, you are not authorized to search / query any individual via any police database while on administrative duty.”***

**On October 9, 2023**, Ms. Diez re-petitioned the court for a temporary restraining order against Sergeant [REDACTED]. A mandatory hearing was set for October 19, 2023, at 10:00am in the main courthouse.

**On October 10, 2023**, the court ordered hearing for the restraining order paperwork was issued and served to Sergeant [REDACTED] by Lieutenant [REDACTED] and Major [REDACTED]. In addition to serving Sergeant [REDACTED] the restraining order hearing paperwork at the request of Ms. Diez, he was instructed to not have any contact whatsoever with her. Ms. Diez scheduled an appointment to respond to the Sunrise Police Department and provide this investigator a taped statement on Saturday, October 14, 2023.

**On October 13, 2023,** I contacted Ms. Diez via telephone to confirm our appointment for the following day and she advised this investigator she no longer desired to move forward with the restraining order and she does not wish to provide me with a taped statement. On this same date, I left several messages for Ms. Diez's emergency contact ([REDACTED]) to contact this investigator in order to get a taped statement from him. [REDACTED] never returned my calls after this date, and it appears both he and Ms. Diez have stopped cooperating with this investigation for unknown reasons.

**On October 19, 2023,** Sergeant [REDACTED] attended the mandatory court hearing for the restraining order filed against him. Ms. Diez failed to show up for the hearing, therefore the restraining order petition was dismissed by the court.

**On October 20, 2023,** I researched another individual by the name of "GEORGE MILLAN" who was queried repeatedly over the course of several months by Sergeant [REDACTED] and obtained a telephone number for him. On this date, I contacted Mr. Millan via telephone, who informed me he was Sergeant [REDACTED] current landlord for his apartment in [REDACTED], FL. Mr. Millan further advised he's had ongoing issues with Sergeant [REDACTED] for failing to pay rent and he is in the process of filing a civil suit to collect back payments from Sergeant [REDACTED] or have him evicted. Mr. Millan further advised Sergeant [REDACTED] owes him between \$8,200 - \$8,500 in back rent and / or late fees. Mr. Millan stated he sent multiple lease agreements and demands for late fees to Sergeant [REDACTED] City of Sunrise email [REDACTED]@sunrisefl.gov. There were two (2) other individuals queried in close proximity to Mr. Millan (also multiple times) by Sergeant [REDACTED]. These two (2) other individuals were "HEIDY BRYAN" and "SHANNON BRIEVA-BRYAN." Mr. Millan revealed to this investigator Heidy Bryan is his current girlfriend and Shannon Brievea-Bryan is his girlfriend's adult daughter (whom is like a step-daughter to Mr. Millan.) These would all have been impermissible queries by Sergeant [REDACTED]. Mr. Millan scheduled an appointment to come to the Sunrise Police Department to give me a statement on October 25, 2023.

**On October 25, 2023,** I obtained a sworn taped statement from George Millan (Sergeant [REDACTED] landlord) regarding this investigation. This investigation revealed Sergeant [REDACTED] queried Mr. Millan approximately twelve (12) times combined in both above listed databases between the dates of March 2, 2021 – February 1, 2022. Mr. Millan confirmed he is Sergeant [REDACTED] current landlord as well as the landlord of eight (8) other apartments inside of [REDACTED]. Mr. Millan advised he became Sergeant [REDACTED] landlord sometime in the beginning of 2021, after Sergeant [REDACTED] s prior landlord (Sandra Samour) passed away on December 9, 2020. "SANDRA SAMOUR" is another individual Sergeant [REDACTED] queried in both the DAVID and LInX databases.

According to Mr. Millan, he was hired by his current boss (Angelica Barazi-Seitner), to manage her properties once Sandra Samour passed away. "ANGELICA BARAZI-SEITNER" is another individual Sergeant [REDACTED] queried in both the DAVID and LInX databases.

Mr. Millan advised between the time this investigator notified him via telephone on October 20, 2023, that Sergeant [REDACTED] had queried him and today's date, he confronted Sergeant [REDACTED] about this matter. Mr. Millan advised Sergeant [REDACTED] told him he was "*under investigation*" because it looked suspicious that he became his landlord so quickly after his previous landlord passed away. Mr. Millan further stated Sergeant [REDACTED] told him when he queried his name, his girlfriend (Heidy Bryan) and his girlfriend's daughter (Shannon Brieva-Bryan) "*automatically came up.*"

I reviewed some of the names and photographs of other individuals Sergeant [REDACTED] had queried around the same time frame of his own and Mr. Millan was able to identify numerous individuals he knows either personally or professionally:

"TANIA NAZIRE BRYAN BRIEVA" - Mr. Millan's girlfriend's sister.  
"RICARDO MANUAL BRIEVA" – Mr. Millan's girlfriend's daughter's biological father.  
"ADNAN BARAZI" – Mr. Millan's boss' brother.  
"TAMARA BARAZI" – Mr. Millan's boss' daughter.  
"MIMI SAMOUR" – Sergeant [REDACTED] previous landlord's sister.  
"PATRICIA SAMOUR" – No relation to Sergeant [REDACTED] previous landlord.  
"GABOR FEREN RADO" – Mr. Millan's boss' business partner.  
"FEDERIC GABOR RADO" – Mr. Millan's boss' business partner's son.  
"CISE" – Mr. Millan's boss' company name.

Mr. Millan advised he has never given Sergeant [REDACTED] permission to query his name, nor has his girlfriend or her daughter given Sergeant [REDACTED] permission to query them in either the DAVID or LInX databases (See Mr. Millan's transcripts for further details).

**On October 26, 2023,** I obtained a sworn taped statement from Heidy Bryan (George Millan's girlfriend) regarding this investigation. Ms. Bryan confirmed she is indeed Mr. Millan's girlfriend and he is currently Sergeant [REDACTED] landlord. Ms. Bryan advised she has never met Sergeant [REDACTED] nor has she ever been told by anyone from Sunrise Police Department she was the subject of an investigation.

Ms. Bryan confirmed the following individuals queried by Sergeant [REDACTED] (listed above) were all related to her: "SHANNON BRIEVA-BRYAN" she identified as her daughter. "RICARDO MANUAL BRIEVA" she identified as her daughter's father and her ex-husband and "TANIA NAZIRE BRYAN BRIEVA" she identified as her sister.

Ms. Bryan stated none of her listed relatives know Sergeant [REDACTED] and none of them, to include herself, gave him permission to query their information in either the DAVID or LInX databases (See Ms. Bryan's transcripts for further details).

**On October 26, 2023,** I obtained a sworn taped statement from Xavier Guidry (Angie Diez' ex-boyfriend) regarding this investigation. Mr. Guidry confirmed he is Angie Diez's ex-fiancée and the two (2) of them previously resided in ██████████ Florida together. Mr. Guidry advised he has never met Sergeant ██████████ in person; however, he stated Sergeant ██████████ sent him text messages via Facebook messenger. Mr. Guidry advised Sergeant ██████████ told him via text: *"like, hey you know Angie doesn't love you anymore... She's with me type a thing."*

I asked Mr. Guidry if Sergeant ██████████ ever threatened him, to which he replied: *"Yeah. No, no, no. He never - he never threatened me. I- it - it was just - like I said, it was just a - e- like you said a sort a dominance type of thing. Like, a, uh - yeah. It was just a - like a, hey she's not yo- she's not your girlfriend anymore, she's mine..."*

Mr. Guidry advised he was never informed he was under investigation by anyone at the Sunrise Police Department, nor did he give Sergeant ██████████ permission to query his information in either the DAVID or LInX databases (See Mr. Guidry's transcripts for further details).

**On November 4, 2023,** I obtained a sworn taped statement from Shannon Brieva-Bryan (George Millan's girlfriend's daughter) regarding this investigation. Ms. Brieva-Bryan confirmed Heidi Bryan is her mother and George Millan is her mother's boyfriend.

Ms. Brieva-Bryan advised she has never met Sergeant ██████████ and does not know who he is. She stated she was never informed she was the subject of an investigation by anyone at the Sunrise Police Department, nor did she give Sergeant ██████████ permission to query her information in either the DAVID or LInX databases (See Ms. Brieva-Bryan's transcripts for further details).

**On November 4, 2023,** I obtained a sworn taped statement from Sunrise Police Officer Christopher ██████████ (Sergeant ██████████ subordinate) regarding this investigation. Sergeant ██████████ was one of Officer ██████████'s direct supervisors on Road Patrol. Sergeant ██████████ queried Officer ██████████ in DAVID twice (June 27, 2020 and August 26, 2023). During the August 26, 2023 DAVID query, Sergeant ██████████ used the purpose code "Emergency Contact Information" (ECI) for the query of Officer ██████████.

Once told Sergeant ██████████ had queried him on the above listed two (2) dates, Officer ██████████ was able to check his cell-phone (in front of me) and see he had vacation on these two (2) dates. I accessed his Kronos (Telestaff – Electronic Time Card System) for the same two (2) dates and confirmed he was off (annual leave). Officer ██████████ could recall there was confusion on both these dates, as he was scheduled for approved annual leave on the patrol calendar; however, the line-up indicated he was working. He could recall getting text messages from co-workers asking him where he was. He believes Sergeant ██████████ most likely queried him and accessed his ECI to gather more information in order to find out where he was as there were discrepancies between the patrol calendar and the patrol line-up for those particular days.

Officer [REDACTED] advised he wasn't aware that Sergeant [REDACTED] queried him in DAVID, but advised there was no ill will between them.

If Officer [REDACTED] assumptions are true, and Sergeant [REDACTED] queried him because he was under the assumption he did not show up for work, even though there was no nefarious intent behind these actions, it would still be considered MISUSE of the system. The Sunrise Police Department has other internal databases (LEADS) which contain Officers current addresses and phone numbers. The ECI query code should only be used in emergency situations: "*Serious bodily injury, death, or imminent death are examples of emergencies.*" (See Officer [REDACTED]'s Transcripts for further details).

**On November 4, 2023,** I obtained a sworn taped statement Ricardo Manual Brieve (Shannon Brieve-Bryan's biological father) regarding this investigation. Mr. Brieve confirmed he is Shannon Brieve-Bryan's father and Heidy Bryan's ex-husband. Mr. Brieve advised he has never met Sergeant [REDACTED] and does not know who he is. He further stated he was never informed he was the subject of an investigation by anyone at the Sunrise Police Department, nor did he give Sergeant [REDACTED] permission to query his information in either the DAVID or LInX databases (See Mr. Brieve's transcripts for further details).

**On November 7, 2023,** I attempted to call all of the remaining possible individuals Sergeant [REDACTED] queried and left messages for those who had active voicemails.

**On November 8, 2023,** I sent out Notices of Compliance (N.O.C.) via certified mail to the remaining possible individuals in this case to whom I had not yet spoken.

**On November 8, 2023,** I obtained a sworn taped statement taken from Patricia Samour (no relation to other Samours who were queried) regarding this investigation. Sergeant [REDACTED] queried Ms. Samour through the DAVID database on March 5, 2021, directly after he queried the names of SANDRA YAMILETH SAMOUR and MIMI SAMOUR. I read the other names of the individuals who Sergeant [REDACTED] queried that had the last name of SAMOUR and Ms. Samour advised that she was not related to any of them. It is this investigator's belief he queried her because she has the same last name as his old landlord, who passed away (SANDRA SAMOUR). Ms. Samour advised she has never met Sergeant [REDACTED] and does not know who he is. She further stated she was never informed she was the subject of an investigation by anyone at the Sunrise Police Department, nor did she give Sergeant [REDACTED] permission to query her information in either the DAVID or LInX databases. (See Ms. Samour's transcripts for further details).

**On November 13, 2023,** I obtained a sworn taped statement taken from Records Manager [REDACTED] regarding this investigation. Ms. [REDACTED] also holds the departmental positions of DAVID Point of Contact (POC), the LInX – System Admin Auditor, and FCIC-NCIC – Agency Coordinator. We confirmed on record Ms. [REDACTED] checked multiple departmental databases at the direction of this investigator for this investigation, to include all of the individuals who appeared to be impermissibly queried by Sergeant [REDACTED] that I was not



able to contact. In addition, Ms. [REDACTED] printed out each of the case numbers and locations of all police reports authored by Sergeant [REDACTED] for the last ten (10) years, including reports from where he resides [REDACTED]). Sergeant [REDACTED] did not have any involvement in police reports that contained any of the queried subjects' names. Most of the subjects queried were not listed in any official police report in the OSSI police reporting system. (See attached reports and report list of OSSI). Ms. [REDACTED] agreed all of the listed individuals in the attached spreadsheet (See Appendix 1) appear to be impermissible queries in both DAVID and LInX conducted by Sergeant [REDACTED] (See Ms. Eusebe's transcripts for further details).

**On January 5, 2024**, I obtained a sworn taped statement from Officer [REDACTED] [REDACTED] ( [REDACTED] regarding this investigation. After reviewing the FCIC/NCIC report for Angie Diez, I observed Officer [REDACTED] queried her FL license plate [REDACTED]) on April 26, 2022. This would have been during the time frame when Angie Diez advised this investigator she was residing with Sergeant [REDACTED] in his apartment in the City of Sunrise. I showed Officer [REDACTED] a photograph of Angie Diez's Florida Driver's License and he advised he did not recognize her. He was also unaware she was Sergeant [REDACTED] ex-girlfriend. He further explained he routinely queries vehicles' license plates while actively patrolling his assigned zone and while sitting at red lights / intersections.

Officer [REDACTED] advised Sergeant [REDACTED] has never asked him to query anyone for him, nor has he heard any of his co-workers discussing querying individuals on behalf of Sergeant [REDACTED] (See Officer [REDACTED] [REDACTED] transcripts for further details).

Due to the apparent impermissible queries by Sergeant [REDACTED] in both DAVID and LInX, I researched the policies and procedures regarding the proper use and misuse of both of these databases. In addition, I researched any training or experience Sergeant [REDACTED] has in these databases, and any CJIS Security Training.

A review of Sergeant [REDACTED] training records indicate he has maintained his FCIC/NCIC certification since he has been employed with the Sunrise Police Department. (See attached training certificates, test scores, and test questions). As part of the certification process as well as the recertification process for FCIC/ NCIC, the following training regarding misuse of the system is given to all users, including Sergeant [REDACTED]

- *Users shall only use information derived from a CJIS system, which includes any information from FCIC, NCIC, Nlets, and CJNet, for official criminal justice purposes.*
- *Any access of the CJI systems and/or dissemination of information obtained for non-criminal justice purposes are considered a misuse of the system.*
- *Of the misuse cases investigated, most will stem from one of the following categories: affairs of the heart, political motivation, monetary gain, idle curiosity, and/or trying to help out a friend or family member.*

- *Finally, the public may obtain Florida criminal history information, for a fee, by visiting FDLE's public website at [www.fdle.state.fl.us](http://www.fdle.state.fl.us)*

According to the City of Sunrise Resolution 14-30 – A RESOLUTION OF THE CITY OF SUNRISE, FLORIDA, APPROVING A CRIMINAL JUSTICE USER AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE) AND THE CITY OF SUNRISE:

- *Use of the CJNet and any system accessed via the CJNet is restricted to the administration of criminal justice or as otherwise specifically authorized or required by statute. Accessing information and systems provided via CJNet for other than authorized purposes is deemed misuse. (City of Sunrise – Resolution 14-30).*
- *The User shall have a written policy for discipline of personnel who 1) access CJNet and/or CJI for purposes that are not authorized, 2) disclose information to unauthorized individuals, or 3) violate FCIC/NCIC or III rules, regulations or operating procedures. (City of Sunrise – Resolution 14-30)*
- *Penalties and Liabilities: Any non-compliance with the terms of the Agreement concerning the use and dissemination of criminal history information may subject the User's officers or employees to a fine not to exceed \$11,000.00 as provided for in the Code of Federal Regulations, Title 28, Section 20.25 and/or discontinuance of service. Moreover, certain offenses against system security and information contained therein are crimes under Florida Statutes and can result in criminal prosecution. (City of Sunrise – Resolution 14-30)*

According to the Florida Department of Law Enforcement – Computerized Criminal Histories Operating Manual:

- *Policies and Procedures: Criminal history records should not be shared with friends, relatives, the public, or run for the user's personal benefit. Sharing information or using CHRI information for anything other than job related criminal justice duties constitutes a violation of user privileges as well as state and federal laws. (FDLE V3.2020.3)*

According to the Florida Department of Law Enforcement – FCIC Operating Manual:

- *Use of Information: All information obtained from the FCIC is restricted to authorized law enforcement/criminal justice agencies for official criminal justice purposes. Improper use of information obtained from any FCIC/NCIC and/or related applications and devices may be unlawful, violate federal, state, and local policies and may result in prosecution.*
- *Personnel that access, use or disseminate criminal justice information obtained from any CJIS system by a criminal justice agency for non-criminal justice purposes is considered a misuse of the system.*

- *Personnel that are found to have misused information from a CJIS system must be disciplined according to agency policy and be reported to FDLE by completing the “CJIS Systems Misuse Reporting Form” (FDLE V2.2017.4)*

According to the Florida Department of Law Enforcement – CJIS Memorandum 2012-11:

- *The purpose of this memorandum is to clarify that querying one’s own information for training purposes and / or as a test query is considered a misuse of the Florida Crime Information Center (FCIC) and National Crime Information Center (NCIC) system. Training / testing is not directly related to a criminal justice purpose as defined in Florida Statue. FCIC and NCIC test records are available for training purposes and are located on the Florida Criminal Justice (CJNet) in the CJIS Resource Center menu under “CJIS Test Records” – Dated September 2012 – [http://www.flcjin.net/idt/publications/FCIC-NCIC Test Records.pdf](http://www.flcjin.net/idt/publications/FCIC-NCIC_Test_Records.pdf) (FDLE/CJIS Memorandum 2012-11) \*See attached test records page\**

According to the Florida Department of Law Enforcement – CJIS Memorandum 2014-17:

- *The Emergency Contact Information (ECI) is currently provided by a DHSMV Driver’s License query through a Florida Crime Information Center (FCIC) query of a Florida Driver Query (FDQ) or a Florida Vehicle Registration Query (FRQ). A warning will now return within the DHSMV portion of the FCIC FDQ and FRQ responses. This warning will be a reminder of the statutory use for the ECI.*
- *ECI information is for emergency use only. Under no circumstances should this information be used for investigative purposes.*
- *Any unauthorized use of ECI shall be considered a misuse of the DHSMV information whether the ECI was obtained from DAVID or FCIC and may be considered a criminal violation. See Sections 119.0712(2)(c). (FDLE/CJIS Memorandum 2014-17)*

In addition to the FDLE Memorandum listed above, which addresses the access of ECI in DAVID, the Sunrise Police Department issued two separate memorandums to reinforce the rules and penalties of unauthorized access of the ECI information:

- **Sunrise Police Department Training Bulletin #21-09-14 (9/16/14):** *Members Responsibilities: When utilizing CJIS functions, including the driver / vehicle database (DAVID), members may use the “Emergency Contact” field only in the event of an emergency! Under no circumstances should the information be used for investigative purposes. Serious bodily injury, death, or imminent death are examples of emergencies. During DAVID queries, a warning box now appears when members attempt to access the “Emergency Contact” option. This warning must be acknowledged before proceeding and outlines the rules for use.*

- **Sunrise Police Department Training Bulletin #08-08-15 (8/12/15):** *Members should also realize that, as of last year, CJSTC considers misuse of an electronic database as a failure to maintain “good moral character” and it could lead to state disciplinary action.*

According to the Department of Highway Safety and Motor Vehicles – Driver and Vehicle Information Database (DAVID – TUTORIAL) – which is required to be completed prior to being certified to access DAVID:

The following are listed as Unauthorized Use:

- *Queries not related to official law enforcement purposes.*
- *Queries not related to official business purposes.*
- *Improper dissemination (sharing, copying, distributing) of information to unauthorized persons.*
- *Personal Use.*

The following are listed as Examples of Misuse:

- *Looking up addresses for a Christmas card mailing list.*
- *Checking a family member’s driving record.*
- *Checking out photos of friends, relatives, or self.*
- *Looking up celebrities or politicians.*
- *Copying information to supply to friends, family, or public.*
- *Posting information on information boards or blogs where it is exposed to the public.*

Sergeant [REDACTED] was issued and signed for both the Confidential Acknowledgement Form and the Criminal Sanctions Form regarding the MOU between the City of Sunrise Police Department and the Florida Highway Safety and Motor Vehicles on 9/17/2012.

The **CONFIDENTIAL ACKNOWLEDGE FORM** states the following:

- *“I have been instructed on and acknowledge my understanding of the confidential nature of the information exchanged under this agreement as stated in section 119.0712(2), Florida Statutes and in the Driver Privacy Protection Act (DPPA)”.*

The **CRIMINAL SANCTIONS FORM** states the following:

- *“I have been instructed on and acknowledge my understanding of the criminal sanctions specified in state law for unauthorized use of the data exchanged under this agreement as stated in section 119.10 and 775.083, Florida Statutes. In addition, any person who knowing discloses any information in violation of the Driver Privacy Protection Act (DPPA) may be subject to criminal sanctions and civil liability”.*

According to the LInX (Law Enforcement Information Exchange) Rules of Use Agreement:

- *“Activity associated with any aspect of the LInX information sharing system is subject to detailed monitoring and audits of all activity to protect against improper or unauthorized use, access, or dissemination of sensitive information. Unauthorized use, which includes requests, dissemination, sharing, copying or receipt of LInX information, could result in civil proceedings against the offending agency and/or criminal proceedings against any user other person involved.”*
- *“Training is considered to be an acceptable use of N-Dex, so long as it does not include curiosity searches, browsing or self-queries. For example, celebrities, neighbors, friends, family members or associates”.*
- *“Unauthorized use of the system and its data is prohibited and may be subject to criminal and/or civil penalties”.*
- *“All LInX Systems may access and use all other LInX system’s information for official, law enforcement purposes only”.*
- ***“User Confirmation:** You consent to having your system usage monitored, recorded and subject to audit. You must adhere to the CJIS Security Policy, CJIS User Agreement, N-Dex Policy and Operating Manual, any applicable leveraged CJIS System of Services operating procedures or policies, and any applicable CJIS Systems Agency requirements”.*

According to the listed legal parameters, Sergeant ██████████ had a total of 89 impermissible queries. The people most often queried were his ex-girlfriend (ANGIE DIEZ) and his current landlord (GEORGE MILLAN) and persons related to each of them. See attached spreadsheet (APPENDIX 1) per year for specific items and people that were queried through either the DAVID or LInX databases.

All of the people who appeared to be inappropriately queried by Sergeant ██████████ in either DAVID or LInX or both, were notified by this investigator. Those that I could not reach by phone or in person were sent Notices of Compliance via certified mail to their last known addresses. The individuals I was able to contact gave sworn taped statements regarding this case, with the exception of Ms. Diez and ██████████.

**On February 21, 2023,** I obtained a sworn taped statement from Sergeant ██████████ in the presence of his PBA attorney (Mr. Michael Braverman) and witnessed by Internal Affairs Sergeant ██████████ regarding this case. Prior to going on tape, Sergeant ██████████ was given both his Non-Criminal Rights and Garrity Rights via written form, to which he read, acknowledged and signed. I read over several rules, state laws, and departmental policies regarding the proper use and misuse of DAVID, LInX, and CJIS database systems, to which Sergeant ██████████ advised he understood.

Sergeant ██████████ admitted ANGIE DIEZ was his ex-girlfriend, whom he previously lived with in the City of ██████████. He further advised they were together, as a couple, for nearly two (2) years before the relationship ended.

When I asked Sergeant [REDACTED] why he started querying his ex-girlfriend, he replied: *"Um, multiple reasons. Um, she had a substance abuse and alcohol problem. And I had to pick her up several locations where her car was either towed, or she was in Lauderhill walking the street aimlessly."* Sergeant [REDACTED] added: *"Because she was mis-she was missing, and I had to locate her, yes."*

I asked Sergeant [REDACTED] if Angie Diez was listed as officially missing in a police report, to which he stated: *"I'm a Police Officer just like you, and, um, no one wants their personal business out there. So, I did m- I used my detective skills, and I tried to locate her through her mom, and known associates."*

When asked if he was conducting an official investigation, Sergeant [REDACTED] replied: *"I – I was not doing – I was doing an investigation to find someone that was either in the hospital, that I was worried about... Yes, on my own, just like anyone else would do... if it was their family member."*

I asked Sergeant [REDACTED] if there was any official Sunrise Police Case Number generated for this missing person investigation, to which he advised: *"No. 'Cause I'm – I'm a private person, and that st- I try to keep my life as private as possible."*

When asked about the reason behind querying Angie Diez's name, Sergeant [REDACTED] stated: *"In hopes that I could find someone other than the person that was her only caretaker that – that may have known where she was."*

When I asked Sergeant [REDACTED] about the most recent date he queried Angie Diez (8/27/23), he replied: *"She was in an emergency situation, or what I deemed as emergency situation. And I had to see if anyone other than her mom whose – was – was able to be loca -uh, contacted."*

When asked to describe this emergency situation, Sergeant [REDACTED] advised: *"Uh, she was – didn't have her car, was walking drunk, uh, at night on Hollywood Beach by herself."*

Sergeant [REDACTED] admitted to showing up at Angie's flight school ([REDACTED] [REDACTED]) in uniform and in his marked police vehicle, but denied he was there on-duty. When asked if Angie knew he was going to be at her flight school on that particular day, Sergeant [REDACTED] stated: *"She – I was trying to surprise her 'cause we were talking at the time. Like I said, she told me she was there. She gave me her flight information, and told me she was taking the test. So, I surprised her with flowers, and – and – a box of chocolates."*

Sergeant [REDACTED] denied Angie ever telling him his advances, phone calls, text messages, or gifts were unwelcomed. He also denied calling her from different phone numbers in order to disguise his identity.

When discussing the written affidavit Angie completed in her temporary restraining order, I asked Sergeant [REDACTED] what Angie would gain by lying about him, to which he advised: *"Well, uh, reading the paperwork, it - it - it implies that someone, I think, helped her write the paperwork. She uses terms as armed and dangerous, investigative. She uses words that are - that are police talk, and not consistent with how she talks. So, I - I don't know what, uh, what - what would be the means for someone, or her to write that - that stuff in there... Like I said, I don't - I don't know. I*

*know when I've read the, um, injunction, it appears somebody assisted her in writing that. I'm a police officer and a detective, and it looks like it was written with, uh, a cop's help."*

When asked again to verify the reason(s) he queried his ex-girlfriend (ANGIE DIEZ) on multiple occasions was because she may have been walking around drunk, Sergeant [REDACTED] advised: *"It's, uh, w- just to correct you, it's not - it's not a speculation. There, uh, there was, uh, a serious problem that caused me a lot of emotional distress, a lot of issues in - with my family and - and her family. So it wasn't - it wasn't a speculation. Okay? She had a serious problem. And - and one of the reasons she probably doesn't want to be involved in this is because of that problem, because she wants to be a pilot. And that would - you can't be a pilot if you're a drug addict."*

When I asked Sergeant [REDACTED] why he would query her without making a police report or any other documentation, he replied: *"I- already disclosed it." "The - the reason why is, in those episodes, she would disappear, and I was - and she's drive drunk. And I was worried about finding notice that she'd be in the hospital dead, or arrested. I was concerned for her safety."*

Sergeant [REDACTED] admitted to querying one of Angie's Emergency Contacts ([REDACTED]) and stated: *"I don't know him personally, but he is, um, supposedly a, uh, a mentor of my ex, uh, Angie Diez."*

When asked why he would query Angie's Emergency Contact, Sergeant [REDACTED] replied: *"Like I said, at the time when she was going through an emergency episode, I was querying to find if there was anybody that I could talk to, but that - that would be able to locate her. And he's one of those people, but I did not contact him."*

I asked Sergeant [REDACTED] why he queried Angie's ex-boyfriend (XAVIER GUIRDY), to which he stated: *"Because he was showing, uh, like I said, he was calling, showing up, stalking me, and I was trying to figure out who this person was that was basically, like, um, I was going to file a police report, but then he ended up going away and moving away, supposedly."* When asked for a more specific answer, he replied: *"Because he was stalking me. He kept - he - I was getting calls from a different number, and he was threatening me with, uh, some type of voice de-scrambler."*

Sergeant [REDACTED] further advised whenever he queried either Angie Diez's name, her Florida Driver's License, her vehicle tag, or any of her previous addresses during this time frame from 2020 - 2023 (\*a total of 24 times) it would have been because she was having some type of *"emergency situation."*

All of Sergeant [REDACTED] answers surrounding the querying of his ex-girlfriend did not seem to be very forthcoming.

Sergeant [REDACTED] admitted to querying his previous landlord, (SANDRA SAMOUR), who is deceased. When asked why he queried her, Sergeant [REDACTED] advised: *"I made several payments, and not only me, several other individuals, that did not clear. Um, and the office at my building that I work as a courtesy officer, at the time I was a courtesy officer, inquired about some individual coming to the office about that specific apartment."*

Sergeant [REDACTED] further stated he queried her for an investigation, and when asked if this was ever documented in a police report, he replied: *"The - the - at - at the time, I compiled all the information, which I still have. Um, and I didn't deem it to be, uh - uh, what proper authorities to channel it through. I did contact someone in the FBI, and - and - and basically, gave them a scenario, not giving them specific details from the case. But I could not find, uh, enough information to pass it along to either one of our officers or another source."*

Sergeant [REDACTED] could not advise the date he allegedly contacted the FBI, or to whom within the FBI he spoke with regarding this matter.

When asked why Sergeant [REDACTED] would query himself ([REDACTED] [REDACTED] [REDACTED]) he replied: *"I don't, uh, I don't recall query - I don't recall query - querying myself."* *"I know I had issues with - with fraud. In my building, there's - there's a ton of fraud, so it may be - may be related to a fraud inquiry..."*

When I reminded him of the dates he queried himself (7/7/2020, 11/26/2020, and 1/15/2021), Sergeant [REDACTED] stated: *"Like I said, there - there's been a lot of fraud. I've been a victim of fraud in the building several - several times, and I made police reports. And - and that, uh, probably was associated with that."*

When asked if he made a Sunrise Police Report for him being the victim of fraud, Sergeant [REDACTED] advised: *"With Sunrise Police Department, I don't - I'm not aware. I don't recall."* *"I was back in sh - th - this was going back when I lived in another - another section of the building, but probably 2014 or '15, with PayPal".* *"It was out - out of Texas. Uh - uh, it should be - I know I did it with PayPal. They - someone tried to - made a credit card in my name."*

When I read the FDLE / CJIS Memorandum (2012-11) which clearly states **"querying one's own information for training purposes and / or a test query is considered misuse"** to which he advised he thought this only applied to *"test queries."* Sergeant [REDACTED] reiterated he queried himself (on three [3] different occasions) because he thought he may have been the victim of fraud.

When asked why he queried his current landlord (GEORGE MILLAN), Sergeant [REDACTED] advised: *"Because he showed up at my door multiple times, and said that he was my landlord. And he was - the office was concerned that he was showing up to the building, asking for keys, and he never provided any - any official documentation. It ties into the - the - the company, uh, my building, the issues with this company. He just came to the building one day, and said he needed - he needed to see some apartments."*

Sergeant [REDACTED] again stated he did not generate a police report for this and when reminded that he queried George Millan on twelve (12) different occasions between the dates of 3/2/21 - 2/1/22, he replied: *"Like I said, I was looking for w- I know there's - it's one of those things as a detective you know it's what you can prove, what you can't. There's definitely some illegal activity, but it hasn't rose to the occasion. And I know transferring it to the FBI, it's not going to go anywhere unless I have them - give them something substantial."*



When discussing the below listed individuals who are personally related to George Millan Sergeant [REDACTED] "could not recall" querying them, and he had no knowledge of who they were:

- HEIDY BRYAN – George Millan's girlfriend.
- Address: [REDACTED] – Heidy Bryan's address
- SHANNON BRIEVA-BRYAN – Heidy Bryan's daughter
- Florida Driver's License # [REDACTED] – Shannon Brievea-Bryan's FL DL
- TANIA BRYAN – Heidy Bryan's sister
- RICARDO BRIEVA – Heidy Bryan's ex-husband

When discussing the below listed individuals who are business associates of George Millan, Sergeant [REDACTED] explained he was conducting some type of long term (11/19/2019 – 2/1/2022) "international fraud investigation" to which Sergeant [REDACTED] thought he and other tenants of [REDACTED] may have been victims. As with the other queries mentioned earlier in his statement, no official case number(s) were ever pulled or written and there is no proof of any official investigation(s) into these individuals on behalf of Sergeant [REDACTED].

- SANDRA SAMOUR – Sergeant [REDACTED] previous landlord (Deceased)
- ANGELIKA BARAZI – George Millan's boss
- ADNAN BARAZI – Angelika Barazi's brother
- FL Vehicle Tag # [REDACTED] – Angelika Barazi's vehicle tag
- GABO RADO – Angelika Barazi's business partner
- TAMARA BARAZI – Angelika Barazi's daughter
- FREDERIC RADO – Gabo Rado's son
- MIMI SAMOUR – Sandra Samour's sister
- PATRICIA SAMOUR – No Relation to the other Samours
- CISE, USA – The company to which Sergeant [REDACTED] pays his rent

Sergeant [REDACTED] advised in his statement he was conducting this long-term fraud investigation on behalf of the building in which he resides [REDACTED].

When discussing the two (2) times he queried his subordinate Officer [REDACTED] on 6/27/2020 with the query code "Criminal Investigation" and on 8/26/2023 with the query code "Emergency Contact Information," Sergeant [REDACTED] advised Officer [REDACTED] was AWOL (didn't show up for work) on these two (2) dates.

Officer [REDACTED] previously testified and stated there was confusion on these two (2) dates and he was actually on pre-approved vacation; however, it wasn't logged properly on the patrol calendar. If Sergeant [REDACTED] was conducting an official search for Officer [REDACTED] he should have documented the reason for the querying of his driver's license on a police information report or a memorandum to the DAVID – Point of Contact (Janice Eusebe). The ECI query code should only be used in emergency situations: "Serious bodily injury, death, or imminent death are examples of emergencies." If Sergeant [REDACTED] statements are true, and he queried him because he was under the assumption he did not show up for work, even though there was no nefarious intent behind these actions, it would still be considered MISUSE of the system.

During the course of this investigation, it was discovered Sergeant ██████ was listed as a registered agent for two (2) private security companies: TYREC SECURITY SOLUTIONS and IGIT SECURITY CONSULTANTS.

When discussing TYREC SECURITY, Sergeant ██████ advised: *“It was a business that my friends and I were proposing. Um – uh, one of my friends at the time, we incorporated it, and that was it” “It was never operational. We incorporated the name, but we – there was never any business conducted with that.”*

When discussing IGIT SECURITY CONSULTANTS, Sergeant ██████ admitted to opening up this LLC in order to receive payments from the building in which he resides ██████ for a Courtesy Officer’s position. This is not the typical Courtesy Officer rent-reduction agreement by his landlord or the company (CISE) to which he pays his monthly rent payments. Rather, this is income paid by the company that manages the building itself, into Sergeant ██████ private company of IGIT SECURITY CONSULTANTS.

When asked how much ██████ would pay him, Sergeant ██████ stated: *“Um, that number changed. Sometimes, uh, at one point it was \$1,200, then it was \$600, then no money, so it – it fluctuated.”*

When asked about the types of services he provided in order for his private company (IGIT SECURITY CONSULTANTS) to be paid, Sergeant ██████ replied: *“Ensuring the safety of, um, individuals that live there, and responding to crimes, responding to emergencies, and even fire emergencies. I actually assisted the fire department multiple times there.”*

Sergeant ██████ admitted he did not complete a *Non-Police Employment Application Form* with either the Sunrise Police Department or City of Sunrise HR Department for IGIT SECURITY CONSULTANTS. The purpose of this form is so both the City of Sunrise and the Sunrise Police Department can properly vet the outside employment of all Officers, in order to verify the outside employment is dignified and does not reflect any discredit upon the police profession and there is no conflict of interest.

**On February 26, 2024**, Sunrise Police Department’s DAVID usage was audited by the Florida Department of Highway Safety and Motor Vehicles (FL-DHSMV). DAVID – Point of Contact ██████ and her new supervisor (Administrative Lieutenant ██████) were present for this audit and notified the auditors of this investigation. ██████ and Lieutenant ██████ responded to my office shortly after the conclusion of the successful audit to update this investigator.

██████ showed the auditors how she audits the DAVID system for our employees queries and ECI accesses. Upon closer inspection, the FL-DHSMV auditors were able to determine Sergeant ██████ did not access the ECI button on DAVID, but rather used the query code “Emergency Access Information” when he queried Officer ██████ on 8/26/23, and ANGIE DIEZ on 8/27/2023. This new information does not change the misuse discovered in this investigation. Four (4) Emergency Contact Information access

policy violations were still committed by Sergeant [REDACTED] when he queried ANGIE DIEZ's Emergency Contact ([REDACTED]) on the below listed separate occasions:

- [REDACTED] - LinX - 12/3/2020
- [REDACTED] - LinX - 1/14/2021
- [REDACTED] - DAVID - 3/26/2023
- [REDACTED] - LinX - 7/7/2023



# SUNRISE POLICE DEPARTMENT



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Chief of Police

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## Internal Affairs Complaint Report Narrative

### **III. INVESTIGATIVE FINDINGS and DISPOSITION:**

If Chief Ransone's allegations are true, Sergeant [REDACTED] would have violated the following Sunrise Police Policies and Procedure as well as the listed Florida State Statute:

#### **Violation of 21.6.5.1.**

*Employees shall not use their position to access confidential information from DAVID, FCIC/NCIC, CJNet, III, and all law enforcement associated databases and applications for unauthorized or non-criminal justice purposes. Any access of these systems and/or dissemination of information obtained for non-criminal justice purposes is considered a misuse of the system.*

#### **Violation of F.S.S. 119.0712(2) Department of Highway Safety and Motor Vehicles:**

*2(a) For purposes of this subsection, the term "motor vehicle record" means any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration, or identification card issued by the Department of Highway Safety and Motor Vehicles.*

*(b) Personal information, including highly restricted personal information as defined in 18 U.S.C. s. 2725, contained in a motor vehicle record is confidential pursuant to the Federal Driver's Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq. Such information may be released only as authorized by that act; however, information received pursuant to that act may not be used for mass commercial solicitation of clients for litigation against motor vehicle dealers.*

*(c) E-mail addresses collected by the Department of Highway Safety and Motor Vehicles pursuant to s. 319.40(3), s. 320.95(2), or s. 322.08(9) are exempt from s. 119.07(1) and s. 24(a) Art. I of the State Constitution. This exemption applies retroactively. This paragraph is subject to Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2020, unless reviewed and saved from repeal through reenactment by the Legislature.*

*(d) 1. Emergency Contact Information (ECI) contained in a motor vehicle record is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.*

*2. Without the express consent of the person to whom such emergency contact information applies, the emergency contact information contained in a motor vehicle record may be released*

only to law enforcement agencies for purposes of contacting those listed in the event of an emergency.

**Violation of 37.6.2.1.**

*Employees who are off-duty are restricted in the use of their designated take-home vehicle to the following locations outside the Sunrise corporate City limits: commuting to and from work, official City/law enforcement business, attending court, off-duty special details, police-related training, formal education at the college and university level, commuting to and from a fitness center within Broward County and within a five (5) mile radius from the employee's place of residence, or as otherwise authorized by the Chief of Police.*

**Violation of 37.6.2.1.2.**

*Employees who are off-duty may use their designated take-home vehicle anywhere within the Sunrise Corporate City limits including those activities consistent with these regulations or as established by the Chief of Police provided that the activity does not jeopardize the reputation or integrity of the employee, the Department, or the City, or any activity prohibited within Chapter 19 – Code of Conduct and Ethics.*

**Violation(s) of Chapter 36 (See below)**

**36.4.3.** - *Non-Police Employment - Includes employment of a non-police nature in which vested police powers of the officer or other member are not conditions for employment or work and which will have no real or implied police service benefit to the employer. The employment must be dignified and not reflect any discredit upon the police profession and there can be no conflict of interest.*

**36.4.6.** - *Non-Police Employment Application - A request form to be completed and submitted by members of the City of Sunrise Police Department for approval by the Chief of Police and City Manager prior to commencing any non-police employment. This application will be renewed on an annual basis or whenever the employee changes employment or employer.*

**36.6.22.1.** - *Any member requesting to work non-police employment must fill out and submit to the Special Details Unit a non-police employment application prior to commencing such employment.*

**36.6.22.2.** - *This application must be completed for any non-police employment, occupation, profession or commercial enterprise, including self-employment.*

**36.6.22.4.** - *Because of legal restrictions or a high degree of probability for a conflict of interest with police employment, the Chief of Police, Personnel Director or City Manager will have the discretion of approving or disapproving applications for non-police employment.*

**36.6.22.5.** - *Approval may not be granted for non-police employment, which might interfere or be in conflict with official duties, may bring discredit upon the employee or the Department or that is in violation of the rules, regulations, policies or procedures of the Department of any City or County ordinances.*

**36.6.22.5.1.** - *Examples include, but are not limited to:*

**36.6.22.5.1.5.** - *Employment as a private investigator or in any capacity for a business for the purpose of conducting investigations.*

**36.6.22.5.1.9.** - *Employment as a private security guard or private store detective.*

Based on a preponderance of evidence standard, I conclude that Sergeant [REDACTED] violated Sunrise Police Policy 21.6.5.1 and Florida State Statute 119.0712(2) by querying numerous people, to include: his ex-girlfriend, her emergency contact and her ex-boyfriend. In addition, he queried his past landlord (DECEASED), his current landlord, his landlord's family members, his landlord's business associates, and the company (CISE) that he currently pays his rent to. Sergeant [REDACTED] also queried himself ([REDACTED] [REDACTED] [REDACTED]) on three (3) separate occasions. All of these queries via DAVID and/or LInX were either for non-official, private investigations, unknown personal reasons, or pure curiosity. During his sworn statement, Sergeant [REDACTED] was unable to give a reasonable explanation within the legal parameters for querying the above listed individuals. There were no official police reports, case numbers, or law enforcement investigations involving Sergeant [REDACTED] and any of the listed individuals queried.

Between DAVID and LInX, there was a total of approximately eighty-nine (89) queries between the years of 2019 - 2023 that, according to both State and Federal Regulations, would be considered misuse of either one of these databases.

Most of the queries were of his ex-girlfriend (ANGIE DIEZ) and his current landlord (GEORGE MILLAN) and people either related or associated with them. According to Sergeant [REDACTED] own admissions, he queried his ex-girlfriend's (ANGIE DIEZ) name, her vehicle license plate, or her Florida Driver's License, on twenty-four (24) separate occasions between the dates of 11/23/2020 – 9/30/2023, because she had a substance abuse problem and would go missing from time to time, giving rise to "an emergency situation". He further stated that he was only concerned for Angie Diez's "safety and well-being". On one occasion (8/27/23) he queried her with the purpose code of "Emergency Contact Information", which is one of the queries that originally triggered this investigation. Even though Sergeant [REDACTED] stated he only queried Angie Diez in these "emergency situations", he did not list her in any police report or contact law enforcement in any of these various "emergency situations" between 11/23/2020 – 9/30/2023, because he didn't want her private life to be affected in a negative way. Angie Diez is not listed in any official police report as a missing person.

By his own admissions, Sergeant [REDACTED] queried Angie Diez's ex-boyfriend (XAVIER GUIRDY) because he (XAVIER GUIRDY) began to stalk both Angie Diez and himself once they began dating. There are no official police reports indicating these statements to be true, and in Xavier Guirdy's sworn statement to this investigator, he indicated that Sergeant [REDACTED] is the one that reached out to him via social media and told him that "Angie didn't love him [Xavier] anymore and she's with me [Sergeant [REDACTED] now". Xavier Guirdy described the text message he received from Sergeant [REDACTED] via social media as "just sort of a dominance type of thing". There are no police reports indicating Xavier Guirdy was stalking either Sergeant [REDACTED] or Angie Diez during the time frame Sergeant [REDACTED] queried him. Sergeant [REDACTED] advised

that he did not make any official police reports involving Xavier Guirdy because, according to him, this was *“personal”*.

By his own admissions, Sergeant [REDACTED] queried both his previous deceased landlord (SANDRA SAMOUR) and his current landlord (GEORGE MILLAN) between the dates of 11/19/19 – 2/1/2022 because Sergeant [REDACTED] thought he (along with some other tenants in his building) might be the victim of some type of fraud. Again, there are no official police reports indicating these statements to be true, and in George Millan’s sworn statement to this investigator, he indicated that he confronted Sergeant [REDACTED] after being made aware of these queries, to which Sergeant [REDACTED] replied: *“he [GEORGE MILLAN] was under investigation because it looked suspicious that he became his landlord so quickly after his previous landlord passed away”*.

By his own admissions, Sergeant [REDACTED] queried a subordinate Officer (OFFICER [REDACTED] [REDACTED]) on two (2) separate occasions, one of which (8/26/2023) he used the purpose code of *“Emergency Contact Information”*, because he didn’t show up for work. Officer [REDACTED] verified in his sworn statement to this investigator that he was on vacation on these two (2) particular dates and there was some confusion as to whether he was supposed to be at work or not.

With the exception of Angie Diez and her emergency contact ([REDACTED]), all of the individuals queried by Sergeant [REDACTED] that I was able to make contact with, gave this investigator sworn taped statements. None of them were aware that their information had been utilized. One victim (ex-girlfriend – Angie Diez) was so disturbed from being queried multiple times over the course of three years that she applied for a temporary restraining order against Sergeant [REDACTED] with the assistance of the Sunrise Police Department Victim Advocate. Both her and her Emergency Contact ([REDACTED]) stopped communicating with this investigator immediately after Sergeant [REDACTED] was served with the temporary restraining order mandatory court hearing paperwork. However, both stated to this investigator that Sergeant [REDACTED] had no reason to query them and both wanted Sergeant [REDACTED] charged with a crime, if applicable.

Sergeant [REDACTED] also admitted to driving his marked Sunrise Police Vehicle, while still in uniform to bring Angie Diez flowers at her flight school at [REDACTED] FL. Sergeant [REDACTED] denied being on-duty when he did this. According to Angie Diez, unbeknownst to her, Sergeant [REDACTED] was parked next to her vehicle in the airport parking lot in his police vehicle, waiting for her. Angie Diez further stated that this incident was after she ended the relationship with Sergeant [REDACTED] and when she got to her vehicle in the airport parking lot, Sergeant [REDACTED] was waiting there, and pleaded with her to reconcile the relationship.

Based on a preponderance of evidence standard, I conclude that Sergeant [REDACTED] violated Sunrise Police Take-Home Vehicle Policy 37.6.2.1. and Policy 37.6.2.1.2. by using his marked police vehicle to engage in a course of conduct that could jeopardize the reputation and/or integrity of the employee, the Department, or the City, by driving to [REDACTED], FL to wait for his ex-girlfriend (ANGIE DIEZ) in his marked police vehicle, in full police uniform to plead with her to reconcile their relationship.

Further, Sergeant [REDACTED] freely admitted to opening an LLC by the name of IGIT SECURITY CONSULTANTS, INC in order to receive payments from the building in which he resides [REDACTED] for a Courtesy Officer's position. This is not a rent-reduction agreement by his landlord or the company (CISE) that he pays his monthly rent payments to, rather this is income paid by the company that manages the building [REDACTED] itself, into Sergeant [REDACTED] private company of IGIT SECURITY CONSULTANTS. This investigation has revealed that Sergeant [REDACTED] has possibly been conducting a long-term fraud investigation (lasting several years) conducted by Sergeant [REDACTED] into his own landlord (GEORGE MILLAN), his girlfriend (HEIDY BRYAN) and many of her family members. In addition to this, he believes the owner of his apartment (ANGELIKA BARAZI-SEITNER), her business partner (GABO RADO) and their company (CISE) to whom he pays his monthly rent, is committing "illegal money laundering" using "shell companies". However, Sergeant [REDACTED] never completed a police report regarding this investigation, which he stated he was conducting and he could not provide any evidence to this investigator of any of this fraud ever occurring. Sergeant [REDACTED] stated that he contacted the FBI regarding this possible "international fraud" however he could not advise the date that he allegedly contacted the FBI, or to whom within the FBI he spoke with. When asked if Sergeant [REDACTED] told anyone at the Sunrise Police Department about this ongoing fraud investigation that he was conducting, or if anyone could vouch for him, he replied: "I can't recall". Sergeant [REDACTED] admitted that he was conducting this investigation "for the building" [REDACTED]. At the very least, if Sergeant [REDACTED] was actually conducting an official fraud investigation of this magnitude, once he became aware he was a possible victim, he should have conflicted himself out as the investigator, consulted with his supervisor, generated a Sunrise Police Case Number and passed this investigation off to our Criminal Investigative Section (CIS). Instead, he continued querying individuals related to or associated with his previous and current landlord(s) for several years without consulting or making anyone aware.

Based on a preponderance of evidence standard, I also conclude that Sergeant [REDACTED] violated several of the Non-Police or Outside Employment Policies in Chapter 36 (listed above) by opening up an LLC (IGIT SECURITY CONSULTANTS, INC) in order to receive payments ranging from \$600 - \$1200 per month from the building in which he resides [REDACTED], without ever completing a *Non-Police Employment Application Form* with either the Sunrise Police Department or City of Sunrise HR Department. The purpose of this form is so that both the City of Sunrise and the Sunrise Police Department can properly vet the outside employment of all Officers, in order to verify the outside employment is dignified and does not reflect any discredit upon the police profession and there is no conflict of interest. There is no description of what type of services Sergeant [REDACTED] provides to [REDACTED] for these monthly payments into his private LLC. It is this investigator's belief, based on the number of queries in both DAVID and LInX on individuals associated with Sergeant [REDACTED] apartment, and Sergeant [REDACTED] own admissions of conducting a long-term fraud investigation on behalf of [REDACTED], that he may be using official law enforcement databases in order to conduct private investigations for his own LLC (IGIT SECURITY CONSULTANTS, INC) and not authoring any police reports to document any of his actions.

#### **IV: CONCLUSION:**



As stated above, this case originated when DAVID POINT OF CONTACT (POC) [REDACTED] discovered the suspicious ECI query codes of two individuals by Sergeant [REDACTED]. One of the individuals was a fellow Sunrise Police Officer ([REDACTED] [REDACTED]) and the other was Angie Diez. When Ms. [REDACTED] relayed this information to this investigator and her supervisor (Lieutenant [REDACTED]), Lieutenant [REDACTED] immediately recognized Angie Diez as Sergeant [REDACTED] ex-girlfriend. It was later determined that Sergeant [REDACTED] did not access the ECI of Angie Diez or [REDACTED] via the ECI button in DAVID, however he did query both individuals with the purpose code of EMERGENCY CONTACT INFORMATION. Sergeant [REDACTED] also queried Angie Diez's Emergency Contact ([REDACTED]) numerous times in both the DAVID and LInX databases.

Prior to being promoted to the rank of Sergeant, [REDACTED] previously held the position of a Detective in [REDACTED] the Criminal Investigative Section (CIS) [REDACTED]. He has training on the use of law enforcement databases in order to conduct criminal investigations, which is why he has access to the LInX database. Only a limited number of personnel within the Sunrise Police Department have access to this investigative database. Those limited personnel that do have access, are trained how to utilize the system and the legal search requirements for querying people. They are also trained on what would be considered MISUSE of the system. By his own admissions, Sergeant [REDACTED] has handled high priority, complex investigations such as: Homicides, Human Trafficking, and Drug Trafficking cases. Sergeant [REDACTED] is well versed in the rules and legal parameters of accessing these databases. He is also well aware of what constitutes MISUSE of these same databases.

An aggravating factor in this case is that Sergeant [REDACTED] has previously been disciplined in 2012 (IA Case # 12-04-01) for MISUSE OF A DATABASE, when he had another Officer query a vehicle's tag via FCIC, belonging to a Miami-Dade County State Attorney's Office Investigator for personal (non-work related) reasons at the request of a neighbor. Sergeant [REDACTED] received formal discipline for this incident. However, in Sergeant [REDACTED] sworn statement, when asked about this previous discipline, he stated that he "*did nothing wrong*".

Given Sergeant [REDACTED] training in both DAVID and LInX, and his position as supervisor (Sergeant) that is required to lead by example, he either knew or should have known, that querying his ex-girlfriend's name, her vehicle tag, her driver's license, his previous and current landlord as well as numerous people connected to both of these individuals, were all unauthorized, impermissible and would constitute MISUSE of these databases.


Sergeant [REDACTED] violated the City of Sunrise Police Department's take-home vehicle policy by using his marked police vehicle to engage in a course of conduct that could jeopardize the reputation and/or integrity of the employee, the Department, or the City, by driving to [REDACTED], FL to wait for his ex-girlfriend (ANGIE DIEZ) in his marked police vehicle, in full police uniform to bring her flowers, chocolates, and plead with her to reconcile their relationship.

Finally, Sergeant [REDACTED] violated several of the City of Sunrise Police Department Non-Police / Outside Employment policies by opening an LLC by the name of IGIT SECURITY CONSULTANTS, INC in order to receive varying payments directly from the building in which

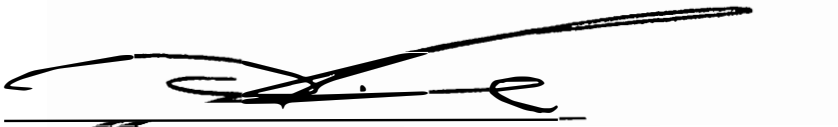
he resides [redacted] for a Courtesy Officer's position, instead a standard Courtesy Officer's rent-reduction program.

This investigation will be classified as:

**SUSTAINED**

  
Lt. P. Brian Katz, Internal Affairs (75547)

3/4/24  
Date

  
Daniel J. Ransone, Chief of Police

3/5/24.  
Date

## Eric Fernandez's Impermissible Queries (2019-2023)

Number	Date	Query Code	Data Base	Subject / Name	ECI	Involvement
1	11/19/2019	Criminal Investigation	DAVID	Sandra Yamileth Samour	No	██████████ Landlord at the time (Deceased: 12/9/2020)
2	2/23/2020	Criminal Investigation	LInX	Sandra Samour	No	██████████ Landlord at the time (Deceased: 12/9/2020)
3	6/27/2020	Criminal Investigation	DAVID	██████████	No	Sunrise Police Officer
4	7/7/2020	Criminal Investigation	DAVID	██████████	No	Query of Self
5	11/23/2020	Fraud Investigation	DAVID	"An Diez" - current photo	No	██████████ ex- girlfriend
6	11/26/2020	Criminal Investigation	DAVID	██████████	No	Query of Self
7	12/3/2020	Criminal Investigation	LInX	Xavier Guidry	No	Angie Diez's ex- boyfriend
8	12/3/2020	Criminal Investigation	LInX	██████████	Yes	Angie Diez's Emergency Contact
9	12/3/2020	Criminal Investigation	LInX	Angie Diez	No	██████████ ex- girlfriend
10	1/5/2021	Traffic Related Inquiry	DAVID	Angie Carolina Diez	No	██████████ ex- girlfriend
11	1/14/2021	Criminal Investigation	LInX	Angie Diez	No	██████████ ex- girlfriend
12	1/14/2021	Criminal Investigation	LInX	Xavier Guidry	No	Angie Diez's ex- boyfriend
13	1/14/2021	Criminal Investigation	LInX	██████████	Yes	Angie Diez's Emergency Contact
14	1/15/2021	Training	DAVID	██████████	No	Query of Self
15	1/17/2021	Fraud Investigation	DAVID	Angelika Barazi	No	George Millan's Boss
16	1/17/2021	Fraud Investigation	DAVID	Adnan Barazi	No	Angelika Barazi's Brother
17	2/1/2021	Criminal Investigation	DAVID	"An Diez" - current photo	No	██████████ girlfriend
18	3/2/2021	Criminal Investigation	DAVID	George Millan	No	██████████ Current Landlord
19	3/2/2021	Criminal Investigation	DAVID	Gabor Ferenc Rado	No	Angelika Barazi's Business Partner
20	3/2/2021	Criminal Investigation	DAVID	Sandra Yamileth Samour	No	██████████ Previous Landlord - Deceased 12/09/2020
21	3/2/2021	Criminal Investigation	DAVID	Tamara Barazi	No	Angelika Barazi's Daughter

## APPENDIX 1

## Eric Fernandez's Impermissible Queries (2019-2023)

22	3/2/2021	Fraud Investigation	DAVID	Frederic Gabor Rado	No	Gabor Ferenc Rado's Son
23	3/2/2021	Fraud Investigation	DAVID	Tamara Barazi	No	Angelika Barazi's Daughter
24	3/2/2021	Fraud Investigation	DAVID	Company Name; "CISE"	No	Angelika Barazi's Company
25	3/2/2021	Criminal Investigation	DAVID	Angelika Barazi-Seitner	No	George Millan's Boss
26	3/2/2021	Criminal Investigation	DAVID	George Ernesto Millan	No	██████████ Current Landlord
27	3/2/2021	Criminal Investigation	DAVID	Business Name; "C.I.S.E. USA, Inc."	No	Angelika Barazi's Company
28	3/2/2021	Fraud Investigation	DAVID	Frederic Gabor Rado	No	Gabor Ferenc Rado's Son
29	3/2/2021	Criminal Investigation	LInX	George Ernesto Millan	No	██████████ Current Landlord
30	3/2/2021	Fraud Investigation	LInX	Angelika Barazi	No	George Millan's Boss
31	3/2/2021	Fraud Investigation	LInX	Gabor Rado	No	Angelika Barazi's Business Partner
32	3/2/2021	Fraud Investigation	LInX	Frederic Rado	No	Gabor Ferenc Rado's Son
33	3/2/2021	Fraud Investigation	LInX	Tamara Barazi	No	Angelika Barazi's Daughter
34	3/2/2021	Fraud Investigation	LInX	George Millan	No	██████████ Current Landlord
35	3/2/2021	Fraud Investigation	LInX	Frederic Rado	No	Gabor Ferenc Rado's Son
36	3/2/2021	Fraud Investigation	LInX	Gabor Rado	No	Angelika Barazi's Business Partner
37	3/4/2021	Criminal Investigation	DAVID	FL DL # - ██████████	No	Shannon Maria Brieva-Bryan-Daughter of Heidi Bryan (George Millan's girlfriend)
38	3/4/2021	Criminal Investigation	DAVID	FL DL # - ██████████	No	Shannon Maria Brieva-Bryan-Daughter of Heidi Bryan (George Millan's girlfriend)
39	3/4/2021	Criminal Investigation	DAVID	Address: ██████████ ██████	No	Heidy L. Bryan's (George Millan's girlfriend) personal address
40	3/4/2021	Fraud Investigation	DAVID	Ricardo Manual Brieva	No	Ex-Husband of Heidi Bryan (George Millan's girlfriend)

## APPENDIX 1

## Eric Fernandez's Impermissible Queries (2019-2023)

41	3/4/2021	Fraud Investigation	DAVID	Sandra Yamileth Samour	No	██████████ Previous Landord - Deceased 12/09/2020
42	3/4/2021	Fraud Investigation	DAVID	Tamara Barazi	No	Angelika Barazi's Daughter
43	3/4/2021	Fraud Investigation	DAVID	Angelika Barazi-Seitner	No	George Millan's Boss
44	3/4/2021	Fraud Investigation	LInX	George Ernesto Millan	No	██████████ Current Landlord
45	3/4/2021	Fraud Investigation	LInX	Heidy Bryan	No	George Millan's Girlfriend
46	3/4/2021	Fraud Investigation	LInX	Shannon Brieva-Bryan	No	Daughter of Heidy Bryan (George Millan's girlfriend)
47	3/5/2021	Criminal Investigation	DAVID	FL License Plate: ██████████	No	License Plate belonging to Angelika Seitner- Barazi (George Millan's Boss)
48	3/5/2021	Fraud Investigation	DAVID	Sandra Yamileth Samour	No	██████████ Previous Landord - Deceased 12/09/2020
49	3/5/2021	Fraud Investigation	DAVID	Sandra Yamileth Samour	No	██████████ Previous Landord - Deceased 12/09/2020
50	3/5/2021	Fraud Investigation	DAVID	Mimi Samour	No	Sister of Sandra Y. Samour
51	3/5/2021	Fraud Investigation	DAVID	Patricia Marie Samour	No	No Relation to other Samours
52	3/18/2021	Criminal Investigation	DAVID	SSN: ██████████	No	SSN of George Millan ██████████ Current Landlord)
53	3/18/2021	Criminal Investigation	DAVID	FL DL # - ██████████	No	Shannon Maria Brieva- Bryan-Daughter of Heidy Bryan (George Millan's girlfriend)
54	3/18/2021	Criminal Investigation	DAVID	Heidy L. Bryan	No	George Millan's Girlfriend
55	3/18/2021	Criminal Investigation	DAVID	Shannon Maria Brieva- Bryan	No	Daughter of Heidy Bryan (George Millan's girlfriend)

## Eric Fernandez's Impermissible Queries (2019-2023)

56	3/18/2021	Criminal Investigation	DAVID	FL DL # - [REDACTED]	No	Shannon Maria Brieva-Bryan-Daughter of Heidi Bryan (George Millan's girlfriend)
57	3/18/2021	Criminal Investigation	DAVID	Heidy L. Bryan	No	George Millan's Girlfriend
58	3/18/2021	Criminal Investigation	DAVID	Tania M. Bryan	No	Sister of Heidy Bryan (George Millan's Girlfriend)
59	3/18/2021	Criminal Investigation	DAVID	Tania Nazire Bryan-Brieva	No	Sister of Heidy Bryan (George Millan's Girlfriend)
60	3/18/2021	Criminal Investigation	LInX	George Ernesto Millan	No	[REDACTED] Current Landlord
61	3/18/2021	Criminal Investigation	LInX	Heidy Bryan	No	George Millan's Girlfriend
62	2/1/2022	Criminal Investigation	DAVID	Angie Carolina Diez	No	[REDACTED] girlfriend
63	2/1/2022	Criminal Investigation	DAVID	George Ernesto Millan	No	[REDACTED] Current Landlord
64	2/1/2022	Criminal Investigation	DAVID	FL DL # - [REDACTED]	No	George Millan's FL DL #
65	2/1/2022	Criminal Investigation	LInX	George Millan	No	[REDACTED] Current Landlord
66	2/1/2022	Criminal Investigation	LInX	Angelika Barazi-Seitner	No	George Millan's Boss
67	2/1/2022	Criminal Investigation	LInX	Jorge Millan	No	Searchig for Jorge Millan
68	2/1/2022	Criminal Investigation	LInX	Jorge Millan	No	Searching for George Millan
69	3/4/2023	Fraud Investigation	DAVID	FL License Plate: [REDACTED]	No	License Plate belonging to Angie Carolina Diez [REDACTED] ex-girlfriend)
70	3/17/2023	Criminal Investigation	LInX	Address: [REDACTED] [REDACTED], [REDACTED] [REDACTED]	No	Address of Angie Diez [REDACTED] ex-girlfriend)
71	3/25/2023	Criminal Investigation	DAVID	FL License Plate: [REDACTED]	No	License Plate belonging to Angie Carolina Diez [REDACTED] ex-girlfriend)
72	3/26/2023	Criminal Investigation	DAVID	[REDACTED]	Yes	Angie Diez's Emergency Contact

### APPENDIX 1

## Eric Fernandez's Impermissible Queries (2019-2023)

73	4/6/2023	Criminal Investigation	LInX	Angie Diez	No	[REDACTED] ex-girlfriend
74	6/3/2023	Insurance Investigation	DAVID	Angie Carolina Diez	No	[REDACTED] ex-girlfriend
75	6/9/2023	Criminal Investigation	LInX	Angie Diez	No	[REDACTED] ex-girlfriend
76	7/7/2023	Criminal Investigation	DAVID	Angie Carolina Diez	No	[REDACTED] ex-girlfriend
77	7/7/2023	Criminal Investigation	LInX	Angie Diez	No	[REDACTED] ex-girlfriend
78	7/7/2023	Criminal Investigation	LInX	Angie Diez	No	[REDACTED] ex-girlfriend
79	7/7/2023	Criminal Investigation	LInX	[REDACTED]	Yes	Angie Diez's Emergency Contact
80	7/7/2023	Criminal Investigation	LInX	[REDACTED], [REDACTED] [REDACTED]	No	Address of Angie Diez ([REDACTED] ex-girlfriend)
81	8/10/2023	Criminal Investigation	LInX	Angie Diez	No	[REDACTED] ex-girlfriend
82	8/20/2023	Criminal Investigation	LInX	Angie Diez	No	[REDACTED] ex-girlfriend
83	8/26/2023	ECI	DAVID	[REDACTED]	No	Officer for Sunrise Police Department
84	8/27/2023	ECI	DAVID	Angie Carolina Diez	No	[REDACTED] ex-girlfriend
85	8/27/2023	Criminal Investigation	LInX	Angie Diez	No	[REDACTED] ex-girlfriend
86	9/2/2023	Insurance Investigation	DAVID	A. Diez - Age 25-35	No	[REDACTED] ex-girlfriend
87	9/21/2023	Criminal Investigation	LInX	Angie Diez	No	[REDACTED] ex-girlfriend
88	9/24/2023	Criminal Investigation	DAVID	Angie Carolina Diez	No	[REDACTED] ex-girlfriend
89	9/30/2023	Criminal Investigation	LInX	Angie Diez	No	[REDACTED] ex-girlfriend



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# Memorandum

**To:** Sergeant [REDACTED] Uniform Division *EF*  
**From:** Daniel J. Ransone, Chief of Police *DJR*  
**Date:** April 19, 2024  
**Re:** Internal Affairs Case # 23-10-01  
**CC:** Deputy Chief Swisher, Major Brooke Lebel, Major Kevin Sweat, Major Greg Loor, Major Eric Bates, Lieutenant P. Brian Katz, Sergeant Jessica Stewart, Sergeant David Mittauer, Human Resources Director Jami Ketchup

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A Preliminary Complaint Report (PCR) was filed on October 2, 2023, alleging your misuse of two (2) law enforcement databases. On October 2, 2023, an Internal Affairs investigation was initiated against you by the City of Sunrise Police Department (IA Case #23-10-01).

The evidence obtained as part of the IA investigation revealed that you made numerous impermissible queries of your ex-girlfriend, her vehicle tag, her driver's license, her previous address, one of her ex-boyfriends and one of her Emergency Contacts. Further, you queried your previous and current landlord(s), as well as numerous people connected to both of these individuals and a subordinate officer twice.

A total of eighty-nine (89) queries were discovered that were conducted by you outside of the legal parameters for querying the above-listed individuals. You conducted these queries on two (2) different databases: DAVID and LInX.

You have received sufficient training on how to properly use the DAVID and LInX systems and the legal search requirements for querying people. You have also received sufficient training on what would be considered a misuse of the system. In fact, you were issued a written reprimand in 2012 for making an impermissible query on the NCIC/FCIC database. Here, there were no official police reports, case numbers, or law enforcement investigations that involved you and any of the queried individuals discovered in this investigation. Accordingly, these queries are considered to be unauthorized and impermissible and constitute a misuse of the DAVID and LInX databases.

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April 19, 2024

In addition to the foregoing misconduct, you violated the City of Sunrise Police Department's take-home vehicle policy in March of 2023, when you drove your marked police vehicle to [REDACTED], FL, where you then waited for your ex-girlfriend in your police vehicle and in full police uniform, to bring her flowers and chocolates and to plead with her to reconcile your relationship. This course of conduct jeopardized the reputation and/or integrity of the Sunrise Police Department, the City of Sunrise and you, as a sworn Police Officer.

Finally, the investigation also revealed that you have violated several of the Sunrise Police Department's "Non-Police / Outside Employment" policies, by opening an LLC by the name of IGIT SECURITY CONSULTANTS, INC., in order to receive various payments directly from the building in which you reside [REDACTED], where you were clearly employed in an off-duty capacity as a so-called "Courtesy Officer."

However, the agreement you have with [REDACTED] is not a typical Courtesy Officer's agreement, whereby your landlord would reduce your rent payments in exchange for your services. Instead, according to your own sworn statement, your private LLC is being paid between \$600 - \$1,200 per month for duties and responsibilities that have neither been approved, nor vetted, through the City of Sunrise for purposes of determining whether there is a conflict of interest and/or whether the responsibilities your private company is being paid for are dignified and do not reflect any discredit upon the Sunrise Police Department.

An Internal Affairs investigation was subsequently conducted, which was ultimately **SUSTAINED** for several rule/policy violations.

In a memorandum dated March 6, 2024, titled "Notice of a Pre-Determination Hearing," you were offered the opportunity to attend a pre-determination hearing to discuss or provide any additional information you wanted me to consider before I made a final disciplinary decision in this matter. Through this Notice, you were also informed that disciplinary action – including demotion – could be taken against you for violations of the following Sunrise Police Department Policies and Procedures:

## **IMPERMISSABLE QUERIES**

***Information Technology (IT) Security and Equipment Use - 21.6.5.1.*** – *Employees shall not use their position to access confidential information from DAVID, FCIC/NCIC, CJNet, III, and all law enforcement associated databases and applications for unauthorized or non-criminal justice purposes. Any access of these systems and/or dissemination of information obtained for non-criminal justice purposes is considered a misuse of the system.*

### **F.S.S. 119.0712(2):**

***2(a) For purposes of this subsection, the term "motor vehicle record" means any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration, or identification card issued by the Department of Highway Safety and Motor Vehicles.***

*(b) Personal information, including highly restricted personal information as defined in 18 U.S.C. s. 2725, contained in a motor vehicle record is confidential pursuant to the Federal Driver's Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq. Such information may be released only as authorized by that act; however, information received pursuant to that act may not be used for mass commercial solicitation of clients for litigation against motor vehicle dealers.*

*(c) E-mail addresses collected by the Department of Highway Safety and Motor Vehicles pursuant to s. 319.40(3), s. 320.95(2), or s. 322.08(9) are exempt from s. 119.07(1) and s. 24(a) Art. I of the State Constitution. This exemption applies retroactively. This paragraph is subject to Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2020, unless reviewed and saved from repeal through reenactment by the Legislature.*

*(d) 1. Emergency Contact Information (ECI) contained in a motor vehicle record is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.*

*2. Without the express consent of the person to whom such emergency contact information applies, the emergency contact information contained in a motor vehicle record may be released only to law enforcement agencies for purposes of contacting those listed in the event of an emergency.*

## **SUNRISE TAKE HOME VEHICLE POLICY VIOLATIONS**

**37.6.2.1.** - *Employees who are off-duty are restricted in the use of their designated take-home vehicle to the following locations outside the Sunrise corporate City limits: commuting to and from work, official City/law enforcement business, attending court, off-duty special details, police-related training, formal education at the college and university level, commuting to and from a fitness center within Broward County and within a five (5) mile radius from the employee's place of residence, or as otherwise authorized by the Chief of Police.*

**37.6.2.1.2.** - *Employees who are off-duty may use their designated take-home vehicle anywhere within the Sunrise Corporate City limits including those activities consistent with these regulations or as established by the Chief of Police provided that the activity does not jeopardize the reputation or integrity of the employee, the Department, or the City, or any activity prohibited within Chapter 19 – Code of Conduct and Ethics.*

## **SUNRISE NON-POLICE EMPLOYMENT/APPLICATION VIOLATIONS**

**36.4.3.** - *Non-Police Employment - Includes employment of a non-police nature in which vested police powers of the officer or other member are not conditions for employment or work and which will have no real or implied police service benefit to the employer. The employment must be dignified and not reflect any discredit upon the police profession and there can be no conflict of interest.*

**36.4.6.** - *Non-Police Employment Application* - A request form to be completed and submitted by members of the City of Sunrise Police Department for approval by the Chief of Police and City Manager prior to commencing any non-police employment. This application will be renewed on an annual basis or whenever the employee changes employment or employer.

**36.6.22.1.** - Any member requesting to work non-police employment must fill out and submit to the Special Details Unit a non-police employment application prior to commencing such employment.

**36.6.22.2.** - This application must be completed for any non-police employment, occupation, profession or commercial enterprise, including self-employment.

**36.6.22.4.** - Because of legal restrictions or a high degree of probability for a conflict of interest with police employment, the Chief of Police, Personnel Director or City Manager will have the discretion of approving or disapproving applications for non-police employment.

**36.6.22.5.** - Approval may not be granted for non-police employment, which might interfere or be in conflict with official duties, may bring discredit upon the employee or the Department or that is in violation of the rules, regulations, policies or procedures of the Department of any City or County ordinances.

**36.6.22.5.1.** - Examples include, but are not limited to:

**36.6.22.5.1.5.** - Employment as a private investigator or in any capacity for a business for the purpose of conducting investigations.

**36.6.22.5.1.9.** - Employment as a private security guard or private store detective.

I have reviewed the internal administrative investigation in its entirety, including all of the statements and evidence presented. I have also reviewed and considered the additional statements and claims provided by you and your Attorney, Mr. Michael Braverman, during the Pre-Determination hearing on March 14, 2024.

### **Conclusion:**

After a careful review of all the documentation obtained in this case, I find there is ample evidence to support the finding that you have committed serious misconduct that represents a violation of each of above-noted administrative charges. Accordingly, I have determined there is just cause to **DEMOTE** you from the rank of Police Sergeant to the rank of Police Officer, effective April 29, 2024.

In addition, your access to the LInX database will be permanently revoked. You will have limited access to DAVID and NCIC/FCIC, by utilizing teletype in order to conduct queries. You will not

be permitted to query anyone in DAVID or NCIC/FCIC on your own accord. Your purpose code and/or reason for accessing DAVID or NCIC/FCIC will be documented by a member of teletype. Finally, your access to these two (2) databases will be audited by our agency's DAVID Point of Contact (POC) quarterly, until I advise otherwise.