



Jacksonville Sheriff's Office Employee Complaint Form

501 E. Bay Street, Jacksonville, Florida 32202-2975 | www.jaxsheriff.org

Internal Affairs Unit - (904) 630-2187

Nature of Incident/Event I was pulled over and assaulted by JSO	I.A. # (Administrative Use Only) 22-0646
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Sheriff's Office Employee Information

Citizen Information

Employee's Name and ID# (if known)					Citizen's Name (First MI Last) Braxton J Smith		
Race White	Sex MALE	Height	Weight	Approximate Age	Home Address 9425 Flechette AVE		Apt #
Other Identifying Characteristics Officers in all black with Task Forces on their backs					City Jacksonville	State FLORIDA	Zip Code 32208
Vehicle or Tag #	Vehicle Model	In Uniform			Race Black	Sex MALE	D.O.B. 5/18/1986
Employee Vehicle Description (Marked/Unmarked, Color) Marked JSO trucks					Home #	Business #	Cell # 9048660592
Location of Incident/Event Brentwood ave					Name of Witness (First MI Last)		
Day and Date of Incident/Event 11-23-21			Time 8:30-900		Witness Address	City, State	Zip Code
Today's Date and Time Monday, November 28, 2022 1:40:02 PM					Witness Phone Number(s)		

Explanation of Event: (Also list on the back any additional information, employees, witnesses, etc)

I was unlawfully pulled off and dragged out of my vehicle with no probably cause. And my car was searched without my permission.

F.S.S. 837.06: Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Signature of Citizen: _____

All information is true and correct to the best of my knowledge.

Employee Accepting Form K.A. THOMPSON 68992	Assignment INTERNAL AFFAIRS	Date and Time 11/29/2022 2:08 P.M.
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Redacted 7/28/2023



Ruzanka, Paul M.

From: Shell, Michael B.
Sent: Tuesday, November 29, 2022 2:38 PM
To: Dorner, Mark E.
Cc: PIO; Ruzanka, Paul M.
Subject: FW: Response Request from WJXT TV News4JAX Tarik Minor

Lt. Dorner,

Please see the allegation of misconduct referenced below.



Assistant Chief M.B.Shell, #60325

Jacksonville Sheriff's Office | Public Accountability Section

Desk: 119.071(4)(d)2 F.S.

Michael.Shell@Jaxsheriff.org

Connect with us: jaxsheriff.org or on social media

The Mission of the Jacksonville Sheriff's Office: "To Serve and Protect in Partnership with Our Community"

From: Tarik Minor <tminor@wjxt.com>
Sent: Tuesday, November 29, 2022 1:43 PM
To: PIO <pio@jaxsheriff.org>; Hancock, Christian <Christian.Hancock@jaxsheriff.org>
Subject: Response Request from WJXT TV News4JAX Tarik Minor

*****EXTERNAL EMAIL SOURCE*****

This email was sent from a non-JSO account. Do not open any links or any attachments unless you trust the sender and know the content is safe.

Good afternoon,

This email in reference to a News4JaX ITEAM story that will air tomorrow Wednesday November 30th regarding the Wednesday, November 23rd traffic stop of man named Braxton Smith near the intersection of Golfair Blvd and Brentwood road. Smith videotaped a portion of the incident on his cell phone involving one of JSO's task forces, where Smith alleges he was illegally detained and he claims JSO officers did not have permission to search his vehicle. Smith also says a member of the task force stopped his phone recording (which is on the video that is attached). Smith says he was handcuffed, questioned and let go and was not given a reason for his detainment. We have the following questions.

- 1) Is there any other information that JSO can provide us regarding the reasonable cause officers had to conduct this traffic stop and detain Smith?
- 2) What is the JSO's response to Smith's allegation that he was illegally detained and the allegation that his car was searched without his consent?
- 3) What is the JSO's task force role in this community (is this is a high crime/drug area?)
- 4) Smith who is African American says he was profiled because of his race. What is the department's response?

The video link to the incident can be found here below:

<https://www.youtube.com/watch?v=eqrCLYlbo1g>

I realize this portion of the video does not fully represent all the facts in this case, and JSO has body camera video as well which may bring to light other facts. Please feel free to share any information with me so we can get the full picture. This email is also a request for the body camera footage during this incident.

I look forward to hearing back from you. Thanks in advance!

Best,
Tarik Minor/Anchor/Reporter
WJXT TV Channel 4 News Jacksonville
407-701-9819



Jacksonville Sheriff's Office

T.K. WATERS, SHERIFF

Serve • Protect • Community

December 20, 2022

Loren P. Husselbee
362 Calgary Drive E.
St. George, UT 84790

RE: Internal Affairs Case No.: 22-0646

Dear Mr. Husselbee:

The Internal Affairs Unit of the Jacksonville Sheriff's Office has received your complaint. This incident is already an active investigation that is currently being conducted by Internal Affairs. Your information will be filed in our office for future reference. Thank you for responding to an incident that you felt needed our attention.

The Jacksonville Sheriff's Office is committed to providing the best law enforcement service to all citizens within our jurisdiction. Your complaint has allowed us to critique our actions to ensure continued professionalism within our Department.

Sincerely,

T.K. WATERS, SHERIFF

M. E. Dorner, Lieutenant
Internal Affairs Unit Commander

MED/lap

COPY



Jacksonville Sheriff's Office Employee Complaint Form

501 E. Bay Street, Jacksonville, Florida 32202-2975 | www.jaxsheriff.org

Internal Affairs Unit - (904) 630-2187

Nature of Incident/Event Violation of civil rights during a traffic stop	I.A. # (Administrative Use Only) 22-0646
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Sheriff's Office Employee Information

Citizen Information

Employee's Name and ID# (if known) (unknown)					Citizen's Name (First MI Last) Loren P Husselbee			
Race Caucasian	Sex MALE	Height	Weight	Approximate Age	Home Address 362 Calgary DR E		Apt #	
Other Identifying Characteristics Body cam identifier is "Axon Body 2 X81322338"					City St, George		State Utah	Zip Code 84790
Vehicle or Tag #	Vehicle Model		In Uniform Yes		Race Caucasian	Sex MALE	D.O.B. 1/5/1961	
Employee Vehicle Description (Marked/Unmarked, Color) Marked					Home #	Business #	Cell # 435-559-0495	
Location of Incident/Event Brentwood, Duval County					Name of Witness (First MI Last)			
Day and Date of Incident/Event Thursday, 11/24/2022			Time T01:39:54Z		Witness Address		City, State	Zip Code
Today's Date and Time Monday, December 19, 2022 4:28:57 PM					Witness Phone Number(s)			

Explanation of Event: (Also list on the back any additional information, employees, witnesses, etc)

This traffic stop was recorded on a deputy's body-worn camera. The body cam is identified on the screen as "Axon Body 2 X81322338."

I am aware that the citizen who was the victim in this violation of civil rights, Braxton Smith, has already filed a complaint in this matter. However, I also wish to file a complaint against the deputy, whose name apparently has been kept carefully hidden from public information sources.

As the body-cam footage shows, the deputy in question removed Mr. Smith from his vehicle by force during the incident in question. He threw him to the ground, handcuffed him, and treated Mr. Smith with disdain and suspicion -- all supposedly for driving with tinted windows. The body-worn camera video makes it clear that the deputy did his best to escalate the situation when questioning Mr. Smith, telling him several times to "shut up" or "shut your mouth," using profanity ("Don't get all fucking loud with me"), and referring to him as, "Mister Black Man." He continually badgered Mr. Smith about why he didn't pull over sooner and dismissed Mr. Smith's explanation -- that he was seeking a safe place to pull over in a well-lit area. He told Mr. Smith that he was "not authorized to do that," and played the victim when Mr. Smith earnestly tried to explain himself ("I'm not stupid," etc.). In reality, Mr. Smith's response made perfect sense, given the manner in which white police officers routinely escalate traffic stops and similar Terry stops in which black citizens end up being shot with little or no provocation. (We could ask George Floyd, Breonna Taylor, and dozens of others about that,



I.A. # _____

Jacksonville Sheriff's Office Employee Complaint Form Narrative Continuation Sheet

but they are dead.)

Other than tinted windows and the real, yet unspoken, reason Mr. Smith was stopped -- DWB, or Driving While Black -- the deputy in question lacked reasonable, articulable suspicion that Mr. Smith had committed a crime, was in the process of committing a crime, or was about to commit a crime (Terry v. Ohio, 392 U.S. 1, 1968). As such, the only things the deputy needed from Mr. Smith to effect this traffic stop was Mr. Smith's driver's license, vehicle registration, and insurance information, which Mr. Smith was holding out the driver's side of his vehicle with the windows down when the deputy approached the car.

Apparently indignant that Mr. Smith, a black man, had the unmitigated audacity to seek a safe, well-lit area before pulling over, this deputy instead violated Mr. Smith's constitutional rights, particularly the Fourth Amendment, by seizing his person (removing him with excessive force from his vehicle, handcuffing him, placing him in the back of his patrol car, frisking him, and removing his shoes to search him further). The deputy and other officers present then violated Mr. Smith's Fourth Amendment rights to be free of a warrantless search of his vehicle without consent. As a military veteran who served our country in defense of our freedoms and constitutional rights, Mr. Smith deserved better than to be treated like this.

The deputy seemed to be hoping to find something ... *anything* ... that would justify arresting Mr. Smith and taking him to jail. First it was the "odor" of marijuana and repeated questions about "smoking hemp" or possessing weed. Then it was Mr. Smith's supposed furtive efforts to hide a firearm legally purchased and legally secured in the trunk of his car. The deputy's conversations with other officers suggest that he was making it up on the fly, looking for reasons to make an arrest while making his narrative fit his actions in an effort to justify his conduct.

If what we see on the body-worn camera footage is any indication of this deputy's day-to-day interactions and conduct on the streets, he is dangerous. He will one day get himself and perhaps other officers killed because of his reckless approach to policing.

The deputy attempted to justify his actions based on the age-old excuse "officer safety." Mr. Smith was the only one whose safety was at risk in this situation. If this deputy and his family are so afraid for his safety that he feels justified in violating the constitutional rights of a man who was pulled over for tinted windows at night, the deputy needs to retire and find a new line of work. He is a danger to himself, to his family, and to fellow officers. It would not surprise me to learn that his jacket contains additional complaints for excessive use of force, escalation of hostilities between police and the public, and even domestic violence in his home.

I was born in Mississippi and raised in the town of Meridian during the Civil Rights Movement. Until the Klan burned a cross in our yard and threatened to burn down our house, my parents were employed by the Southern Christian Leadership Conference, registering black voters for Dr. King. We finally left Mississippi when Dr. King's father, the Rev. Martin Luther King Sr., came to our house and told my parents they had "done all they could," and that it was time to go because they needed to protect their children. Although I am white, I can appreciate what Mr. Smith, as a black man, experienced at the hands of this deputy that night.

I am also a professor of constitutional law. In this video, I see myriad violations of civil rights. I would relish the opportunity to depose this deputy in a civil lawsuit against the county. I would strip him of his qualified



I.A. # _____

Jacksonville Sheriff's Office Employee Complaint Form Narrative Continuation Sheet

Community so quickly he would wonder where it went. What I see on this body-worn camera footage sickens me. It leads me to believe that a black man under the thumb of white officers in Jacksonville, Florida, has good reason to seek a well-lit area before pulling over for a traffic stop.

As a military veteran and a black man himself, I hope Sheriff Waters will stand up and say, "This is unacceptable." This deputy needs to be taken off the street immediately.

F.S.S. 837.06: Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Signature of Citizen: _____

All information is true and correct to the best of my knowledge.

Employee Accepting Form	Assignment	Date and Time
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362 E. Calgary Drive
St. George, UT 84790
Personal (435) 559-0495
Fax (435) 359-9378
husselbee.paul@gmail.com

L. PAUL HUSSELEE

Professor of
Media/Constitutional Law

19 December 2022

Sheriff T.K. Waters
Jacksonville Sheriff's Office
501 E. Bay Street
Jacksonville, FL 32202

Dear Sheriff Waters,

Although I am not a resident of Jacksonville or Duvall County, I hope you will indulge me as I comment on an incident that took place in your jurisdiction on 24 November 2022. I realize that you may already have grown weary of hearing about the incident from constituents, let alone concerned non-resident citizens like me, so I appreciate your taking the time to read these observations from an outsider whose only skin in the game is that of protecting the Constitutional rights of all people, regardless of religion, gender, ethnicity, orientation, socioeconomic status, or political ideology.

The citizen involved in the incident, Braxton Smith, has already filed an Internal Affairs complaint with respect to the events of 24 November, and I followed up with my own complaint earlier today after viewing the body-worn camera footage of the deputy (identified in the video only as "Axon Body 2 X81322338"). I wish I knew the deputy's identity so that I could refer to him by name, but I have been unable to find it online. Consequently, I will call him simply "the deputy."

On the night in question and as the body-cam footage shows, the deputy removed Mr. Smith from his vehicle by force during a traffic stop. He threw Mr. Smith to the ground, handcuffed him, and treated Mr. Smith with disdain and suspicion — all supposedly for driving with tinted windows. The video makes it clear, at least to me, that the deputy did his best to escalate the situation when questioning Mr. Smith, telling him several times to "shut up" or "shut your mouth," using profanity ("Don't get all fucking loud with me"), and referring to him as, "Mister Black Man."

Moreover, the deputy continually badgered Mr. Smith about why he didn't pull over sooner and dismissed Mr. Smith's explanation — that he was seeking a safe place to pull over in a well-lit area. He told Mr. Smith that he was "not authorized to do that," and played the victim when Mr. Smith earnestly tried to explain himself ("I'm not stupid," etc.). In

*Received by IA
1-3-2023 @ 2:21pm
Pierre 45483*



Sheriff T.K. Waters

page 2

reality, Mr. Smith's response made perfect sense, given the manner in which white police officers routinely escalate traffic stops and similar Terry stops in which black citizens end up being shot with little or no provocation. (We could ask Duante Wright, Andre Hill, Manuel Ellis, Stephon Clark, and dozens of others about that, but they are, unfortunately, dead.)

Other than tinted windows and the real, yet unspoken, reason Mr. Smith was stopped — DWB (Driving While Black) — the deputy lacked reasonable, articulable suspicion that Mr. Smith had committed a crime, was in the process of committing a crime, or was about to commit a crime (*Terry v. Ohio*, 392 U.S. 1, 1968). As such, the only things the deputy needed from Mr. Smith to effect his traffic stop was Mr. Smith's driver's license, vehicle registration, and insurance information, each of which Mr. Smith was holding out the driver's side of his vehicle with the windows down when the deputy approached the car.

Apparently indignant that Mr. Smith, a black man, had the unmitigated audacity to seek a safe, well-lit area before pulling over, this deputy instead violated the most basic of Mr. Smith's Fourth Amendment rights by seizing his person (removing him with excessive force from his vehicle, handcuffing him, placing him in the back of his patrol car, frisking him, and removing his shoes to search him further). The deputy and other officers present then further violated the Fourth Amendment by conducting a warrantless search of Mr. Smith's vehicle without his consent. As a military veteran who served our country in defense of our freedoms and constitutional rights, Mr. Smith deserved better than to be treated like this.

The deputy seemed to be hoping to find something — *anything* — that would justify arresting Mr. Smith and taking him to jail. First it was the "odor" of marijuana and repeated questions about "smoking hemp" or being around people who had smoked pot. Then it was Mr. Smith's supposed furtive efforts to hide a firearm that he had legally purchased and secured in the trunk of his car. The deputy's conversations with other officers, when he was not peppering Mr. Smith with questions designed to trip him up or uncover "wrongdoing" where none existed, suggest that the deputy was making it up on the fly, looking for reasons to make an arrest while making his narrative fit his actions in an effort to justify his conduct.

If what we see on the body-worn camera footage is any indication of this deputy's day-to-day interactions and conduct on the streets, he is *dangerous*. He will one day get himself and perhaps other officers killed because of his reckless approach to policing. Of course, the deputy attempted to justify his actions based on the tired, age-old excuse "officer safety." Mr. Smith was the only one whose safety was at risk in this situation. If this deputy and his family are so afraid for his safety that he feels justified in violating the constitutional rights of a man who was pulled



Sheriff T.K. Waters
page 3

over for tinted windows at night, the deputy needs to find a new line of work. He is a danger to himself, to his family, and to fellow officers. It would not surprise me to learn that his jacket contains additional complaints for excessive use of force, escalation of hostilities between police and the public, and even domestic violence in his home.

Sheriff, I was born in Mississippi and raised in the town of Meridian during the Civil Rights Movement. Until the Klan burned a cross in our yard and threatened to burn down our house, my parents were employed by the Southern Christian Leadership Conference, registering black voters for Dr. King in Meridian and Lauderdale County. We finally left Mississippi when Dr. King's father, the Rev. Martin Luther King Sr., came to our home, told my parents they had "done all they could," and begged them to leave because they needed to protect their children. Although I am white, I can appreciate if only in a miniscule way what Mr. Smith, as a black man, experienced at the hands of this deputy that night.

I am also a professor of constitutional law. In this video, I see myriad violations of civil rights. I would relish the opportunity to depose this deputy in a civil lawsuit against the county. I would strip him of his qualified immunity so quickly he would wonder where it went. His actions and demeanor scream, "I'm violating this man's rights, I know I'm violating this man's rights, and I don't give a damn." What I see on his body-worn camera footage sickens me — particularly because it did not seem to occur to any other officer to pull the deputy aside and say, "Hey, dumbass, you're taking this *way* too far." That leads me to believe that a black man under the thumb of white officers in Duvall County, Florida, has good reason to seek a well-lit area before pulling over for a traffic stop.

As a military veteran and a black man yourself, Sheriff Waters, I hope you will stand up and say, "This is unacceptable." This deputy needs to be taken off the street immediately.

Hopefully and respectfully,

A handwritten signature in black ink that reads "L. Paul Husselbee". The signature is written in a cursive, flowing style.

L. Paul Husselbee, Ph.D.

LPH/gch



Jacksonville Sheriff's Office

T.K. WATERS, SHERIFF

Serve • Protect • Community

December 20, 2022

Donald E. Yount
1020 Hunters Retreat
Collierville, TN 38017

RE: Internal Affairs Case No.: 22-0646

Dear Mr. Yount:

The Internal Affairs Unit of the Jacksonville Sheriff's Office has received your complaint. This incident is already an active investigation that is currently being conducted by Internal Affairs. Your information will be filed in our office for future reference. Thank you for responding to an incident that you felt needed our attention.

The Jacksonville Sheriff's Office is committed to providing the best law enforcement service to all citizens within our jurisdiction. Your complaint has allowed us to critique our actions to ensure continued professionalism within our Department.

Sincerely,

T.K. WATERS, SHERIFF

M. E. Dorner, Lieutenant
Internal Affairs Unit Commander

MED/lap



Jacksonville Sheriff's Office Employee Complaint Form

501 E. Bay Street, Jacksonville, Florida 32202-2975 | www.jaxsheriff.org

Internal Affairs Unit - (904) 630-2187

Nature of Incident/Event Traffic stop of Braxton Smith	I.A. # (Administrative Use Only) 22-0646
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Sheriff's Office Employee Information

Citizen Information

Employee's Name and ID# (if known)					Citizen's Name (First MI Last) Donald E Yount		
Race White	Sex MALE	Height	Weight	Approximate Age	Home Address 1020 Hunters Retreat		Apt #
Other Identifying Characteristics					City Collierville	State Tn	Zip Code 38017
Vehicle or Tag #	Vehicle Model		In Uniform		Race White	Sex MALE	D.O.B. 2/2/1957
Employee Vehicle Description (Marked/Unmarked, Color)					Home # 901-848-8886	Business #	Cell #
Location of Incident/Event Jacksonville / You Tube video- Shut your mouth Mr. Black man					Name of Witness (First MI Last)		
Day and Date of Incident/Event 1/24/2022			Time T01:56:39Z		Witness Address	City, State	Zip Code
Today's Date and Time Friday, December 16, 2022 6:32:22 PM					Witness Phone Number(s)		

Explanation of Event: (Also list on the back any additional information, employees, witnesses, etc)

Your officer pulled Mr. Smith over for window tint that turned into the biggest display of racist behavior I've ever seen from an officer. Mr. Smith was pulled from his car, placed on the ground facedown while still wearing his seat belt. He was then searched, pockets and all, not just a pat down which I believe was a direct violation of his 4th amendment rights. He was then handcuffed and taken to a patrol car while being treated less than human. This officer was absolutely unprofessional and in violation of human rights. I'm a 65 year old white man raised in the south and I've seen some racist acts before and this rates right up there with the worst I've seen. I'm a veteran and served to protect the rights your officers so blatantly violated. "I smell weed" turns into, who were you talking to and were they smoking weed because your car smells like weed. I'm sure this is the officers go to to step on his 4th amendment right of illegal search. The real issue was window tint and you have an American veteran setting barefoot in hand cuffs. While three others search his car. On found a pistol in the trunk that he didn't know how to safely clear. He pointed it through the side panel at his fellow officer who had to move forward to be clear. Absolutely BS of a racist stop. To finish up your officer tells him that his traffic machine isn't working and starts the explanations of how he was cutting him a break. A break from what he said was a felony eluding. The way he was treated I'm sure if he had committed a felony he would have been taken to jail. This, YOUR, video is sickening. This is the first time I've felt strongly enough to register a complaint but I'm sure I'll get no response.

If this is the way you normally treat your citizens I don't understand how anyone would want to live there.



I.A. # _____

Jacksonville Sheriff's Office Employee Complaint Form Narrative Continuation Sheet

F.S.S. 837.06: Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Signature of Citizen: _____

Online

All information is true and correct to the best of my knowledge.

Employee Accepting Form	Assignment	Date and Time
<i>[Signature]</i> 75790	F.A.	12/19/22 6:20 AM



Jacksonville Sheriff's Office Employee Complaint Form

501 E. Bay Street, Jacksonville, Florida 32202-2975 | www.jaxsheriff.org

Internal Affairs Unit - (904) 630-2187

Nature of Incident/Event Officer violated Order 501 II Section E	I.A. # (Administrative Use Only) 22-0646
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Sheriff's Office Employee Information

Citizen Information

Employee's Name and ID# (if known) See Video					Citizen's Name (First MI Last) Mike Sible		
Race	Sex	Height	Weight	Approximate Age	Home Address		Apt #
Other Identifying Characteristics Body cam #X81322338					City	State Washington	Zip Code
Vehicle or Tag #	Vehicle Model		In Uniform		Race	Sex	D.O.B.
Employee Vehicle Description (Marked/Unmarked, Color)					Home #	Business #	Cell #
Location of Incident/Event Jacksonville					Name of Witness (First MI Last)		
Day and Date of Incident/Event 11/24/2022			Time 01:43		Witness Address	City, State	Zip Code
Today's Date and Time Friday, December 16, 2022 10:15:16 PM					Witness Phone Number(s)		

Explanation of Event: (Also list on the back any additional information, employees, witnesses, etc) https://youtu.be/xaiPagiaQjl Your officer insulted a member of the public multiple times. Told the individual to shut their mouth multiple times, swore at the individual, as well as called an African American "Mr. Black Man" All of these go against Order 501, II Procedures, Sections: A - I will enforce the law courteously and appropriately without fear or favor, MALICE, or ill will, never employing unnecessary force or violence. E. 1 a - Bring JSO into disrepute or ridicule; E. 2 -Members shall treat all persons with respect and shall not speak disparagingly about, defame, or demean another member, or the gender, ethnic origin, religion, race, disability, or sexual orientation of any person or group. [CALEA 44.2.3] E. 3 - Members shall maintain command of temper, exercise patience, and refrain from using coarse, profane, or insolent language that could be considered rude or offensive to others. E. 4 - Members shall be responsive to the needs of the public by rendering prompt and courteous service, and consistently conducting themselves in a manner that encourages public respect.



I.A. # _____

Jacksonville Sheriff's Office Employee Complaint Form Narrative Continuation Sheet

F.S.S. 837.06: Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Signature of Citizen: _____

Online

All information is true and correct to the best of my knowledge.

Employee Accepting Form	Assignment	Date and Time
<i>25798</i>	<i>F.A.</i>	<i>12/19/22 6:22AM</i>



Jacksonville Sheriff's Office Employee Complaint Form

501 E. Bay Street, Jacksonville, Florida 32202-2975 | www.jaxsheriff.org

Internal Affairs Unit - (904) 630-2187

Nature of Incident/Event CIVIL RIGHTS VIOLATIONS ON VETERAN	I.A. # (Administrative Use Only) 22-0646
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Sheriff's Office Employee Information

Citizen Information

Employee's Name and ID# (if known)					Citizen's Name (First MI Last)		
Race	Sex	Height	Weight	Approximate Age	Home Address		Apt #
Other Identifying Characteristics					City	State	Zip Code
Vehicle or Tag #	Vehicle Model		In Uniform		Race	Sex	D.O.B.
Employee Vehicle Description (Marked/Unmarked, Color)					Home #	Business #	Cell #
Location of Incident/Event					Name of Witness (First MI Last)		
Day and Date of Incident/Event			Time		Witness Address	City, State	Zip Code
Today's Date and Time Tuesday, December 20, 2022 5:19:17 PM					Witness Phone Number(s)		

Explanation of Event: (Also list on the back any additional information, employees, witnesses, etc)

<https://youtu.be/xaiPagiaQjl>

Watch the video. Your officers are a disgrace to the badge and America. Fire these officers immediately. I hope the civilian sues you. The city, county, and state attorney will receive the same video as well as the DOJ. I hope you're department enjoys the investigation.

F.S.S. 837.06: Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Signature of Citizen: _____

All information is true and correct to the best of my knowledge.

Employee Accepting Form 74976	Assignment IA	Date and Time 12/21/22 700
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Jacksonville Sheriff's Office Employee Complaint Form

501 E. Bay Street, Jacksonville, Florida 32202-2975 | www.jaxsheriff.org

Internal Affairs Unit - (904) 630-2187

Nature of Incident/Event Recent YouTube video of black man handcuffed detained for window tint	I.A. # (Administrative Use Only) 22-0646
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Sheriff's Office Employee Information

Citizen Information

Employee's Name and ID# (if known)					Citizen's Name (First MI Last)		
Race	Sex	Height	Weight	Approximate Age	Home Address		Apt #
Other Identifying Characteristics					City	State	Zip Code
Vehicle or Tag #	Vehicle Model		In Uniform		Race	Sex	D.O.B.
Employee Vehicle Description (Marked/Unmarked, Color)					Home #	Business #	Cell #
Location of Incident/Event Jacksonville					Name of Witness (First MI Last)		
Day and Date of Incident/Event 24 November 2022			Time		Witness Address		City, State Zip Code
Today's Date and Time Friday, December 16, 2022 5:41:33 PM					Witness Phone Number(s)		

Explanation of Event: (Also list on the back any additional information, employees, witnesses, etc)

In regards to Braxton Smith detainment. Actions of officers for having to follow car approximately 300 yards, in which "Mr. Black Man" wanted to find a better location to pull over. All for window tint and a citation wasn't even issued.

F.S.S. 837.06: Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Signature of Citizen: Online

All information is true and correct to the best of my knowledge.

Employee Accepting Form <u>[Signature]</u> 25790	Assignment I.A.	Date and Time 12/19/22 6:20 AM
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Jacksonville Sheriff's Office Employee Complaint Form

501 E. Bay Street, Jacksonville, Florida 32202-2975 | www.jaxsheriff.org

Internal Affairs Unit - (904) 630-2187

Nature of Incident/Event racist officer	I.A. # (Administrative Use Only)
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Sheriff's Office Employee Information

Citizen Information

Employee's Name and ID# (if known)					Citizen's Name (First MI Last)		
Race	Sex	Height	Weight	Approximate Age	Home Address		Apt #
Other Identifying Characteristics					City	State	Zip Code
Vehicle or Tag #	Vehicle Model		In Uniform		Race	Sex	D.O.B.
Employee Vehicle Description (Marked/Unmarked, Color)					Home #	Business #	Cell #
Location of Incident/Event jacksonville					Name of Witness (First MI Last)		
Day and Date of Incident/Event 2022			Time		Witness Address	City, State	Zip Code
Today's Date and Time Tuesday, December 27, 2022 10:37:25 AM					Witness Phone Number(s)		

Explanation of Event: (Also list on the back any additional information, employees, witnesses, etc)

I just watched the video of the police officer pulling over the veteran for tinted windows and talking to this gentleman like he was a idiot. Your officers are racists. Plain and simple. This was disgusting and if this is how your officers represent your department, I see why the reputation of your department is so bad. This behavior is unacceptable. These officers need to be fired

F.S.S. 837.06: Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Signature of Citizen: _____

All information is true and correct to the best of my knowledge.

Employee Accepting Form B. WRIGHT 71574	Assignment Internal Affairs	Date and Time 12/27/22 14:48
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Jacksonville Sheriff's Office Employee Complaint Form

501 E. Bay Street, Jacksonville, Florida 32202-2975 | www.jaxsheriff.org
Internal Affairs Unit - (904) 630-2187

Nature of Incident/Event Braxton Smith was abused and his rights were violated	I.A. # (Administrative Use Only)
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Sheriff's Office Employee Information

Citizen Information

Employee's Name and ID# (if known)					Citizen's Name (First MI Last) Anonymous		
Race	Sex	Height	Weight	Approximate Age	Home Address		Apt #
Other Identifying Characteristics					City	State	Zip Code
Vehicle or Tag #	Vehicle Model		In Uniform		Race	Sex	D.O.B.
Employee Vehicle Description (Marked/Unmarked, Color)					Home #	Business #	Cell #
Location of Incident/Event See video					Name of Witness (First MI Last) See video		
Day and Date of Incident/Event Unknown see video			Time		Witness Address	City, State	Zip Code
Today's Date and Time Friday, December 23, 2022 12:20:54 PM					Witness Phone Number(s)		

Explanation of Event: (Also list on the back any additional information, employees, witnesses, etc)

This is total abuse by your dickhead, power tripping cop. Investigate and fire this cop - the whole world is watching! <https://youtu.be/eqrCLYlbo1g> & <https://youtu.be/fNwWw81OJU1>

F.S.S. 837.06: Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Signature of Citizen: _____

All information is true and correct to the best of my knowledge.

Employee Accepting Form B. WRIGHT 71574	Assignment Internal Affairs	Date and Time 12/27/2022 9:13 AM
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Jacksonville Sheriff's Office Employee Complaint Form

501 E. Bay Street, Jacksonville, Florida 32202-2975 | www.jaxsheriff.org

Internal Affairs Unit - (904) 630-2187

Nature of Incident/Event Physical and verbal mistreatment, potentially race related	I.A. # (Administrative Use Only)
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Sheriff's Office Employee Information

Citizen Information

Employee's Name and ID# (if known)					Citizen's Name (First MI Last) N/A N/A		
Race	Sex	Height	Weight	Approximate Age	Home Address N/A N/A		Apt #
Other Identifying Characteristics					City N/A	State N/A	Zip Code N/A
Vehicle or Tag # 1603	Vehicle Model Ford explorer		In Uniform		Race N/A	Sex UNKNOWN	D.O.B.
Employee Vehicle Description (Marked/Unmarked, Color) Marked unit 1603					Home #	Business #	Cell #
Location of Incident/Event Jacksonville					Name of Witness (First MI Last) N/A N/A		
Day and Date of Incident/Event 11/24/2022			Time 0139		Witness Address N/A N/A AC E N/A, N/A	City, State	Zip Code N/A
Today's Date and Time Saturday, December 24, 2022 8:45:03 AM					Witness Phone Number(s) N/A N/A N/A		

Explanation of Event: (Also list on the back any additional information, employees, witnesses, etc)

Please watch these two videos of the traffic stop and warrantless arrest of Navy Veteran Braxton Smith.

<https://youtu.be/eqrCLYlbo1g>

<https://youtu.be/fNwWw81OJUI>

Frankly, this interaction is absolutely ridiculous. The tone and candor of the "arresting" officer is incredibly demeaning. The way in which this officer is verbally surprised by the fact that Braxton Smith had no criminal record all but guarantees that this traffic stop and arrest were based solely on Braxton's race. I fear for the taxpayers that lives under JSO jurisdiction if this is how law abiding citizens are treated. This officer is a huge lawsuit liability.

F.S.S. 837.06: Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Signature of Citizen: _____

All information is true and correct to the best of my knowledge.

Employee Accepting Form B. WRIGHT 71574	Assignment Internal Affairs	Date and Time 12/27/22 9:14 am
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12/27/22, 8:10 AM

Disgusting officer conduct - JSO IA

Disgusting officer conduct

Duplicate Complaint

IA# 22-0646

Eric Souza <esouza984@gmail.com>

Fri 12/16/2022 12:16 PM

o:JSO IA <jsoiau@jaxsheriff.org>;

*****EXTERNAL EMAIL SOURCE*****

This email was sent from a non-JSO account. Do not open any links or any attachments unless you trust the sender and know the content is safe.

<https://youtu.be/xaiPagiaQjI>

Please investigate this.



Jacksonville Sheriff's Office Employee Complaint Form

501 E. Bay Street, Jacksonville, Florida 32202-2975 | www.jaxsheriff.org
Internal Affairs Unit – (904) 630-2187

Additional Complaint Form

Nature of Incident/Event	I.A. # (Administrative Use Only) 22-0646
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Sheriff's Office Employee Information

Citizen Information

Employee's Name and ID# (if known) Sheriff T.K. Waters #6866					Citizen's Name (First MI Last) Good Citizen		
Race	Sex	Height	Weight	Approximate Age	Home Address		Apt#
Other Identifying Characteristics					City	State GA	Zip Code
Vehicle or Tag #	Vehicle Model		In Uniform		Race	Sex male	D.O.B.
Employee Vehicle Description (Marked/Unmarked, Color)					Home #	Business #	Cell # (678)255-9578
Location of Incident/Event					Name of Witness (First MI Last)		
Day and Date of Incident/Event			Time		Witness Address	City, State	Zip Code
Today's Date and Time 03-03-2023 12:30					Witness Phone Number(s)		

Explanation of Event: (Also list on the back any additional information, employees, witnesses, etc)

Complaint is in regards to attempting to reach the Sheriff throughout the week. Complainant has been told for five days that the Sheriff is "not in". Per complainant, the Sheriff has a set time to be in the office and the complainant has been told that the Sheriff is, "out on business" and has not answered his calls. Complainant is concerned about the incident regarding Braxton Smith (Navy Veteran) and why officers violated his rights. Complainant stated officers violated policies and procedures of the department in relation to treating the public with compassion, kindness, and understanding. Complainant is also concerned about transparency and accountability within the department.

Complainant resides in Georgia and stated on 03-10-2023, 15 first amendment auditors will be at the Sheriffs Office. Complainant provided peachstateauditors@gmail.com as method of contact.

F.S.S. 837.06: Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Signature of Citizen: _____

All information is true and correct to the best of my knowledge.

Employee Accepting Form K.A. THOMPSON 68992	Assignment INTERNAL AFFAIRS	Date and Time 3-3-2023 / 1230 PM
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Jacksonville Sheriff's Office Employee Complaint Form

501 E. Bay Street, Jacksonville, Florida 32202-2975 | www.jaxsheriff.org

Internal Affairs Unit – (904) 630-2187

Additional Complaint

Nature of Incident/Event Racial Profiling against Braxton Smith	I.A. # (Administrative Use Only) 22-0646
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Sheriff's Office Employee Information

Citizen Information

Employee's Name and ID# (if known) Justin Peppers					Citizen's Name (First MI Last) Jonathan Steinhoff		
Race	Sex	Height	Weight	Approximate Age	Home Address		Apt#
Other Identifying Characteristics					City	State	Zip Code
Vehicle or Tag #	Vehicle Model		In Uniform		Race	Sex	D.O.B.
Employee Vehicle Description (Marked/Unmarked, Color)					Home #	Business #	Cell #
Location of Incident/Event					Name of Witness (First MI Last)		
Day and Date of Incident/Event			Time		Witness Address	City, State	Zip Code
Today's Date and Time					Witness Phone Number(s)		

Explanation of Event: (Also list on the back any additional information, employees, witnesses, etc)

Racial profiling against Braxton Smith by Officer Peppers. Complainant was informed that this incident was being investigated by Internal Affairs. Complainant stated he did not have a phone number or address and provided an email address, s21jordan@hotmail.com.

F.S.S. 837.06: Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Signature of Citizen: _____

All information is true and correct to the best of my knowledge.

Employee Accepting Form <i>K.A. Thompson 68992</i>	Assignment <i>Internal Affairs</i>	Date and Time <i>1/27/2023 1:30pm</i>
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Jacksonville Sheriff's Office

T.K. WATERS, SHERIFF



February 24, 2023

Jonathan Steinhoff
s21jordan@hotmail.com

RE: Internal Affairs Case No.: 22-0646

Dear Jonathan Steinhoff:

The Internal Affairs Unit of the Jacksonville Sheriff's Office has received your complaint. This incident is already an active investigation that is currently being conducted by Internal Affairs. Your information will be filed in our office for future reference. Thank you for responding to an incident that you felt needed our attention.

The Jacksonville Sheriff's Office is committed to providing the best law enforcement service to all citizens within our jurisdiction. Your complaint has allowed us to critique our actions to ensure continued professionalism within our Department.

Sincerely,

T.K. WATERS, SHERIFF

M. E. Dorner, Lieutenant
Internal Affairs Unit Commander


MED/lap

Jacksonville Sheriff's Office Internal Affairs Complaint IA# 22-0646

 JSO IA

Wed 3/1/2023 6:29 AM

To: s21jordan@hotmail.com <s21jordan@hotmail.com>;

 1 attachments (199 KB)

IA# 22-0646.pdf;

Good morning,

The Internal Affairs Unit has received your complaint. Please refer to the attached letter concerning your complaint. If you have any questions, please call our office at (904) 630-2187.

Thank you,
Jacksonville Sheriff's Office Internal Affairs Unit
(904) 630-2187

*****NOTICE*****

JSOIA@jaxsheriff.org is not continually monitored and is not used to file complaints with the Jacksonville Sheriff's Office (JSO) Internal Affairs Unit (IA).

The procedure for filing a JSO employee complaint or to have an IA detective contact you, is to please either call Internal Affairs at 904-630-2187, visit a JSO sub-station or the Police Memorial Building at 501 East Bay Street to fill out a complaint form, or online by visiting www.coj.net/departments/sheriffs-office/citizen-compliment-and-complaint-procedure



Jacksonville Sheriff's Office Employee Complaint Form

501 E. Bay Street, Jacksonville, Florida 32202-2975 | www.jaxsheriff.org

Internal Affairs Unit - (904) 630-2187

Nature of Incident/Event Abuse of authority	I.A. # (Administrative Use Only) 22-0646
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Sheriff's Office Employee Information

Citizen Information

Employee's Name and ID# (if known)					Citizen's Name (First MI Last) Good Citizen		
Race	Sex	Height	Weight	Approximate Age	Home Address		Apt #
Other Identifying Characteristics Attitude Problem, abusive					City	State	Zip Code
Vehicle or Tag # 16D3 or 1603	Vehicle Model		In Uniform		Race	Sex	D.O.B.
Employee Vehicle Description (Marked/Unmarked, Color) Sheriff Cruiser					Home #	Business #	Cell #
Location of Incident/Event Jacksonville Fl					Name of Witness (First MI Last)		
Day and Date of Incident/Event 22-24-2022			Time 01:40		Witness Address	City, State	Zip Code
Today's Date and Time Wednesday, March 01, 2023 1:40:52 PM					Witness Phone Number(s)		

Explanation of Event: (Also list on the back any additional information, employees, witnesses, etc)

The video is on youtube of your sheriffs pulling an innocent citizen that happens to be a veteran out of his vehicle for a "possible" tint violation. I believe the tint in question was the citizens skin color. Your sheriff used abusive and degrading language. I will follow up and want to see an investigation into this. We as the people are tired of seeing this bullshit happen to our citizens.

F.S.S. 837.06: Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Signature of Citizen: _____

All information is true and correct to the best of my knowledge.

Employee Accepting Form R. L. C...	Assignment IA	Date and Time 3/1/23
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Case #2022-0646
On Duty

Subject: Summation

To: Undersheriff D.S. Coarsey #6957

From: Internal Affairs Unit / Detective K.A. Thompson #68992

Reference: Improper Action
Biased Based Conduct
Unbecoming Conduct
Repeat Infractions – Unbecoming Conduct

Complainant: Citizen

Member: Police Officer Justin R. Peppers #77661

On November 28, 2022, the Jacksonville Sheriff's Office (JSO) Internal Affairs Unit initiated an administrative investigation into the alleged misconduct against Police Officer Justin R. Peppers #77661. On November 23, 2022, Peppers conducted a vehicle stop with a Central Communications Record (CCR) number of 2022-0693120. The driver of the vehicle, Braxton Smith, submitted a Jacksonville Sheriff's Office Employee Complaint Form (P-0235) via the JSO website in reference to the incident.

CASE MATERIALS REVIEW

- Jacksonville Sheriff's Office Employee Complaint Form (P-0235) completed and submitted through the JSO website on Monday, November 28, 2022. The form was completed by Smith and documented the following explanation of event:
 - *"I was unlawfully pull off [sic] and dragged out of my vehicle with no probably [sic] cause. And my car was searched without my permission".*

Investigative Note: Internal Affairs contacted Smith and asked if Smith had any additional information in reference to Smith's complaint. Smith stated he did not and declined to provide an additional statement to Internal Affairs.

- Electronic mail (E-Mail) correspondence received by the JSO Public Relations & Information Unit from News4Jax Anchor and I-Team reporter, Tarik Minor, on Tuesday, November 29, 2022, which stated the following (verbatim):
 - "Good afternoon,

This email in reference to a News4JaX ITEAM story that will air tomorrow Wednesday November 30th regarding the Wednesday, November 23rd traffic stop of man named Braxton Smith near the intersection of Golfair Blvd and Brentwood road. Smith videotaped a portion of the incident on his cell phone involving one of JSO's task forces, where Smith alleges he was illegally detained and he claims JSO officers did not have permission to search his vehicle. Smith also says a member of the task force stopped his phone recording (which is on the video that is attached). Smith says he was handcuffed, questioned and let go and was not given a reason for his detainment. We have the following questions.

- 1) *Is there any other information that JSO can provide us regarding the reasonable cause officers had to conduct this traffic stop and detain Smith?*
- 2) *What is the JSO's response to Smith's allegation that he was illegally detained and the allegation that his car was searched without his consent?*
- 3) *What is the JSO's task force role in this community (is this is a high crime/drug area?)*
- 4) *Smith who is African American says he was profiled because of his race. What is the department's response?*

The video link to the incident can be found here below:

<https://www.youtube.com/watch?v=egrCLYlbo1g>

I realize this portion of the video does not fully represent all the facts in this case, and JSO has body camera video as well which may bring to light other facts. Please feel free to share any information with me so we can get the full picture. This email is also a request for the body camera footage during the incident.

I look forward to hearing back from you. Thanks in advance!

Best,

Tarik Minor/Anchor/Reporter

WJXT TV Channel 4 News Jacksonville

407-701-9819"

Investigative Note: Internal Affairs received additional complaints in reference to this incident due to the news story that was aired. None of the complaints were from witnesses who were present during the traffic stop and no new information was provided.

- Recordable Digital Versatile Disk (DVD-R) containing two (2) digital videos and a Portable Document Format (PDF) related to CCR 2022-0693120. The first video documented the news story associated with this incident that was aired on television by News4Jax. The second is a video recorded on Smith's cellular telephone and uploaded onto the website, YouTube. The video depicted the interaction between the JSO officers and Smith. The PDF documented the story that aired on the News4Jax website.
- Digital file titled, "1F74347F-CAA6-4CF5-86E5-9BE9214F6E27". The file contained a recording of the News4Jax story that aired on television related to CCR 2022-0693120. The recording was three minutes and fifty-three seconds (00:03:53) in length and contained a portion of the video Smith recorded on his

cellular telephone during his interaction with the JSO officers and an interview of Smith by Minor. During the interview, Smith expressed that he believed he was racially profiled and that he felt humiliated.

- Digital file titled, “AFF13A2B-B607-4CE6-BA6D-AE25146B02C7”. The file contained the video recorded on Smith’s cellular telephone that was uploaded onto the website, YouTube. The video depicted the interaction between the JSO officers and Smith. The video was three minutes and nineteen seconds (00:03:19) in length and contained the following pertinent information. The following documented footage is in chronological order and the time stamp notates at what point in the video the description is from.
 - 00:00:01: Smith began recording on his cellular telephone. Emergency sirens are heard in the background. The camera lens is obstructed, and nothing is visible.
 - 00:00:08: The words, “JSO’s ultra aggressive traffic stop.”, are displayed and the interior of Smith’s vehicle is visible. Emergency sirens can still be heard, and police emergency lights are clearly visible flashing in the rear window of Smith’s vehicle.
 - 00:00:30: Smith appeared to stop his vehicle and Peppers is heard over his Public Address (PA) system instructing Smith to turn his vehicle off. Smith turned off the vehicle and appeared to be gathering paperwork.
 - 00:00:40: Peppers instructed Smith to put his hands out of his vehicle window. Smith removed the key from the ignition and threw them out of the vehicle window. Peppers instructed Smith to place his hands out of the vehicle window again, and Smith complied.
 - 00:00:55: Peppers is heard telling Smith not to move. Smith replied, “I aint moving, what’s up?”
 - 00:01:20: Smith is removed from the vehicle by Peppers.

Investigative Note: Due to the angle of Smith’s cellular telephone, the interaction between Peppers and Smith cannot be seen. This will be documented in detail in the Body Worn Camera (BWC) portion of the case materials review.

Case #2022-0646

- 00:02:40: Police Officer Brandon L. Jester #74972, is observed looking through the windows of Smith's vehicle.
- 00:03:02: Police Officer Joel W. Belgard #77638 is heard stating, "live" and the cellular telephone video stopped recording approximately seventeen (17) seconds later.
- Digital file titled, "*I-TEAM Recorded traffic stop raises questions of racial profiling and a violation of rights*". The file contained a nine (9) page PDF document of screenshots taken from the article aired on the News4Jax website related to CCR 2022-0693120. Review of the article revealed no new information.
- Digital file folder titled, "*Radio*" containing one hundred and twelve (112) audio recordings of the JSO Patrol Zone One (1) police radio frequency on Wednesday November 23, 2022, between 8:38 p.m. and 9:54 p.m. The audio recordings depicted the audible communication between the Patrol Zone One (1) JSO Police Emergency Communications Officer (PECO) and Peppers. The following is pertinent communication related to CCR 2022-0693120. The following documented audio is in chronological order and the time stamp notates at what point in the recording the description is from.
 - 20:38:45: Peppers (2183) initiated a traffic stop on Smith and advised the PECO of his location at, "*Golfair and Laurie*".
 - 20:38:59: Peppers updated his location to, "*Golfair and Springfield*" after being asked by the PECO to repeat his location. Peppers provided the PECO with Smith's license plate information and vehicle description.
 - 20:39:09: The PECO confirmed the information provided by Peppers.
 - 20:40:03: Police Officer Axell T. Pugh #71243 (2180) advised the PECO that, "*all 2180's are out with 83*".

Investigative Note: Peppers utilized the call sign "2183", during this incident. Pugh referred to the other members of the Zone One (1) task force as "2180's" during this transmission. The Patrol Zone One (1) Task Force officers utilized a four (4)

digit call sign and the numbers “218” precede the fourth digit. Pugh’s call sign was “2180”, Officer Nicholas A. Hackley’s #78361 call sign was “2181”, and Belgard’s call sign was “2182”.

- 21:22:03: Peppers communicated with the PECO in reference to a separate incident, after the traffic stop with Smith was complete and Smith was released.
- Digital file folder titled, “11-23-22 Golfair Blvd & Springfield Blvd” containing a PDF file titled “CAD”, which documented the information captured by the Computer Aided Dispatch (CAD), related to CCR 2022-0693120. The CAD documented that Peppers, Belgard, Hackley, and Pugh were present during the vehicle stop of Smith. It also documented that Peppers utilized “X” [Perpetrator contacted; advised to cease / desist (includes verbal traffic warning)] and “BC1” (BWC video retention 1 year) as his disposition codes to close out the call. Belgard, Pugh, and Hackley utilized the disposition codes “K” (Assisted other agency or performed supervisory function) and “BC1” (BWC video retention 1 year).

Investigative Note: The JSO utilizes Ten Signals such as 10-4 (Acknowledgement), Disposition Codes such as A (Unable to locate complainant or verify), Dispatch Signals such as 63 (Dispute), Priority codes such as 1 (Dispatch Immediately with Alert Tone – Emergency / Life), and BWC Disposition Codes which designate the length of time BWC footage will be retained such as BC1 (1 year).

- Body Worn Camera (BWC) video footage that was titled “AXON_Body2_Video_2022-11-23_2039 Peppers” and was obtained from Peppers’ BWC. The BWC footage was thirteen minutes and four seconds (00:13:04) in length and contained the following pertinent information. The following documented footage is in chronological order and the time stamp notates at what point in the video the description is from.
 - 00:00:11: Peppers’ emergency lights appeared to be activated and can be seen reflecting off trees as he passes.

Case #2022-0646

- 00:00:29: Peppers' audio on his BWC activated and his emergency sirens can be clearly heard. During this time Peppers cycled through various emergency siren sounds his marked patrol vehicle was capable of producing. He also utilized the emergency horn.
- 00:00:56: Peppers placed the patrol vehicle in park and deactivated the emergency siren. The emergency lights were still visible. Peppers utilized his PA system to instruct Smith to turn Smith's vehicle off.

Investigative Note: Peppers' patrol vehicle's emergency equipment appeared to be activated for approximately thirty-six (36) seconds before Smith stopped his vehicle and Peppers pulled his marked patrol vehicle into the A and G Thrift Shop (675 Golfair Boulevard) parking lot.

- 00:01:00: Peppers exited his patrol vehicle and stood in the driver's door jamb and again utilized his PA system to instruct Smith to turn Smith's vehicle off.
- 00:01:10: Smith is observed throwing his keys out of the driver's window of his vehicle.
- 00:01:12: Peppers utilized his PA system to instruct Smith to place his hands out of his vehicle's window and Smith complied.
- 00:01:15: Peppers exited the door jamb of his patrol vehicle, shut the door, and began to approach Smith's vehicle. Smith's hands are observed outside of the driver's window. Smith appeared to have paperwork in his hands.

Investigative Note: Pugh can be heard in the background advising dispatch that he and other 2180 units were on scene with Peppers.

- 00:01:22: Peppers grabbed Smith's arms and instructed him not to move. Smith stated, *"I ain't moving, what's up?"*. Peppers attempted to open the driver's door but was unable to, due to it being locked. Peppers then stated for Smith to unlock the door, while holding Smith's arms. Smith told Peppers to unlock the vehicle. Peppers replied, *"don't worry about it, you keep your freaking hands out the*

window and shut your mouth, I'll figure it out". Peppers then reached through the window of Smith's vehicle and unlocked the door while maintaining control of Smith's arms.

- 00:01:38: Peppers opened the door to Smith's vehicle, at this point Belgard assisted Peppers in maintaining control of Smith's arm, and Hackley is observed standing to the side utilizing a flashlight to illuminate Smith. As Peppers attempted to remove Smith from the vehicle Smith stated, *"what's up officers, what's going on?"*.
- 00:01:47: Peppers adjusted Smith's position in his seat and unbuckled Smith's seat belt. Smith stated, *"I'm chilling, what's up?"*, and Smith is removed from the vehicle and placed on his stomach on the ground. During this time Smith made verbal announcements to confirm he was compliant and continued to ask, *"what's up?"*.

Investigative Note: After review of all the available BWC footage, it appeared Smith was lowered slowly onto the ground in an effort to ensure he was not injured and at no point did Smith complain of being injured. It took approximately five (5) seconds for Smith to be laid on the ground from his removal from the vehicle.

- 00:01:55: Peppers placed Smith in handcuffs and Smith stated, *"I ain't resisting, ya'll wildin' [sic], come on ya'll wildin' [sic], I ain't doing shit"*.
- 00:02:17: Peppers rolled Smith to Smith's side and began to pat Smith down. Peppers removed a cellular telephone from Smith's front pants pocket and then searched the same pocket. Peppers then searched Smith's hoodie sweater pocket and Smith's other front pants pocket.
- 00:02:50: Peppers helped Smith stand up and escorted Smith to Peppers' marked patrol vehicle. Peppers asked Smith if he smokes hemp and Smith replied, *"what you mean, what's that?"*.
- 00:03:08: Peppers instructed Smith to sit in the back seat of Peppers' marked patrol vehicle and Smith complied. An emergency siren is heard and Peppers and Hackley asked each other what the noise was. Neither Peppers nor Hackley knew

what the sound was. Peppers asked Smith if he had an alarm on his person and Smith stated he did not. Peppers removed a skull cap from Smith's head and finished searching Smith's person, including his shoes.

- 00:03:36: Smith informed Peppers, *"Officer, I'm a law-abiding citizen"*. Peppers replied, *"well, right now you might be going to jail"*. Smith asked what he would be going to jail for, and Peppers advised, *"I'll talk to you about that in a second"*.
- 00:04:37: Peppers advised Smith he was not under arrest and read Smith his Miranda Warning via card. Smith confirmed he understood his Miranda Warning.
- 00:05:04: Peppers asked Smith, *"what makes this spot safer for you, than where I tried to stop you?"*. Smith replied, *"y'all hit the lights on, I didn't want to pull in the middle of the road that's dangerous for y'all. I wanted to pull into a well-lit area and get y'all out of traffic"*. Peppers asked Smith if Smith was trying to find a safe spot for Smith or for Peppers. Smith replied that he was trying to find a safe spot for both Smith and Peppers. Peppers then advised Smith, *"no, you don't get to do that"*. Peppers told Smith that he could, *"make a claim"* that he is trying to find a safe spot for Smith and asked Smith why he felt the spot Smith chose to stop was safer than where Peppers initiated the vehicle stop. Smith answered, *"it's a well-lit area, it's not in the middle of the road"*.
- 00:05:59: Peppers advised Smith that he observed Smith moving around in Smith's vehicle while attempting to stop Smith. Smith stated in an elevated tone, *"I rolled the windows down, put my driver's license and my registration out the [sic] window. That's the shit y'all are supposed to ask [sic] when you first pull someone over right? Y'all didn't do none of that come on"*. Peppers replied to Smith, *"first of all, shut your mouth, don't get all fucking loud with me that aint gonna [sic] change nothing here"*. Peppers then explained to Smith that he, *"failed to obey, it's a fleeing charge, and it's a felony three (3)"*. Peppers then asked Smith to tell the truth and asked Smith again why he did not stop his vehicle sooner. Smith explained to Peppers that he already told Peppers why Smith did not stop and went on to state, *"look at what you just did to me, you just snatched me out my [sic] car. I rolled the windows down, gave you my license my registration. You ain't read me no rights, you snatched me out the car"*. Peppers replied, *"you damn right I did, why?"*.

Peppers then explained to Smith, *"for three hundred (300) yards, I had my lights, how many different sirens did I turn on?"*. Smith stated, *"listen I am a black man in America. I am terrified of the police"*. Peppers stated, *"Mr. Black Man, I'm asking you a question, how many times, how many different sirens did I turn on and how many times did I lay on my horn?"*. Smith was unable to answer Peppers' question and stated that when Smith was told to pull over, Smith pulled over. Peppers told Smith that he told Smith to pull over when Peppers turned his emergency lights and sirens on. Peppers then instructed Smith to sit in the back of the marked patrol vehicle completely and shut the door.

- 00:07:28: Peppers approached Smith's vehicle and Hackley asked Peppers if Peppers asked Smith if Smith smoked hemp. Peppers advised Hackley that Smith did not smoke hemp and that they could search Smith's vehicle.
- 00:07:40: Peppers asked the other officers if they asked Smith if Smith had a medical marijuana card. It was revealed Smith advised he did not have a medical marijuana card.
- 00:08:25: Peppers sat back in his marked patrol vehicle and asked Smith, *"sir, when the lights go on, and the sirens go on, and you hear it all over, like, I know you heard the different sirens the different tones, the horn. All that are indications that, hey you probably shouldn't be picking, what's a safe spot for me to stop. You never thought that once, huh?"*. Smith replied, *"I haven't been pulled over with this level as aggression in a long time"*. Peppers then stated that what Smith saw as aggression, Peppers saw as officer safety. Peppers advised that Smith would, *"probably be going to jail, because what you're saying doesn't make any sense"*.
- 00:10:35: Peppers asked Smith why Smith's vehicle smelled like marijuana. Smith's response cannot be heard on the BWC.
- 00:11:20: Peppers exited his marked patrol vehicle and Belgard advised Peppers that there was a firearm in a holster in the trunk of Smith's vehicle.
- 00:12:20: Peppers stated that he observed Smith moving around and Smith's head ducking down when Pepper's patrol vehicle's headlights were illuminating Smith's back window.
- 00:13:05: Peppers deactivated his BWC.

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- Body Worn Camera (BWC) video footage that was titled “*AXON_Body2_Video_2022-11-23_2055 Peppers 2*” and was obtained from Peppers’ BWC. The BWC footage was two minutes and forty-two seconds (00:02:42) in length and contained the following pertinent information. The following documented footage is in chronological order and the time stamp notates at what point in the video the description is from.
 - 00:00:30: Peppers opened the rear door of Peppers’ marked patrol vehicle and asked Smith about the firearm in the trunk of Smith’s vehicle. Smith stated he left it in the trunk because Smith was going home, and that he carries a firearm for protection. Peppers asked if Smith placed the firearm in the trunk while Peppers was attempting to pull Smith over and Smith explained he did not.
 - 00:02:21: Peppers asked Smith if Smith possessed a concealed weapons permit and Smith stated he did not. Smith stated he was not a convicted felon.
 - 00:02:42: Peppers deactivated his BWC.

- Body Worn Camera (BWC) video footage that was titled “*AXON_Body2_Video_2022-11-23_2059 Peppers 3*” and was obtained from Peppers’ BWC. The BWC footage was twelve minutes and thirty-two seconds (00:12:32) in length and contained the following pertinent information. The following documented footage is in chronological order and the time stamp notates at what point in the video the description is from.
 - 00:02:08: Peppers utilized a Tint Meter Enforcer TM100, to verify if Smith’s front side and back side windows complied with Florida State Statute (FSS) 316.2953 regarding suncreening material. It was determined that Smith’s front vehicle’s window and rear vehicle’s window measured at twenty (20) percent window light transmission which was in violation of FSS.

Investigative note: A Tint Meter Enforcer TM100 is a tool utilized to measure the amount of light that is being blocked by a vehicle’s window film. Florida State Statute 316.2953 states the following regarding window tint:

“316.2953 Side windows; restrictions on sunscreening material.—A person shall not operate any motor vehicle on any public highway, road, or street on which vehicle the side wings and side windows on either side forward of or adjacent to the operator’s seat are composed of, covered by, or treated with any sunscreening material or other product or covering which has the effect of making the window nontransparent or which would alter the window’s color, increase its reflectivity, or reduce its light transmittance, except as expressly permitted by this section. A sunscreening material is authorized for such windows if, when applied to and tested on the glass of such windows on the specific motor vehicle, the material has a total solar reflectance of visible light of not more than 25 percent as measured on the nonfilm side and a light transmittance of at least 28 percent in the visible light range. A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.”

- 00:03:10: Peppers got back into his marked patrol vehicle and asked Smith who Smith had been speaking with at the Pearl Express Gas Station. Smith’s response is unable to be heard on BWC. Peppers asked Smith if someone was smoking marijuana around Smith’s vehicle because Smith’s vehicle smelled like marijuana. Peppers then advised that he was not going to arrest Smith for a felony fleeing charge and, *“give [Smith] the benefit of the doubt and go ahead and say that, I think [Smith] truly just were severely mistaken about the law”*. Peppers goes on to explain to Smith that if Smith would have stopped when Peppers initiated the vehicle stop, Peppers would have advised Smith that Smith was stopped because Smith’s vehicle’s windshield was tinted and that the front windows were too dark. Peppers went onto explain to Smith that Smith drove too far after the initiation of the vehicle stop to be reasonably looking for a safe place to pull over. Peppers went on to explain to Smith why Smith was treated how Smith was, highlighting Peppers’ concern for officer safety.

Investigative Note: Internal Affairs utilized Google Maps to measure the distance from Peppers’ initial notification to dispatch that Peppers initiated a vehicle stop

on Smith to where Smith stopped his vehicle, A and G Thrift Shop (675 Golfair Boulevard), and found it to be approximately eight hundred and seventy-five (875) feet or 0.17 of a mile.

- 00:07:30: Peppers advised Smith, *"I'm going to give you one (1) fix it ticket. You got two (2) windows that are too dark, your front windows are twenty (20) per [sic], all your windows are twenty (20) percent, that makes the front windows too dark. And you got a windshield that's tinted"*.
- 00:08:30: Peppers is observed attempting to log into the SmartCop Mobile Forms application to initiate a Uniform Traffic Citation (UTC). Peppers was unable to log into the SmartCop Mobile Forms application to write the UTC, even after Peppers attempted to restart the SmartCop Mobile Forms application.

Investigative note: The SmartCop Mobile Forms application is an electronic traffic crash reporting system utilized by the JSO to document traffic related incidents including but not limited to vehicle crashes and the issuing of UTC's.

- 00:10:25: Peppers removed the handcuffs from Smith and allowed Smith to exit Peppers' marked patrol vehicle. Peppers informed Smith that the SmartCop Mobile Forms application was not operating, and Smith would not be issued a UTC. Peppers advised Smith again that Smith's vehicle's tint was too dark and then allowed Smith to leave the vehicle stop.
- Body Worn Camera (BWC) video footage that was titled *"AXON_Body2_Video_2022-11-23_2039(1) Hackley"* and was obtained from Hackley's BWC. The BWC footage was eleven minutes and twenty-five seconds (00:11:25) in length and contained the following pertinent information. The following documented footage is in chronological order and the time stamp notates at what point in the video the description is from.
 - 00:00:00: Hackley's BWC is activated, and emergency lights can be observed outside of Hackley's patrol vehicle's windshield.
 - 00:00:28: Hackley's BWC audio activated, and he exited his marked patrol vehicle.

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- 00:00:45: Hackley approached Smith's vehicle while Peppers was already speaking with Smith.
 - 00:01:10: Hackley assisted in maintaining control of Smith's right arm after Smith was placed on the ground. Hackley relinquished control of Smith's right arm to Peppers and Peppers is observed kneeling on Smith's back while Peppers placed Smith in handcuffs. Smith continued to speak and did not complain of any injury.
 - 00:02:12: Hackley walked with Peppers and Smith to Peppers' marked patrol vehicle.
 - 00:06:45: Hackley confirmed that Peppers asked Smith if he smoked hemp. Peppers confirmed that Smith did not smoke hemp and that police officers could search Smith's vehicle. Hackley began to assist in the search of Smith's vehicle.
 - 00:09:32: Hackley observed a firearm in the trunk of Smith's vehicle while it was being searched by Pugh and advised Pugh of the firearm.
- Body Worn Camera (BWC) video footage that was titled "*AXON_Body2_Video_2022-11-23_2040 Belgard*" and was obtained from Belgard's BWC. The BWC footage was eleven minutes and thirty seconds (00:11:30) in length and contained the following pertinent information. The following documented footage is in chronological order and the time stamp notates at what point in the video the description is from.
 - 00:00:00: Belgard's BWC is activated, and emergency lights can be observed outside of Belgard's patrol vehicle's windshield.
 - 00:00:27: Belgard exited his marked patrol vehicle. Peppers' marked patrol vehicle was observed to the left of Belgard, and Peppers is observed approaching Smith's vehicle. Belgard's BWC audio activated and Belgard walked along the passenger side of Smith's vehicle.
 - 00:00:46: Belgard walked to the driver's side of Smith's vehicle and took possession of the documentation in Smith's hand. Belgard then assisted in maintaining control of Smith's left arm until Peppers opened the door to Smith's vehicle and regained control of Smith's left arm.
 - 00:01:15: Belgard observed the interior of Smith's vehicle through the open door.

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- 00:01:43: Belgard asked Smith if Smith possessed a medical marijuana card and Smith stated he did not. Belgard then asked Smith if Smith smoked hemp, Smith did not reply.
- 00:02:40: Belgard stated, “live”, to the other police officers and pointed, with his flashlight, to Smith’s cellular telephone that was in a cellular telephone holder affixed to Smith’s dashboard.
- 00:03:59: Belgard is asked by Pugh if there was probable cause to search Smith’s vehicle. Belgard stated he was unsure if Smith smoked hemp but advised that Belgard did observe, “shake” in the vehicle.

Investigative Note: “Shake” is a slang term used to refer to small bits or loose pieces of marijuana generally seen on the floorboard of a vehicle. While “shake” is visible, it is not generally collectable due to the minute amount of marijuana that is present.

- 00:11:30: Belgard deactivated his BWC.
- Body Worn Camera (BWC) video footage that was titled “AXON_Body2_Video_2022-11-23_2040(1) Pugh” and was obtained from Pugh’s BWC. The BWC footage was three minutes and nine seconds (00:03:09) in length and contained the following pertinent information. The following documented footage is in chronological order and the time stamp notates at what point in the video the description is from.
 - 00:00:00: Pugh’s BWC is activated as Pugh exited his marked patrol vehicle and emergency lights can be seen from Pugh’s patrol vehicle’s windshield.
 - 00:00:11: Peppers is observed to the right of Pugh, standing outside of Peppers’ marked patrol vehicle, utilizing Peppers’ PA system.
 - 00:00:19: Peppers is observed approaching Smith’s vehicle.
 - 00:00:29: Pugh’s BWC audio activated, and Pugh approached Smith’s vehicle.
 - 00:00:35: Pugh notated and advised police officers on scene that Smith’s vehicle’s reverse lights were on. Pugh observed the interior of Smith’s vehicle through the

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- passenger side windows to ensure Smith's vehicle was in park. Pugh remained on the passenger side of Smith's vehicle while Smith was removed from the vehicle.
 - 00:02:19: Pugh opened the passenger front door of Smith's vehicle and observed the interior of Smith's vehicle.
 - 00:02:42: Pugh reached inside of Smith's vehicle and removed Smith's cellular telephone that was in the cellular telephone holder on the dashboard of Smith's vehicle and placed the cellular telephone on the passenger front seat.
 - 00:03:09: Pugh deactivated his BWC.
- Body Worn Camera (BWC) video footage that was titled "AXON_Body2_Video_2022-11-23_2046 Pugh 2" and was obtained from Pugh's BWC. The BWC footage was four minutes and forty-one seconds (00:04:41) in length and contained the following pertinent information. The following documented footage is in chronological order and the time stamp notates at what point in the video the description is from.
 - 00:00:00: Pugh's BWC is activated, and Pugh is seen standing at Belgard's marked patrol vehicle.
 - 00:00:25: Pugh walked toward Smith's vehicle and his BWC audio activated. Pugh began to assist in searching Smith's vehicle.
 - 00:03:14: Pugh located the firearm in the trunk of Smith's vehicle.
 - 00:04:41: Pugh deactivated his BWC.
- Body Worn Camera (BWC) video footage that was titled "AXON_Body2_Video_2022-11-23_2039 Jester" and was obtained from Jester's BWC. The BWC footage was eighteen minutes and fifty-five seconds (00:18:55) in length and contained the following pertinent information. The following documented footage is in chronological order and the time stamp notates at what point in the video the description is from.
 - 00:00:00: Jester activated his BWC, and police emergency lights are observed outside of Jester's patrol vehicle's windshield.
 - 00:00:26: Jester exited his marked patrol vehicle and his BWC audio is activated as he approached Peppers' marked patrol vehicle. Jester appeared to utilize the

right rear of the marked patrol vehicle, next to Peppers, as cover while Peppers gave verbal commands over Peppers' PA system.

- 00:00:38: Jester followed Peppers to Smith's vehicle and stood on the driver's side of Smith's vehicle, behind Peppers.
- 00:01:40: Jester retrieved Smith's keys from the parking lot that Smith threw out of the driver's window previously. Jester placed the keys on the hood of Smith's vehicle.
- 00:03:00: After being advised by Belgard that Smith's cellular telephone was recording the interaction, Jester stated, *"that's why [Smith] didn't want to stop. Because [Smith] was sitting there trying get his recorder going"*. Additionally, Pugh is observed manipulating the cellular telephone from Jester's BWC.
- 00:07:00: Jester began to assist searching Smith's vehicle.
- 00:09:18: Jester collected Smith's belongings off the ground and placed them on the hood of Smith's vehicle.
- 00:11:45: Jester put on disposable gloves and retrieved the firearm from the trunk of Smith's vehicle. Jester removed Smith's firearm from the holster. Jester then removed the magazine from the firearm and ejected a live round from the chamber.
- 00:13:00: Jester placed the firearm back in the holster and left the firearm in the trunk of Smith's vehicle.
- 00:18:55: Jester deactivated his BWC.

INTERVIEWS

On January 11, 2023, at 1:28 p.m., Internal Affairs obtained a sworn, recorded statement from Officer Axell Pugh #71243. Detective K.A. Thompson #68992 was present for the interview.

Pugh was assigned to the JSO Patrol Zone One (1) Task Force on November 23, 2022 and confirmed being present during the vehicle stop documented under CCR 2022-0693120. Pugh stated he and other task force members were actively patrolling the area

of West 27th Street and North Pearl Street due to recent narcotic activity and violent crime in the area.

Investigative Note: Peppers advised the PECO that he conducted the vehicle stop at Golfair Boulevard and Springfield Boulevard. West 27th Street becomes Golfair Boulevard west of North Pearl Street.

Pugh explained that Smith was observed speaking with someone on the south side of the Pearl Express gas station located at 3610 North Pearl Street. Pugh explained that particular area of the Pearl Express gas station is often utilized by individuals for the selling or purchasing of narcotics as well as frequent gang activity. Pugh advised that he positioned himself in the Brentwood Library, located at 3725 North Pearl Street, in anticipation of a vehicle stop being conducted on Smith's vehicle due to Smith's vehicle having, "*dark tint*".

Pugh believed that Peppers initiated his emergency lights close to the intersection of North Pearl Street and Golfair Boulevard. Pugh stated there were civilian vehicles between himself and Peppers and he heard Peppers utilizing his emergency sirens while attempting to stop Smith's vehicle. Pugh stated Smith appeared to be driving normal and that Smith, "*wasn't fleeing per say, like he didn't take off at a high rate of speed or anything like that*". Pugh added, "*but the vehicle was not stopping*".

Pugh stated that once Smith's vehicle had travelled approximately six (6) to seven (7) blocks, from where Peppers initiated the vehicle stop, Pugh pulled his marked patrol vehicle alongside of Smith's vehicle in an effort to identify Smith because Pugh believed Smith was not going to stop. At this point, Smith pulled his vehicle into the parking lot of the A and G Thrift Shop.

Internal Affairs asked Pugh if he felt there was a safe place to stop prior to the A and G Thrift Shop parking lot. Pugh explained that he believed Peppers initiated his emergency lights and sirens prior to Laurie Street and that there were several locations Smith could have stopped his vehicle, and that Smith could have just stopped his vehicle on Golfair Boulevard.

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Internal Affairs asked Pugh if Smith appeared to be complying with Peppers' commands that Peppers was giving Smith over the PA system. Pugh stated Smith was compliant in putting Smith's hands out of his vehicle window when directed to do so by Peppers. Pugh expressed concern that Smith's vehicle may not have been in park due to observing Smith's vehicle's reverse lights illuminated.

Pugh stated he never spoke with Smith and did not hear any specific conversation between Smith and Peppers. Pugh did not hear Peppers refer to Smith as, "*Mr. Black Man*". Internal Affairs asked why Smith's vehicle was searched. Pugh stated Smith's vehicle smelled like marijuana and he observed "*marijuana shake*" on the floorboard.

On January 18, 2023, at 1:01 p.m., Internal Affairs obtained a sworn, recorded statement from Officer Joel Belgard #77638. Detective K.A. Thompson #68992 was present for the interview.

Belgard was assigned to the JSO Patrol Zone One (1) Task Force on November 23, 2022 and confirmed being present during the vehicle stop documented under CCR 2022-0693120. Internal Affairs asked Belgard what he recalled from the vehicle stop involving Smith. Belgard stated he did not recall anything significant but that Smith, "*continued to drive after having lights and sirens activated for what I would consider an alarming distance and duration of time*".

Internal Affairs asked Belgard if Smith appeared to be taking evasive maneuvers in his vehicle or if any other police officers were forced to drive erratically while attempting to stop Smith's vehicle and Belgard stated no.

Belgard stated after Smith's vehicle came to a stop, he approached Smith's vehicle as Peppers was removing Smith and assisted Peppers. Internal Affairs asked Belgard why Smith was removed from his vehicle. Belgard explained that, "*with [Smith] having that duration of driving we believed [Smith] was either retrieving a weapon or some kind of contraband or hiding that stuff. So, to distance [Smith] away from that, to prevent*

[Smith] from accessing that, we approached the vehicle and removed [Smith] from the vehicle”.

Internal Affairs asked Belgard why he asked Smith if Smith had a medical marijuana card. Belgard explained that he could smell the odor of marijuana and later observed “shake” on the floorboard of Smith’s vehicle. Belgard added that it was determined that Smith did not possess a medical marijuana card and did not smoke hemp; therefore, Smith’s vehicle was ultimately searched based off that information.

Belgard stated he could not recall having any other interactions with Smith and that he never heard Peppers refer to Smith as, “Mr. Black Man.” Internal Affairs asked Belgard if it is common for Peppers to speak to a member of the public in that manner. Belgard stated it was not and that Belgard believed Peppers only referred to Smith as, “Mr. Black Man”, after Smith referred to himself as a “black man”.

On January 18, 2023, at 4:54 p.m., Internal Affairs obtained a sworn, recorded statement from Officer Nicholas Hackley #78361. Detective K.A. Thompson #68992 was present for the interview.

Hackley was assigned to the JSO Patrol Zone One (1) Task Force on November 23, 2022 and confirmed being present during the vehicle stop documented under CCR 2022-0693120. Hackley recalled that Peppers conducted a traffic stop on Smith but Hackley did not know the reason why. Hackley was not sure where Peppers initiated the vehicle stop or where Peppers activated his emergency lights.

Hackley advised Internal Affairs, “*all I knew is that [Peppers] was trying to conduct a traffic stop. The individual didn’t stop for several blocks and Officer Peppers was giving [Smith] some commands out the window”.* Internal Affairs asked Hackley if he felt there was a safe place for Smith to stop prior to the A and G Thrift Shop parking lot. Hackley stated yes and added that he has worked in that area since 2018 and has, “*conducted dozens of traffic stops on that road and nine [9] times out of ten [10] the people, individuals just stop on Golfair”.*

Internal Affairs asked Hackley if he knew why Smith was removed from Smith's vehicle. Hackley assumed it was because Smith did not stop at the initiation of the vehicle stop. Hackley stated he assisted in holding Smith's right hand while Smith was being placed in handcuffs but that he could not recall any additional interactions with Smith.

Hackley confirmed assisting in the search of Smith's vehicle. Hackley stated he believed another police officer either smelled the odor of marijuana or saw marijuana in Smith's vehicle and that is why the vehicle was searched. Hackley stated he could smell the odor of marijuana inside Smith's vehicle as well.

Hackley confirmed that Hackley was standing with Peppers while Peppers spoke with Smith but stated he did not hear the specifics of their conversation. Hackley stated he was standing with Peppers to ensure Peppers asked Smith if Smith possessed a medical marijuana card or smoked hemp prior to searching Smith's vehicle. Hackley stated he remembered hearing Peppers refer to Smith as, "*Mr. Black Man*," but Hackley was not sure if he heard it when it was said in front of him or just from seeing it on the news story. Hackley stated it is not common for Peppers to speak with a member of the public in the manner he spoke to Smith nor has he ever heard Peppers refer to another individual as, "*Mr. Black Man*."

On January 18, 2023, at 4:22 p.m., Internal Affairs obtained a sworn, recorded statement from Officer Brandon Jester #74972. Detective K.A. Thompson #68992 was present for the interview.

Jester was assigned as a patrol officer in the JSO Patrol Zone One (1) on November 23, 2022 and confirmed being present during the vehicle stop documented under CCR 2022-0693120. Jester stated he was the last police officer to arrive at the vehicle stop and when he caught up to other police officers, Smith had already begun to stop his vehicle at the A and G Thrift Shop parking lot.

Jester observed Peppers on Peppers' PA system giving Smith verbal commands. Jester stated Smith complied with Peppers' verbal commands. Jester confirmed that

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Smith was removed from Smith's vehicle, but Jester did not know the reason why at that time.

Internal Affairs asked Jester why Smith's vehicle was searched. Jester stated there was an odor of marijuana inside Smith's vehicle. Jester stated he did not have any interactions with Smith, nor did Jester hear Peppers refer to Smith as, "*Mr. Black Man*".

On March 02, 2023, at 3:40 p.m., Internal Affairs obtained a sworn, recorded statement from Officer Justin Peppers #77661. Detective K.A. Thompson #68992 and Fraternal Order of Police (FOP) representative Steve Zone were present for the interview.

Peppers was assigned to the JSO Patrol Zone One (1) Task Force on November 23, 2022. Peppers stated his duties as a member of the task force were too pro-actively patrol the zone and handle tasks delegated to him.

Peppers recalled the traffic stop documented under CCR 2022-0693120 and Peppers' encounter with Smith. Peppers stated he and other members of the JSO Patrol Zone One (1) Task Force were pro-actively patrolling the zone which included conducting vehicle stops and stopping pedestrians for violations that were observed. Peppers stated a location of interest was the Pearl Express gas station. Peppers stated this is a location of interest due to citizen complaints and personally observed narcotic and gang activity. Peppers stated that while at the Pearl Express gas station, Peppers observed a group of individuals loitering near the dumpster, and a vehicle ultimately determined to be Smith's vehicle parked near the loitering individuals. Peppers explained that the vehicle appeared to be unoccupied and was not parked in a parking spot. Based off of Peppers' observations, Peppers believed Smith's vehicle would only be there for a short period of time.

Peppers stated he continued to drive and was on Perry Street, facing Golfair Boulevard, when he observed Smith's vehicle driving westbound on Golfair Boulevard. Peppers explained that Smith's vehicle's window tint was, "*excessively dark*" and Peppers

decided to conduct a vehicle stop on Smith's vehicle. Peppers explained that Smith's window's vehicle tint was tested and found to be measured at twenty (20) percent, which was in violation of FSS. Internal Affairs asked Peppers if Smith being at the Pearl Express gas station was a consideration when initiating the vehicle stop on Smith's vehicle. Peppers explained that due to the short period of time Smith was at the Pearl Express gas station and where Smith's vehicle was parked, Peppers believed it indicated potential illegal narcotic activity.

Peppers stated when he activated the emergency lights on his marked patrol vehicle, Smith's vehicle continued to drive westbound on Golfair Boulevard. Peppers utilized his emergency sirens and horn in an effort to get Smith to stop his vehicle and activated his BWC in the event Smith's vehicle fled from the vehicle stop. Peppers stated Smith's vehicle never made any evasive maneuvers nor did Smith's vehicle speed excessively; however, Smith never indicated that he was looking for a place to stop his vehicle.

Peppers stated that Smith's vehicle's window tint was dark, but while Peppers' patrol vehicle's emergency lights were activated and while utilizing the spotlight on Peppers' patrol vehicle, Peppers was able to see only one occupant inside of Smith's vehicle. Peppers stated he was confident Smith was alone in the vehicle and when Smith stopped Smith's vehicle in the A and G Thrift Shop parking lot, Peppers utilized his PA system to command Smith to place his hands out of Smith's driver's side window.

Once Smith complied and Smith placed his hands out of the driver's side window of the vehicle, Peppers decided to approach Smith's vehicle to detain Smith. Peppers stated, *"due to the fact that I believed, based on the fact, the totality of everything, that [Smith] didn't stop for any other reason than because [Smith] didn't want to and because [Smith] only stopped because Officer Pugh came up alongside him. That, I believed that what was afoot, was the crime of fleeing, fail to obey. So not aggressive, you know evasive driving or anything. Just failing to obey lights and sirens, it's a felony so I went up to the vehicle"*. Peppers added that, *"I also did see [Smith] making furtive movements prior to pulling into the parking lot, so that also went into my decision to place [Smith] straight into handcuffs right out of the vehicle"*.

Investigative Note: Peppers is referring to Florida State Statute 316.1935(1) which is defined as follows:

“316.1935 Fleeing or attempting to elude a law enforcement officer; aggravated fleeing or eluding.—

(1) It is unlawful for the operator of any vehicle, having knowledge that he or she has been ordered to stop such vehicle by a duly authorized law enforcement officer, willfully to refuse or fail to stop the vehicle in compliance with such order or, having stopped in knowing compliance with such order, willfully to flee in an attempt to elude the officer, and a person who violates this subsection commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.”

After Smith was placed in handcuffs, Peppers stated he walked Smith to his marked patrol vehicle, read Smith his Miranda Warning, and questioned Smith. Peppers described Smith as argumentative and animated while speaking with him. Smith advised Peppers that the reason Smith did not stop was for safety concerns. Peppers stated initially he did not believe Smith’s explanation but ultimately Peppers explained to Internal Affairs that, *“it kind of seemed to me like [Smith] did not make the best decisions at the time that I made the traffic stop. But it wasn’t necessarily with the direct intent to commit a crime. What it seemed to me was an ignorance of the law”*. Peppers stated that coupled with Smith not having a significant criminal history Peppers gave Smith, *“the benefit of the doubt, that [Smith] didn’t necessarily intend to flee from police”*. Peppers decided to not arrest Smith and chose to educate Smith about the situation. Peppers intended to issue Smith a UTC but was unable due to password issues with his SmartCop Mobile Forms application. Internal Affairs asked Peppers if he felt it was unreasonable for Smith to want to park in a safe place. Peppers reiterated that Smith had other opportunities to stop, in well-lit areas, prior to where Smith ultimately stopped Smith’s vehicle.

After Peppers provided his account of the vehicle stop documented under CCR 2022-0693120, Internal Affairs reviewed Peppers’ BWC with him. Internal Affairs noted that the time it took for Smith’s vehicle to stop, as captured by Peppers’ BWC, was

approximately thirty-six (36) seconds and that the account previously provided by Peppers was that Smith's vehicle was not driving erratically. Internal Affairs asked Peppers what Peppers' threshold was when considering a vehicle is fleeing from him. Peppers explained that he does not have a set threshold and that he based his decision off previous experience. Peppers explained that during this incident, Smith had, *"places to stop but [Smith] wasn't making an indication that he was going to, but [Smith] was also not making an indication he was going to flee. I was kind of just waiting for [Smith] to do one of those two things"*. Peppers also explained that he was prepared to disengage from the vehicle stop if Smith's vehicle did not stop.

Internal Affairs asked Peppers why he utilized his PA system to give Smith verbal commands. Peppers stated he was able to utilize his patrol vehicle's headlights and spotlight to observe the inside of Smith's vehicle. Peppers observed that Smith was the only occupant and Peppers felt that having Smith's arms and hands outside of Smith's vehicle's window would make it safe for police officers to approach Smith. Internal Affairs asked Peppers if he felt Smith complied with the verbal commands Peppers gave Smith over the PA system. Peppers stated that at first Smith seemed to ignore his commands but when he gave Smith the command to place Smith's hands out of Smith's vehicle window a second time, Smith did comply.

Internal Affairs asked Peppers if Smith resisted Peppers when Smith was removed from the vehicle. Peppers stated Smith did not resist, and that Smith went to the ground on his own weight. Internal Affairs reviewed Peppers' BWC footage which documented Peppers placing Smith into handcuffs. Peppers explained to Internal Affairs that he placed Smith into handcuffs because, *"[Peppers] believed that [Smith] had just been committing, fleeing. Fail to obey fleeing., which is a felony"*. Peppers added, *"the fact that [Smith] was at a drug location. [Smith] was, you know everything that happened from the store until the stop. The fact that [Smith] was, I did see [Smith] kind of moving around in the vehicle. Not necessarily diving but, there was movement in the vehicle"*. Peppers then added, *"mainly because I had what I believed to be PC [probable cause] at the time for a felony or at least reasonable suspicion for a felony that occurred. That's why I placed him [Smith] in handcuffs in the prone position"*.

Internal Affairs asked Peppers why he searched Smith's person without consent. Peppers stated that he intended to arrest Smith at that time for the felony charge of fleeing, stating the search was an, *"incident arrest search"*.

Internal Affairs asked Peppers why he cursed at Smith. Peppers explained that he tries to match people's energy when he speaks with them. Peppers confirmed cursing at Smith and stated, *"it just kind of slipped out. There's not really an excuse or a reason for it, it just kind of happened. You know, I am aware that I shouldn't have said it at that time"*. Internal Affairs asked Peppers to explain why he referred to Smith as *"Mr. Black Man"*. Peppers explained that, *"[Smith] made the statement that, 'I'm a black man I'm terrified', basically because of that. I just, you know, I have kind of heard that a million times and I've never responded to that in any kind of way than, 'that makes no difference'. I don't know why, but this time I just was kind of countering [Smith's] claims with sarcasm at that moment"*. Peppers added that, *"I recognize it was not an appropriate comment to make regardless of the situation and I meant no offense to Mr. Smith, I meant no, I didn't mean to deride [Smith] in any way. I was simply just trying to use sarcasm, poorly, to kind of engage in this verbal altercation with him and I know I shouldn't have done that"*. Peppers agreed that it was an inappropriate thing to say to a member of the public. Internal Affairs asked Peppers if he felt the way he spoke with Smith, and his actions during his encounter with Smith, placed the JSO in a negative light. Peppers stated, *"yeah, obviously it did. Like I said, it was a comment made kind of in the heat of the moment during kind of a high tense situation. Regardless of that I can see how it is inappropriate"*.

Internal Affairs asked Peppers if he thought a reasonable police officer would have the same belief that Peppers did, in reference to the distance and time traveled by Smith's vehicle during this incident and would a reasonable police officer handle the situation the same way as Peppers did and Peppers stated, "yes".

On April 06, 2023, at 1:00 p.m., Internal Affairs obtained a sworn, recorded statement from Officer Axell Pugh #71243. Detective K.A. Thompson #68992 and Detective R.L. Green #61820 were present for the interview.

A second interview was conducted with Pugh to ask why he turned off Smith's cellphone after Smith was detained by Peppers. Pugh stated he was alerted by Belgard that Smith's cellphone was recording from inside of Smith's vehicle. Pugh observed Smith's cellphone and told Internal Affairs the cellphone was actively broadcasting on Instagram Live. Pugh could see Smith's followers watching the broadcast and Pugh stated he "*powered the phone off*". Pugh explained that he turned off Smith's cellphone for officer safety reasons. Pugh explained that he was concerned that Smith could have requested someone to respond to the scene. Pugh explained that it is not uncommon for individuals to show up during traffic stops and that those interactions tend to become problematic, Pugh turned off Smith's cellphone to help prevent this from happening.

Investigative Note: Instagram is a social media application with a focus on sharing photographs and videos. Instagram Live is a video option or feature that allows users to broadcast live videos to other users on Instagram.

On April 7, 2023, at 12:56 p.m., Internal Affairs obtained a sworn, recorded statement from Officer Joel Belgard #77638. Detective K.A. Thompson #68992 was present for the interview.

The purpose of Belgard being reinterviewed was to address Belgard's announcement of, "*live*", while searching Smith's vehicle. Belgard advised Internal Affairs that he observed Smith's cell phone inside of Smith's vehicle broadcasting on what Belgard believed to be a live video feed. Belgard stated he announced this information to other officers because having a live broadcast active was a, "*strong officer safety issue*". Belgard continued to explain that information being broadcasted related to, "*the number of officers on scene, the current location, at this point [officers] didn't know the background of Mr. Smith*", could compromise Belgard's and other officer's safety. Belgard confirmed at this point he had already smelled the odor of marijuana coming from Smith's vehicle and observed, "*shake*" inside of Smith's vehicle.

On April 18, 2023, at 8:39 a.m., Internal Affairs obtained a sworn, recorded statement from Officer Justin Peppers #77661. Detective K.A. Thompson #68992, Detective R.L. Green #61820, and Fraternal Order of Police (FOP) representative Steve Zone were present for the interview.

The purpose of Peppers being reinterviewed was to get further clarification on whether Smith being African American had any influence on Peppers' decision to conduct a traffic stop on Smith. During the interview Peppers confirmed that when Peppers observed Smith's vehicle at the Pearl Express Gas Station it was unoccupied. Peppers never observed Smith enter or exit Smith's vehicle. Peppers confirmed when Peppers observed Smith's vehicle driving, Peppers was still not able to see the race of the driver and did not know Smith was African American until Peppers contacted Smith. Internal Affairs asked Peppers if Peppers conducted a traffic stop on Smith because he was African American and Peppers stated, "*absolutely not*". Internal Affairs asked Peppers if he takes an individual's race into consideration or uses an individual's race as a reason to make contact with a person while proactively policing. Peppers stated, "*never*".

CONCLUSION

On November 28, 2022, the Jacksonville Sheriff's Office (JSO) Internal Affairs Unit initiated an administrative investigation into the misconduct of Police Officer Justin R. Peppers #77661. On November 23, 2022, Peppers conducted a vehicle stop with a Central Communications Record (CCR) number of 2022-0693120. The driver of the vehicle, Braxton Smith, submitted a Jacksonville Sheriff's Office Employee Complaint Form (P-0235), via the JSO website, in reference to the incident. Additionally, the JSO received several other complaints from the public, none of whom were present during the incident.

Improper Action

During his interview with Internal Affairs, Peppers explained that he observed Smith's vehicle at a known narcotic and gang activity location. When Smith's vehicle became mobile, Peppers observed that Smith's vehicle had window tint that was in violation of the Florida State Statues (FSS). Peppers attempted to conduct a vehicle stop on Smith's vehicle and Smith's vehicle did not stop for approximately eight hundred and seventy-five 875 feet, which was 0.17 of a mile. Peppers stated that while Smith's vehicle continued driving, Peppers observed Smith making, "*furtive movements prior to pulling into the parking lot*". Upon Smith stopping his vehicle, Peppers believed probable cause was developed to arrest Smith, and Peppers stated he believed, "*based on the fact, the totality of everything, that [Smith] didn't stop for any other reason than because [Smith] didn't want to and because [Smith] only stopped because Officer Pugh came up alongside him. That, I believed that what was afoot, was the crime of fleeing, fail to obey*".

Peppers stated Peppers utilized his patrol vehicle's PA system to give verbal commands to Smith for Smith to place Smith's hand out of his vehicle's window. Peppers explained to Internal Affairs that he felt if Peppers could see Smith's hands, it would be safe to approach and detain Smith for officer safety purposes and to effect an arrest on Smith. Peppers stated Smith was removed from Smith's vehicle and Smith was placed on the ground utilizing Smith's own weight. Internal Affairs' review of Peppers' Body Worn Camera (BWC) footage confirmed Peppers' claim and Internal Affairs does not believe that excessive force was used by Peppers, on Smith. Peppers stated he searched Smith's person incident to arrest, read Smith his Miranda Warning, and then spoke to Smith about the incident.

When Peppers spoke with Smith, it was revealed that Smith was attempting to locate a safe place to stop. Peppers believed that Smith had ample opportunity and plenty of other safe locations to stop Smith's vehicle. Peppers stated to Internal Affairs that he came to the conclusion that, "*it kind of seemed to me like [Smith] did not make the best decisions at the time that I made the traffic stop. But it wasn't necessarily with the direct intent to commit a crime. What it seemed to me was an ignorance of the law*". Peppers stated that coupled with Smith not having a significant criminal history, Peppers decided

to give Smith, *“the benefit of the doubt, that [Smith] didn’t necessarily intend to flee from police”*.

Peppers utilized discretion, in line with the JSO policy, in his determination to not arrest Smith and chose to only issue Smith a Uniform Traffic Citation (UTC) for an illegal tint violation; however, Peppers SmartCop Mobile Forms application was having technical difficulties and Peppers was only able to give Smith a verbal warning. Additionally, Peppers explained to Internal Affairs that Peppers took the opportunity to educate Smith regarding the entire situation and released Smith with a verbal warning.

During this incident, Smith’s vehicle was searched. Though consent was never obtained from Smith to search Smith’s vehicle, Internal Affairs determined that police officers had established probable cause to search Smith’s vehicle based off their observations of *“shake”* inside of Smith’s vehicle and the odor of marijuana emanating from the interior of Smith’s vehicle.

Internal Affairs finds that Peppers’ decisions to conduct a vehicle stop, remove Smith from Smith’s vehicle, place Smith into handcuffs, and subsequently release Smith were all done within the JSO policy and in good faith by Peppers who believed he had developed probable cause to arrest Smith based off the totality of the circumstances. Peppers conducted an investigation and determined that an arrest would not be the best course of action and released Smith at the scene with a verbal warning.

Accordingly, Internal Affairs recommends the charge of **IMPROPER ACTION** against **Police Officer Justin Peppers #77661** be classified as **EXONERATED**.

Biased Based Conduct

During interview Peppers advised that he observed Smith’s vehicle at the Pearl Express Gas Station near a location known for narcotic activity and violent crime activity. Peppers stated Smith’s vehicle was unoccupied when Peppers observed it. When Peppers observed Smith’s vehicle driving, Peppers observed that Smith’s vehicle tint was too dark and initiated a traffic stop on Smith’s vehicle.

Peppers testified to Internal Affairs that Peppers did not see what Smith looked like until Peppers made contact with Smith and did not know Smith was African American.

Peppers testified that Peppers did not conduct a traffic stop on Smith because Smith is African American and does not take race into consideration when determining if he will stop a person or vehicle while pro-actively policing.

Internal Affairs finds that Peppers did not initiate a traffic stop on Smith's vehicle because of Smith's race. Peppers observed that Smith's vehicle's tint was too dark which justified the initiation of the traffic stop.

Accordingly, Internal Affairs recommends the charge of **BIASED BASED CONDUCT** against **Police Officer Justin Peppers #77661** be classified as **UNFOUNDED**.

Unbecoming Conduct

Internal Affairs finds that during the vehicle stop, on November 23, 2022, Peppers used profane language and called Smith, "Mr. Black Man". Peppers explained that he only called Smith "Mr. Black Man" after Smith referred to himself as "black man." Peppers stated, "I recognize it was not an appropriate comment to make regardless of the situation and I meant no offense to Mr. Smith, I meant no, I didn't mean to deride [Smith] in any way. I was simply just trying to use sarcasm, poorly, to kind of engage in this verbal altercation with him and I know I shouldn't have done that". During his interview with Internal Affairs, Peppers was asked if calling Smith, "Mr. Black Man" placed the JSO in a negative light and Peppers stated, "yeah, obviously it did. Like I said, it was a comment made kind of in the heat of the moment during kind of a high tense situation. Regardless of that I can see how it is inappropriate".

Additionally, upon review of Peppers' BWC, Peppers is found stating to Smith, "first of all, shut your mouth, don't get all fucking loud with me that aint gonna [sic] change nothing here". When asked to explain why Peppers used profane language while speaking with Smith, Peppers explained that he tries to match people's energy while interacting with them. Peppers added that, "it just kind of slipped out. There's not really an excuse or a reason for it, it just kind of happened. You know, I am aware that I shouldn't have said it at that time".

Internal Affairs finds that the choice of using profanity and the term "Mr. Black Man" while speaking with Smith was not professional and was not in line with the JSO orders.

As such, Internal Affairs finds a preponderance of evidence to prove that Peppers violated **Order 501 (Code of Conduct) II.E.3. to wit:**

Order 501 (Code of Conduct)

II. Obligation to Be Courteous and Represent JSO in a Positive Manner

E. Performance of Official Duties

- 3. Members shall maintain command of temper, exercise patience, and refrain from using coarse, profane, or insolent language that could be considered rude or offensive to others.**

Accordingly, Internal Affairs recommends the charge of **UNBECOMING CONDUCT** against **Police Officer Justin Peppers #77661** be classified as **SUSTAINED**.

Unbecoming Conduct – Repeated Infractions

Internal Affairs reviewed Peppers’ disciplinary history with JSO and noted that Peppers has demonstrated a history of repeated infractions of the JSO Orders. To support this finding, Internal Affairs cites the following information, which is included in Peppers’ Employee Administrative Investigation History:

Date	Case #	Nature of Sustained Charges	Discipline
08-22-22	IA #22-0150	Unbecoming Conduct	Informal Counseling

Internal Affairs finds that Peppers has repeatedly demonstrated a lack of ability in refraining from the use of coarse language while speaking with the public in tense situations. The counseling issued to Peppers on August 22, 2022, related to IA #22-0150 was in reference to the sustained charge of unbecoming conduct. During that incident, Peppers utilized coarse language towards a member of the public while detaining them.

Case #2022-0646

Based on the available information and Peppers' sustained misconduct, Internal Affairs finds Peppers has continued to demonstrate unbecoming conduct in his interactions with members of the public. As such, Internal Affairs finds a preponderance of evidence to prove that Peppers violated **Order 501 (Code of Conduct) II.E.3. to wit:**

Order 501 (Code of Conduct)

II. Obligation to Be Courteous and Represent JSO in a Positive Manner

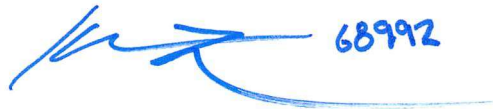
E. Performance of Official Duties

- 3. Members shall maintain command of temper, exercise patience, and refrain from using coarse, profane, or insolent language that could be considered rude or offensive to others.**

Accordingly, Internal Affairs recommends the charge of **REPEATED INFRACTIONS – UNBECOMING CONDUCT** against **Officer Justin R. Peppers #77661** be classified as **SUSTAINED**.

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true based upon my personal knowledge, information and belief.”
“I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any rights contained in ss. 112.532 and 112.533, Florida Statutes.”

Respectfully Submitted,



Detective K.A. Thompson #68992

April 18, 2023

Internal Affairs Unit Review		
	Signature	Date
Sergeant	<i>Sgt. J. Gannon</i>	<i>04.18.23</i>
Lieutenant	<i>LT. M.E. Dun</i>	<i>04.18.23</i>
Assistant Chief	<i>AC M. S. [unclear]</i>	<i>04-18-23</i>