



LAKELAND POLICE DEPARTMENT

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TO: FILE

FROM: CHIEF SAM TAYLOR ST

DATE: NOVEMBER 26, 2024

SUBJECT: COM 24-1234015 (Eby, McCain, Jefferson, Simon)

Having reviewed the case file and considering the responses given in the pre-disciplinary hearings on Monday November 18th, 2024, by all the subject officers, and the aggravating and mitigating factors, I agree with the final recommendations by the chain of command to sustain the allegations delineated in this investigation against Sergeant Mark Eby, and Officers Jason McCain, Anton Jefferson and Jim Simon. It has become evident to me that the actions of the officers, and Sergeant Eby, were a direct attempt to undermine and subvert the Department's Pursuit and Body Worn Camera policies. Their continued employment with this department is not sustainable.

Below is a summary of both the findings and recommendations.

This investigation is related to an arrest that took place on March 21, 2024, involving four sworn members, Sergeant Mark Eby (supervisor) and Officers Jason McCain, Anton Jefferson and Jim Simon. Upon our normal process of reviewing records for submission to the State Attorney's Office for the criminal prosecution of the suspect, video records showed the actions taken by officers warranted further review. The actions appeared to show officers intentionally turning off recording devices, both in-car and body-worn cameras, while pursuing a vehicle that fled after these officers attempted a traffic stop.

After consultation with our Office of Professional Standards, on May 3, 2024, I requested a review of the records and facts by The Florida Department of Law Enforcement (FDLE) and the State Attorney's Office (SAO) to determine if any of the officers' actions should be considered criminal. This was done to ensure transparency and autonomy in the investigation.

I received a letter from State Attorney Brian Haas, dated July 26, 2024, advising that "In consideration of the factual findings in the (FDLE) report, I have concluded that criminal charges against the subject officers are not warranted. However, the report and my observations of the manipulations of the BWC and in-car video during the pursuit causes me great concern."

Immediately upon receiving the letter from State Attorney Haas, I authorized our Office of Professional Standards to continue with an Administrative Investigation, following our

policies, procedures and collective bargaining agreement. The following facts were identified in the investigation:

On March 21, 2024, Sergeant Eby, and Officers McCain, Jefferson and Simon were patrolling an area in north Lakeland after our agency received two separate calls for service, one for "shots fired" and another for a suspicious grey vehicle with multiple occupants wearing ski masks, reportedly with guns. The officers who were all riding together in a single department vehicle (black unmarked Chevy Tahoe), attempted a traffic stop on a silver vehicle with a single occupant. The traffic stop was approximately one hour after the first of two calls for service were received. As officers were attempting to contact the driver, the vehicle sped away from the traffic stop, evading and fleeing from officers. The officers pursued the vehicle for several miles and through several residential neighborhoods turning their emergency equipment on and off intermittently to clear intersections. The driver abandoned the vehicle in a residential neighborhood and after a short foot pursuit was arrested for two misdemeanors, Resisting Arrest (for fleeing on foot) and Possession of Marijuana, without further incident.

Upon the normal review and retrieval of records for the State Attorney's Office's criminal prosecution of the case, it was discovered that video evidence did not appear complete. There were multiple short videos which appeared to capture portions of the event related to the pursuit of the suspect's vehicle. It should be noted that the suspect was not charged with fleeing to elude and there was no mention in any of the officers' reports about a motor vehicle pursuit. Upon further records review, additional video was discovered that showed officer(s) were intentionally turning off their recording devices during the vehicle pursuit. Some of these videos had been labeled by the officers as "no evidence".

After reviewing the full records available, it appears that the officers had engaged in a pursuit that would have been found to be "outside of policy" by the Pursuit Review Board, due to the lack of required elements to engage in a motor vehicle pursuit. No nexus or evidence had been discovered connecting the suspect or his vehicle to the prior calls for service and no violations were established other than traffic violations. The officers also completed reports and neglected to document the pursuit in any official records. Although the subject officers all asserted that at the time of the incident, they did not view the actions as a pursuit and therefore did not document the pursuit or charge the subject with fleeing to elude. Upon questioning in their interviews all agreed that in hindsight, the event should have been documented as such.

I cannot ignore the intentional actions which I see as an attempt to conceal video evidence by all subject members. All have been extensively trained in our pursuit policy and should have acted accordingly during the pursuit and certainly documented all the events that transpired, covering the entirety of the incident. By intentionally turning off recording equipment to not capture the events brings into question their creditability and reliability to preserve evidence in future cases.

While Sergeant Mark Eby and Officers Jason McCain, Anton Jefferson and Jim Simon have all honorably served our city with professionalism for many years and certainly

removed dangerous criminals from our community, often putting themselves in harm's way, it saddens me that their actions have fallen short in this case.

As Chief of Police, it is my responsibility to ensure the well-being and safety of all agency members and the public. The intentional actions of these officers in this case compromised these fundamental responsibilities and principles. These officers' actions represent violations of the public trust and are inconsistent with the standards, integrity and values of our department. The decisions made by these officers during the pursuit and their failure to adhere to body-worn and in-car camera protocols directly compromised public safety and our department's core principles of accountability and transparency.

I cannot ignore the facts developed in this case nor the concerns expressed by State Attorney Haas. Successful prosecution of cases depends upon the integrity of all evidence presented and the credibility of the officers testifying. This decision to terminate these officers is a necessary measure to reinforce the integrity of our policies, protect our community, and uphold the standards expected of all members of this department.

I want to reiterate that adherence to department policies—especially those involving pursuits and body-worn cameras—is non-negotiable. Every officer is expected to act responsibly, with full regard for public safety and departmental integrity.