



GAINESVILLE POLICE DEPARTMENT INTERNAL AFFAIRS INVESTIGATIVE REPORT

File Class:	Internal Affairs	Date Occurred:	December 2018 / February 2019
Comp Type:	External	IA#:	19-041
Date Received:	June 24 th , 2019	Date Closed:	January 15, 2020
Related Cases:	02-18-0015723	Assigned to:	LT J.M. Weiland

LOCATION OF COMPLAINANT

Address:	545 NW 8 th Avenue	City:	Gainesville	Add Info:	
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ASSOCIATED NAMES

CO: Carlos Holt	SEX/ RACE/ DOB:	W/M 06/28/57
SO: None Involved	Findings/Actions:	Unfounded / None
WI: LT Robert Fanelli		GPD Investigations Commander
WI: Detective Nakeema Jackson		Former GPD Detective
WI: Reginald Wilson		GPD Records Supervisor
IO: Andrew Caplan		Former Reporter – Gainesville Sun
IO: Nathan Skop		Private Citizen

RULE OF CONDUCT ALLEGED

Unauthorized Release of Police Reports / Protected Information

SUMMARY / NOTES / COMPLAINT

COMPLAINT:

On June 24th, 2019, a citizen complaint form was received from Carlos Holt, former City Auditor with the City of Gainesville. Mr. Holt's complaint surrounds information being released improperly to persons outside of the City of Gainesville government prior to his separation from the City of Gainesville. Mr. Holt wrote, that the information being "leaked by these reports" contained personal and medical information and as a result it negatively impacted both him and his family. Although Mr. Holt, lists in his report, Chief of Police Tony Jones, Assistant Chief Terrence Pierce and former GPD Detective Nakeema Jackson on the complaint form, he does not indicate that they were the persons who released the information, only that they had knowledge of the investigation. In his complaint form, Mr. Holt is requesting a third-party, law enforcement agency investigate the situation as it involves City of Gainesville officials. Internal Affairs conducts administrative, not criminal investigations. Internal Affairs was directed to review the matter to determine if there were any policy or procedure violations on the part of members of the Gainesville Police Department associated with this matter. The administrative review was assigned to LT Weiland of Internal Affairs.

BACKGROUND:

In 2018, The City Auditor's Office, overseen by Mr. Holt, conducted an audit involving financial and administrative matters associated with the Reichert House, a Gainesville Police Department entity. After completing the audit, Mr. Holt presented the Auditor's report of findings to the City Commission during the regular commission meeting. During that presentation Mr. Holt identified several concerns that were discovered during the audit associated with financial and other current practices at the Reichert House.

In the days following the presentation to the City Commission, information was publicized that questioned the credibility of the report. There was also an insinuation identifying a potential conflict of interest between Mr. Holt and the Gainesville Police Department. The assertion was that Mr. Holt had negative feelings towards the Gainesville Police Department because GPD had responded to his personal residence on multiple occasions and had been involved in investigating domestic situations that involved Mr. Holt and his family. This inevitably led to some contention between City officials, to include the City Manager's Office, the Mayor, members of the City Commission, and Mr. Holt. The dispute was highly publicized and generated a lot of media attention. While a lot of these matters were being played out in the public forum, a Human Resources investigation involving Mr. Holt came to light. Human Resources had concluded an inquiry in October of 2018 regarding potential domestic issues between Mr. Holt and his wife. GPD also completed a criminal investigation associated with the matter.

On August 27th 2018, Mr. Holt's spouse, emailed the City Commission general inbox. She wrote in the email that she has been subjected to years of verbal and emotional abuse from her husband, Mr. Holt, and situation had worsened after relocating to Gainesville. In the email correspondence, she wrote that she was fearful of her husband, and requested the information not be forwarded to anyone over concerns of retribution. After the email was received the information was relayed to the City Manager who then forwarded the information to the Gainesville Police Department. An internal investigation was also initiated by Human Resources.

After GPD was notified, a criminal investigation was initiated and assigned to the Criminal Investigations Bureau. It was also discovered that GPD had responded on several occasions to the Holt residence prior to the above investigation, regarding various domestic issues to include assisting with the DCF referrals. Police reports were generated for some of these incidents.

LT Robert Fanelli of the Investigations Bureau, assigned the investigation to Detective Nakeema Jackson, who was assigned Domestic Violence Unit. LT Fanelli contacted Detective Jackson as she was off duty at the time and she responded to the station in order to start the investigation. This all took place on August 27th, 2018. Detective Jackson inevitably responded to Mr. Holt's residence, along with Detective Joseph Castor and conducted the investigation. As part of her investigation, Detective Jackson interviewed all of the involved parties to include Mr. Holt, his spouse, their children. In the end Detective Jackson determined that there were no allegations of physical abuse between Mr. Holt and his spouse nor their children. The GPD victim advocate, Brittany Coleman, was brought to the location and assisted with services that Ms. Holt may have available to her. Detective Jackson completed an incident report documenting her investigation, under GPD case number 02-18-015723. The incident was classified as a Domestic Disturbance with no criminal charges warranted. LT Fanelli approved Detective Jackson's report after it was submitted on August 29th, 2018.

Following the completion of the criminal investigation, Lisa Jefferson, the Human Resources Director, completed the internal inquiry regarding the allegations as made by Mr. Holt's spouse. Assistant Chief Terrence Pierce was the liaison for the Gainesville Police Department. As a part of the HR investigation, police reports associated with cases involving Mr. Holt were provided to Human Resources as part of their investigation and it was part of the case file. This included the investigation completed by Detective Jackson and police reports from some of the previous incidents. Detective Jackson was also interviewed. The HR investigation was concluded on October 25th, 2018. The result of the HR Investigation was an inconclusive regarding the allegations made against Mr. Holt.

INVESTIGATION/REVIEW:

In December 2018, while the situation involving the Reichert House audit was still on-going, several mailings were sent out to various individuals from an anonymous source. Mr. Holt wrote in his complaint that the envelopes were received by "Gainesville Sun Reporter Andrew Caplan, Alachua County Offices, Nathan Skop, Gabe Kaimowitz, Gainesville City Employees and others."

Andrew Caplan was a reporter with the Gainesville Sun but is no longer on their staff. Mr. Caplan was a reporter for the Gainesville Sun at the time that the situation involving Mr. Holt was taking place. I was able to locate contact information for Mr. Caplan. He had relocated out of state. I spoke to Mr. Caplan on the telephone. He recalled receiving mailings in non-descript envelopes with no return address indicated. He recalled the envelopes contained GPD police reports on incidents involving Mr. Holt. Mr. Caplan stated that although he did receive the police reports he did not recall using any of the information that was found in the reports. He was not aware who sent the reports or where they may have been generated. He had no additional information regarding the matter.

I contacted Nathan Skop by telephone as he was identified as a person who received one of the anonymous mailings. I contacted Mr. Skop and he advised that he did receive the mailings and agreed to meet. Mr. Skop came to Internal Affairs and provided the information he had received. The correspondence was received at his residence in an envelope. It too had no

return address. Included in envelope was a printed message/letter, a copy of the Human Resources inquiry, and two police reports. The police reports were GPD Cases, 02-15-022260, classified as a Simple Battery and 02-18-015723, classified as Domestic Disturbance. I made photocopies of the information and returned the originals to Mr. Skop.

The police reports provided by Mr. Skop appear to be full reports without redaction. In reviewing the reports they appear to be printed from an internal source. Both reports reflect that the report was printed by LT Robert Fanelli. LT Fanelli is the Investigations Bureau commander. It also displays when the reports were printed. 02-15-022260, was printed on 08/28/19. 02-18-015723, was printed on 08/29/18. Those dates coincide with when the referrals were made to the Gainesville Police Department from City Hall. I spoke with LT Fanelli regarding the situation. He confirmed printing the reports upon receiving the criminal referral. He also confirmed that Human Resources requested and was provided reports related to the HR internal inquiry. All of the investigations had been concluded and there was nothing still be vetted out so the reports were printed and provided internally. They were not released publicly.

In the Report Management system I reviewed the above reports (02-15-022260 and 02-18-01573) as well as a DCF Investigation report (02-18-005643) associated with Mr. Holt to determine whom may have printed the above the reports in the timeline of when the mailings were sent out. LT Fanelli printed the three reports in August of 2018 when the referral was received and when the request was accommodated for Human Resources. Those were the printed copies were provided to Human Resources. The only other GPD personnel whom printed the reports were Records Division personnel. These all took place in April of 2019.

I spoke with Records Division Supervisor Reginald Wilson. Mr. Wilson coordinates public records requests and accommodates the release of the information. Mr. Wilson confirmed that the reports printed by him and Records Division personnel were in response to formal public records requests that were received by GPD. There were two public records request received in April, one from WUFT, a local news organization, and the other from Bobi Frank, a Gainesville attorney. Both requested copies of incident reports associated with Mr. Holt. Mr. Wilson provided me the correspondence that was forwarded to accommodate the requests. They were both sent out by way of email. These reports were sent out in April of 2019 and all of the police reports provided were appropriately redacted. The timing of when these public records requests were completed was well after when the "mailings" were sent out (DEC 18 & FEB 19). It can be definitively stated that the reports provided by Records as part of the records request completed in April of 2019 were not the report sent out in the "anonymous mailings." Those released reports were timestamped from April of 2019 and were marked with the name of the Records Division Personnel whom printed the reports.

The report that was received by Mr. Skop were the ones provided to Human Resources printed by LT Fanelli. This can be confirmed based upon the timestamps on the reports as well as the LT Fanelli's name showing as the person who printed the documents.

FINDINGS:

Based upon this administrative review, it was determined that there was nothing discovered that would implicated any member of the Gainesville Police Department as the source of the "anonymous mailings" sent out and received by various members of the public, associated with former City Auditor Carlos Holt. Also determined by this review was that Gainesville Police Department members followed all established policies and procedures governing public records request and proper redaction of protected information from the reports. Although Mr. Holt listed Chief Jones, Assistant Chief Pierce and former employee, Detective Nakeema Jackson, in his complaint form as they were aware of the investigation that was being conducted, it was determined that each had no involvement in this situation.

It is recommended that this administrative review be closed as **UNFOUNDED** with not further administrative action required.

"I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in SS. 112.532 and 112.533, Florida Statutes." The contents of this report are true and accurate.

IA#: 19-041

Investigator: _____

DATE: 01/15/2000

IA Commander: _____

DATE: 01/15/2000

Chief Inspector: _____

DATE: 1-22-2000

Assistant Chief: _____

DATE: _____

Police Chief: _____

DATE: _____