



GAINESVILLE POLICE DEPARTMENT

NEWS RELEASE



Friday, September 23, 2022
FOR IMMEDIATE RELEASE

GPD INTERNAL AFFAIRS INVESTIGATION CONCLUDED

GAINESVILLE, FLA –

The Gainesville Police Department's Internal Affairs Division has concluded the investigation related to improper behavior following the arrest of Mr. Terrell Bradley on July 10, 2022. Consequently, five (5) officers were identified as violating Gainesville Police Department Rules of Conduct by the Internal Affairs Unit. The Internal Affairs Investigative Report is attached as a reference.

The investigation concluded that three (3) officers, Officer Snitselaar, Officer Johnson, and Officer Miller were responsible for improperly taking photographs. Below are the findings and related disciplinary action for this violation.

Officer Snitselaar

Findings: The allegation that Ofc. Snitselaar used his personal phone to take a photo of his BWC video that displayed Bradley's injury in violation of Gainesville Police Department General Order 40.14 *Body Worn Camera Video Systems (BWC)*, is **SUSTAINED**.

Discipline: Corrective action in the form of a Written Warning. Ofc. Snitselaar is reminded that continued violations similar in nature will result in progressive discipline, up to and including dismissal.

Officer Johnson

Findings: The allegation that Ofc. Johnson used his department issued cell phone to take a photo of Bradley's injury and failed to submit that photo into evidence is in violation of Gainesville Police Department General Order 83.5 *Digital Photography* is **SUSTAINED**.

Discipline: This is Ofc. Johnson's first violation of this policy and he will receive corrective action in the form of a Written Warning. Ofc. Johnson is reminded that continued violations of this nature will result in progressive discipline, up to and including dismissal.

Officer Miller

Findings: The allegation that Ofc. Miller used his personal cell phone to take a photo of Bradley's injury, while displayed on Ofc. Johnson's issued cell phone, and failed to submit that photo into evidence in violation of Gainesville Police Department General Order 83.5 *Digital Photography* is **SUSTAINED**.

Discipline: This is Ofc. Miller's first violation of this policy and he will receive corrective action in the form of a Written Warning. Ofc. Miller is reminded that continued violations of this nature will result in progressive discipline, up to and including dismissal.

Gainesville Police Department PO Box 1250, Gainesville, FL 32627

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While Internal Affairs conducted the above investigation, an inappropriate and insensitive conversation on the VisiNet message system between two officers was discovered. The VisiNet message system is a form of instant messaging between users who are logged into the computer-aided dispatch (CAD) system. Upon reviewing the final report and reading the messages in their entirety, Chief Lonnie Scott immediately placed the two officers on paid administrative suspension. As a result of the investigation, it was determined that two (2) officers, Ofc Milam and Ofc Shott, engaged in improper and insensitive communication. Below are the findings and related disciplinary action.

Officer Milman

Findings: Officer Milman's and Officer Shott's conversation through messages via the VisiNet system did not have an official GPD purpose. Additionally, this conversation was improper and insensitive toward an arrestee, Terrell Bradley, who suffered severe injuries during his arrest causing him to lose his right eye. Therefore, the allegation of violation of Gainesville Police Department General Order 26.1 *Rules of Conduct* which states, in part, *Department members will conduct themselves in a manner that does not bring discredit upon or adversely reflect upon the reputation of the Department, its members, the City of Gainesville, or the community (City Policy E-3, Rule 19: ... Improper conduct or indecency, whether on or off the job which would tend to affect the employee's relationship to his/her job, fellow workers' reputations or goodwill in the community)* is **SUSTAINED**.

Discipline: Officer Milman's discipline shall consist of Written Instruction and Cautioning in the form of an Employee Notice, a 5 day (40 hour) suspension without pay, training from the City of Gainesville Office of Equity and Inclusion, removal from the Field Training Program, and completion of 30 hours of on-duty community engagement.

Officer Shott:

Findings: Officer Milman's and Officer Shott's conversation through messages via the VisiNet system did not have an official GPD purpose. Additionally, this conversation was improper and insensitive toward an arrestee, Terrell Bradley, who suffered severe injuries during his arrest causing him to lose his right eye. Therefore, the allegation of violation of Gainesville Police Department General Order 26.1 *Rules of Conduct* which states, in part, *Department members will conduct themselves in a manner that does not bring discredit upon or adversely reflect upon the reputation of the Department, its members, the City of Gainesville, or the community (City Policy E-3, Rule 19: ... Improper conduct or indecency, whether on or off the job which would tend to affect the employee's relationship to his/her job, fellow workers' reputations or goodwill in the community)* is **SUSTAINED**.

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Discipline: Officer Shott's discipline shall consist of Written Instruction and Cautioning in the form of an Employee Notice, a 5 day (40 hour) suspension without pay, training from the City of Gainesville Officer of Equity and Inclusion, and completion of 30 hours of on-duty community engagement.

Department members in violation of department policies and procedures will be held to the highest standard that GPD strives to maintain. The poor decisions made by the five officers identified in this investigation were addressed and each officer was made aware of the impacts of such behavior and unprofessionalism. Conduct of this nature by employees of the Gainesville Police Department will not be tolerated.

Contact:

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GAINESVILLE POLICE DEPARTMENT

INTERNAL AFFAIRS INVESTIGATIVE REPORT

FILE CLASS:	Administrative Review	DATE OCCURRED:	July 10, 2022
TYPE OF COMPLAINT:	Internal	INTERNAL AFFAIRS #:	22-041
DATE RECEIVED:	July 13, 2022	DATE CLOSED:	September 15, 2022
RELATED CASES:	02-22-010201	ASSIGNED TO:	Sgt. Tracy Fundenburg

LOCATION OF COMPLAINANT

ADDRESS:	545 NW 8th Ave	CITY:	Gainesville	ADDITIONAL INFO:	
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ASSOCIATED NAMES

CO:	Lt. T. Durst	RACE:		SEX:		DOB:	
SO:	Ofc. D. Johnson	FINDINGS:	Sustained	ACTIONS:	Written Warning		
SO:	Ofc. J. Snitselaar	FINDINGS:	Sustained	ACTIONS:	Written Warning		
SO:	Ofc. M. Miller	FINDINGS:	Sustained	ACTIONS:	Written Warning		
SO:	Ofc. A. Milman	FINDINGS:	Sustained	ACTIONS:	Employee Notice, 40 Hr. Suspension, Removal as FTO, Training		
SO:	Ofc. M. Shott	FINDINGS:	Sustained	ACTIONS:	Employee Notice, 40 Hr. Suspension, Training		

APPLICIBLE RULE OF CONDUCT

Gainesville Police Department General Order 40.14 *Body Worn Camera Video Systems (BWC)*
 Gainesville Police Department General Order 83.5 *Digital Photography*
 Gainesville Police Department General Order 22.8 *Administrative & Personnel Matters*
 Gainesville Police Department General Order 26.1 *Rules of Conduct*

COMPLAINT / NOTES / SUMMARY

SUMMARY OF COMPLAINT

On July 13, 2022, I was assigned to investigate an Administrative Investigative Referral (AIR) submitted by Lieutenant (Lt.) T. Durst. The AIR alleges that Officer (Ofc) J. Snitselaar may have utilized his personal cell phone to take a picture of a suspect, Terrell Bradley, after Bradley had been apprehended by Cpl. J. Meurer and K9 Ranger. He was also alleged to have shared the photo with other Gainesville Police Department (GPD) officers as well as officers from University of Florida Police Department

(UPD). No photos of Bradley's injury had been uploaded into any of the GPD digital evidence databases and the Use of Force report indicated no photographs were taken of Bradley due to him receiving medical treatment.

Additionally, the AIR alleges that a conversation on the VisiNet message system occurred between Ofc. A. Milman and Ofc. M. Shott regarding injuries Bradley sustained as a result of the K9 apprehension. The tone/content of the conversation appears to be inappropriate and/or insensitive toward the circumstances, specifically as it relates to Bradley.

Ofc. Snitselaar is assigned to Patrol Operations, Bravo Rotation, on Midnight Shift. Sgt. Priester is Ofc. Snitselaar's assigned supervisor.

Ofc. Johnson is assigned to Patrol Operations, Bravo Rotation, on Midnight Shift. Sgt. Rarey is Ofc. Johnson's assigned supervisor.

Ofc. Shott is assigned to Patrol Operations, Alpha Rotation, on Midnight Shift. Sgt. Wagle is Ofc. Shott's assigned supervisor.

Ofc. Milman is assigned to Patrol Operations, Bravo Rotation, on Evening Shift. Sgt. Kikendall is Ofc. Milman's assigned supervisor.

INVESTIGATION OF COMPLAINT

I reviewed the following documents to complete this investigation:

- Administrative Investigation Referral Form
- Incident report (CR. 02-22-010201)
- VisiNet message archive
- Photographs
- Axon Evidence Audit Trail
- Evidence.com
- Forensic Photos Folder
- Use of Force Report
- Body Worn Camera video - Officer Snitselaar
- Alachua County Combined Communications Center Computer Aided Dispatch Notes (CCC CAD)

On July 10, 2022, GPD Officer A. Milman (1129) observed a vehicle fail to stop prior to exiting a private driveway as required by Florida State Statute. When Officer Milman initiated a traffic stop for this violation at 3900 Northeast 15th Street, the vehicle did not immediately stop. The vehicle continued to travel west on Northeast 39th Avenue to Eden Park Apartments, 1330 Northeast 39th Avenue. Ofc. Milman made contact with the driver, who was later identified as Terrell Bradley, and immediately observed a small amount of cannabis in plain view and smelled the odor of cannabis emanating from the vehicle. During this time, Bradley repeatedly reached down under his lap with his right hand. Additionally, Officer Milman reported he noticed the bottom of Bradley's shirt was flipped up as if he had just removed something from his waistband. Through training and experience, these factors led

Officer Milman to believe Bradley may be armed and/or there may be a weapon under the seat. For these reasons, Officer Milman asked Bradley to step out of the vehicle. Once out of the car, Bradley struck [REDACTED] in the shoulder and fled from the traffic stop. A search of the vehicle revealed a concealed stolen firearm and a criminal history check revealed Bradley was a convicted felon. Bradley was later located and apprehended by K-9 Ranger (Corporal Meurer). During the apprehension, Bradley sustained severe injuries that led him to lose his right eye.

In accordance with GPD policy, a Response to Resistance Review was conducted. The response to resistance report noted that no pictures were taken of Bradley on scene or of his injuries at the hospital, due to the treatment he was receiving.

For more information regarding the arrest of Bradley, please see Internal Affairs Administrative Review IA 22-043.

INVESTIGATION: PHOTOGRAPHS

On July 13, 2022, Lt. M. Plourde and Sgt. C. Owens called Lt. T. Durst and advised they received information that Officer J. Snitselaar (1152) had utilized his personal cellular telephone to take a photograph of Bradley while on scene during the incident summarized above. Additionally, it was said that Ofc. Snitselaar was showing/had shown the photograph to other officers in GPD, as well as officers with the University of Florida Police Department (UFPD).

A search of Alachua County Sheriff's Office Combined Communications Center Computer Aided Dispatch (CAD) notes revealed that Ofc. Snitselaar was on scene during the investigation involving Bradley.

A search of Evidence.com and the digital Forensics Photos folder by Lt. Durst revealed there were no pictures of Bradley placed into evidence at that time.

A brief review of several officer's BWC footage from July 10, 2022, did not show Ofc. Snitselaar obviously taking a photograph of Bradley with a cellular telephone on scene.

Since there was information indicating Ofc. Snitselaar had, at minimum, received a photograph of Bradley on scene, the photograph had not been placed into either of the approved GPD digital photography storage locations, as well as the public record considerations, Lt. Durst requested Lt. Plourde contact Lt. A. Lugo, Ofc. Snitselaar's Shift Lieutenant. Lt. Plourde was instructed to have Lt. Lugo facilitate Ofc. Snitselaar uploading the photo to Evidence.com and deleting the photo from his device. Lt. Durst also requested Ofc. Snitselaar be made aware this matter was being looked into by Internal Affairs. Ofc. Snitselaar was scheduled to work beginning at 2200 hours on July 13, 2022.

On July 14, 2022, I contacted Lieutenant Lugo for an update. In summary, Lt. Lugo advised that Officer Snitselaar had deleted the photograph before it was placed into Evidence.com. He also mentioned he had seen a second picture of Bradley at the hospital. Upon receiving this information from Lt. Lugo, I advised Lt. Durst, who contacted Lt. Lugo. Lt. Lugo explained there may have been some

miscommunication but, regardless, he did not facilitate Ofc. Snitselaar placing the photograph into Evidence.com. He also advised that Ofc. Snitselaar had already deleted the photograph. Lt. Durst advised Lt. Lugo that if these photographs exist, they need to be placed into evidence. Lt. Lugo stated he would work on getting the photographs. A short time later, Lt. Lugo texted Lt. Durst two photographs. Lt. Durst did not inquire as to the origin of the photographs and this concluded their interaction.

One of the photographs appears to be a photograph of BWC footage being displayed on a cellular telephone. The photo shows Bradley sitting on the ground leaning against an officer's leg. There is an obvious injury to Bradley's right eye. The associated BWC identification number displayed in the top right-hand corner is cutoff. There is also wording at the bottom of the BWC video that appears to be blurred, cutoff or missing. The angle of the photo matches that of Ofc. Snitselaar's BWC video of the incident. A review of the Axon Evidence Audit Trail revealed that on July 10, 2022 at 23:45:40hrs, Ofc. Snitselaar accessed his BWC video on this incident.

The second photograph is of a picture being displayed on a cellular telephone. The original picture being displayed appears to have been taken in a hospital and is of Bradley with an obvious injury to his right eye.

On July 18, 2022, Lt. Durst uploaded the two photos to evidence.com.

Through the cooperation of the Fraternal Order of Police, it was determined Ofc. Snitselaar took a photograph of his BWC video and Ofc. D. Johnson took the photograph of Bradley at the hospital.

INTERVIEW – Ofc. J. Snitselaar

On August 12, 2022, I provided Ofc. Snitselaar with all the Internal Affairs investigatory material. On August 19, 2022, I interviewed Ofc. Snitselaar. Sgt. S. McKinzie was present as Ofc. Snitselaar's Fraternal Order of Police (FOP) Union Representative. Sgt. L. Hayes, Internal Affairs Division, was also present. Ofc. Snitselaar was provided and signed the Garrity Warning and Officer Bill of Rights forms. Ofc. Snitselaar said he reviewed the information he was provided and had an independent recollection of the incident. I read the Subject Officer Admonition and a recorded interview was completed.

Ofc. Snitselaar stated he responded to the scene after Bradley had been located and taken into custody. His BWC was activated. He assisted by relieving Ofc. Theophin and allowing Bradley to lean against his (Ofc. Snitselaar's) legs so Bradley would not lay down. Note: Once Bradley was transported to Shands hospital, Ofc. Snitselaar had no further contact with him.

An Axon Evidence Audit Trail revealed that on July 10, 2022, Ofc. Snitselaar accessed his BWC video. This is noted by "Evidence played back using Axon application." Ofc. Snitselaar stated he used the Axon application on his department issued cell phone and accessed his BWC video of the incident involving Bradley. Ofc. Snitselaar admitted that when reviewing his BWC, he paused the video at a point when Bradley is seen sitting on the curb leaning against another officer's legs. Using his personal cell phone, Ofc. Snitselaar then took one photograph of the paused BWC video. When asked why he took the photograph, Ofc. Snitselaar said that "it's one of those things you don't normally see."

Ofc. Snitselaar did admit he texted the photo to three (3) people: GPD Sgt. W. Priester and University of Florida Police Department (UFPD) employees, Ofc. Wanzenburg and Ofc. Tarafa. Ofc. Snitselaar said he no longer had the photo on his phone and that he deleted the picture after he sent it to Sgt. Priester and the UFPD officers. When asked if he submitted the photo into evidence, Ofc. Snitselaar said he sent it to Lt. Lugo who he believed submitted it. Ofc. Snitselaar said he had to have one of the UFPD officers' text the photo to him so he could send it to Lt. Lugo. When asked why he didn't submit the photo, he said, "I didn't think anything of it."

INTERVIEW – Ofc. D. Johnson

On August 12, 2022, I provided Ofc. Johnson with all the Internal Affairs investigatory material. On August 16, 2022 I interviewed Ofc. Johnson. Sgt. S. McKinzie was present as Ofc. Johnson's FOP Union Representative. Sgt. Hayes, Internal Affairs Division, was also present. Ofc. Johnson was provided and signed the Garrity Warning and Officers Bill of Rights forms. He said he reviewed the information he was provided and had an independent recollection of the incident. I read the Subject Officer Admonition and a recorded interview was completed.

Ofc. Johnson stated he responded to the area of Ofc. Milman's traffic stop involving Bradley as a perimeter unit. Once he was cleared of his position, he responded to Shands hospital to assist with providing an officer a ride back to the scene. Ofc. Johnson admitted to using his department issued cell phone to take a photo of Bradley's injury while at the hospital. When I inquired as to why he took the photo, Ofc. Johnson said, "to share amongst my co-workers, so for personal reasons. I did not have any intention of putting it into evidence."

Ofc. Johnson specifically recalled showing the photo to Cpl. M. Quinn, Ofc. M. Miller, and Det. K. Hall. Ofc. Johnson said he did not send the picture to anyone via text messaging. When asked if anyone utilized their cell phone to take a photo of Ofc. Johnson's cell phone with Bradley's injury displayed, Ofc. Johnson said that Det. Hall did. He explained that, later in the shift, sometime after the K9 apprehension, he and Ofc. Miller were in the Criminal Investigations Division interview monitoring room on an unrelated investigation when Det. Hall was arriving for work. She stopped to speak with them and he showed her the photo. He recalled he handed Det. Hall his cell phone with the picture displayed. He believed Det. Hall then used her phone to photograph his cell phone. He mentioned, "You can see my arm in the photo." Ofc. Johnson specifically recalled he had his phone in his hand when he showed Cpl. Quinn and Ofc. Miller the photo and they did not take a picture.

When asked why he did not upload the photo to Evidence.com, Ofc. Johnson said that during shift briefing on Thursday, July 14, 2022, Lt. Lugo spoke to the shift instructing whoever had a photo of Bradley's injury to submit it. Ofc. Johnson was not aware of how many officers on shift had a photo of Bradley and added that no one on his shift knew he had the photo. Note: Cpl. Quinn and Ofc. Miller are on Ofc. Johnson's shift. It is assumed Officer Johnson meant there was no one else on his shift that knew he had the photo. He then explained that after that briefing, several officers collectively agreed that if the "mystery officer" had a photo, they would delete the picture and not submit it. Furthermore, Ofc. Johnson said the group believed if they submitted the photo, it would be "incriminating." Ofc. Johnson said he knows he should not have taken the photo and if an officer did have a photo and was instructed to put it in evidence "that's just telling on ourselves, that we took a picture and weren't supposed to take

a picture.” Ofc. Johnson said he deleted the photo from his cell phone because he knew he was not supposed to have it. He did not want to submit it and “get myself in trouble, but I’m in trouble now, I guess.”

INTERVIEW – Det. K. Hall

On August 17, 2022, I provided Ofc. Hall with all the Internal Affairs investigatory material. On August 19, 2022, I interviewed Ofc. Hall. Sgt. T. Grunder was present as Det. Hall’s FOP Union Representative. Sgt. Hayes, Internal Affairs, was also present. Det. Hall was provided and signed the Garrity Warning and Officers Bill of Rights forms. She said she had reviewed the information she was provided and had an independent recollection of the incident. I read the Subject Officer Admonition and a recorded interview was completed.

Det. Hall said on the morning of July 11, 2022, she arrived at work and saw Ofc. Johnson and Ofc. Miller in the CID interview monitoring room. She spoke with them to inquire if she could be of any assistance. Det. Hall remembered Ofc. Johnson showing her a picture of Bradley’s injury, but was adamant she did not take a photo of Ofc. Johnson’s phone. She said after she was shown the photo she went to her desk. Det. Hall stated the only photo she saw of Bradley’s injury was the one Ofc. Johnson showed her. She said, at no point did she send or receive any text messages containing the photo.

INTERVIEW – Ofc. M. Miller

On August 23, 2022, I provided Ofc. Miller with all the Internal Affairs investigatory material. Sgt. S. McKinzie was present as Ofc. Miller’s FOP Union Representative. They reviewed the material and agreed to an interview that morning. Sgt. Hayes, Internal Affairs Division, was present during the interview. Ofc. Miller was provided and signed the Garrity Warning and Officers Bill of Rights forms. I read the Subject Officer Admonition and a recorded interview was completed.

Ofc. Miller stated he responded to the area of Ofc. Milman’s traffic stop involving Bradley as a perimeter unit. Once cleared, Ofc. Miller went to the location where Bradley had been apprehended and took photos of the scene at the direction of Cpl. Meurer. Once Bradley was transported to Shands hospital, Ofc. Miller had no further contact with Bradley.

Ofc. Miller explained that, later in the shift, he and Ofc. Johnson were in the Criminal Investigations Division interview monitoring room on an unrelated investigation. Ofc. Miller recalled Ofc. Johnson showed him a photo of Bradley’s injury. He said he then used his personal phone to take a photo of Ofc. Johnson’s phone with Bradley’s picture displayed. Ofc. Miller said he did not upload the photo to Evidence.com. He explained he did not have a reason for taking the photo other than to have it to “look back and say, man that was bad.” When asked if he still had the photo on his personal phone, Ofc. Miller said he deleted the photo as a result of Lt. Lugo addressing the shift. Ofc. Miller explained that Lt. Lugo told the shift an investigation into the dissemination of the photo of Bradley’s injury was being conducted. Ofc. Miller said he knew he should not have taken the picture and then made the decision to delete the photo from his phone. He said that Lt. Lugo asked for the officer(s) who had the photo to “come forward.” Ofc. Miller said he did not feel comfortable doing that so he deleted the photo. He said

he realized he made a mistake. Ofc. Miller said he was not present during a discussion with the other officers on the shift who collectively made the decision to delete any photos they had of Bradley.

Miller initially said he did not send or receive any photos of Bradley's injury via text message. When asked why the Internal Affairs Division would have a copy of the photo he took of Bradley displayed on Ofc. Johnson's phone, he said he knew the photo was going around but could not explain how. We requested that he check his text messages in case he may have forgotten. Upon checking his texts, he discovered he did, in fact, text the picture to one person and had forgotten he sent the photo.

As it relates to Det. Hall, Ofc. Miller recalled Ofc. Johnson showing her the photo of Bradley's injury. He stated she did not take a photo of Ofc. Johnson's phone while in his presence.

INTERVIEW – Ofc. D. Johnson (follow-up)

Based on Ofc. Miller's statements during his interview, I conducted a follow-up interview with Ofc. Johnson.

On August 24, 2022, I provided Ofc. Johnson with a disc of additional investigatory material. On August 25, 2022 I interviewed Ofc. Johnson. Sgt. S. McKinzie was present as Ofc. Johnson's FOP Union Representative. Sgt. Hayes, Internal Affairs Division, was also present. Ofc. Johnson was reminded that the Garrity Warning and Officers Bill of Rights still applied. He said he reviewed the information he was provided. I read the Subject Officer Admonition and a recorded interview was completed.

During his first interview, Ofc. Johnson stated that Det. Hall took the photo of Bradley's injury that was displayed on his phone. Ofc. Johnson clarified that he did not see anyone take a picture. He said his earlier testimony was based on the angle of the photo in relation to where he was sitting in the interview monitoring room. At the time of the first interview, he also thought that it was his arm in the lower right portion of the photo that was holding his phone while the picture was taken. Ofc. Johnson clarified that he did not see Ofc. Miller take a picture and what he thought was his arm, is in fact, Ofc. Miller's fingers holding the phone. Ofc. Johnson said he recalled giving his phone to someone but could not remember who.

INVESTIGATION: VISINET MESSAGES

Further investigation into this matter revealed a conversation on the VisiNet message system between Ofc. A. Milman and Ofc. M. Shott regarding injuries Bradley sustained as a result of the K9 apprehension. The tone/content of the conversation appears to be inappropriate and/or insensitive toward the circumstances. The content of this conversation is as follows:

07/11/22 @ 23:12:00 – 23:11:32:34hrs: [sic]

Milman: your backkkk yayay

Shott: that I am. I feel like drew tho...I need a damn vacation

Milman: lol your telling me have your heard about my last two weeks

Shott: no the last thing I heard is you went full pursuit and pitted a vehicle into a family of baby deer all over a tag light LMAO

Milman: lmao sounds like something I would do

Shott: and then I heard tonight you bit someone's eye off

Milman: it twas the nastiest thing ever his eye was split open and just hanging outside of his face

Shott: I saw the pictures BRAVO

Milman: Maybe if these stories get around criminals will stop running from me

Shott: hopefully not, these bedtimes stories are too good

Milman: lol I was about to say that would take the fun out of this job

Shott: im just surprised you are on the road and not glue to the IA office chair

Milman: lol im up to 3 this year but I got unfounded in 2 and the third was me not turning my body camera on so whoops

Shott: one day ill be as good as you

Milman: lol I think that's why they keep giving me trainees because they know it slows me down

Shott: lol doesn't seem too slow down too much. Anything else cool happen

Milman: not much Monday used to me like me day to get after it but when you were gone I don't do anything but now that your back when I have my car to myself im going out east

Shott: bring your trainee, someone needs to run. I put on 20lbs in the last 3 months and don't plan on losing it

Milman: lol I will next week TBH I hurt my knee and cant run that's why that guy got as far as he did last night I told Henderson im hurt ill find them but when they run you have to chase them, but when he ran it was just me lol

Shott: classic lol

Milman: usually I yell stop police but last night I was yelling slow down a little my knee hurts and you gotta give me a chance.....he didn't slow down lol o well in hindsight that was a bad decision on his part lol

Shott: yeah im sure he is reconsidering his decisions. Well it looks like ill be protecting this intersection for the next 3 hrs so don't go blowing up my zone

Milman: lol ill have my car to myself next time we work together so don't forget your energy drinks and wheaties

INTERVIEW – Ofc. M. Shott

On August 12, 2022, I provided Ofc. Shott with all the Internal Affairs investigatory material. On August 15, 2022, Sgt. L. Hayes interviewed Ofc. Shott. Sgt. T. Grunder was present as Ofc. Shott's FOP Union representative. Ofc. Shott was provided and signed the Garrity Warning and Officers Bill of Rights forms. He said he had reviewed the information he was provided and had an independent recollection of the incident. Sgt. Hayes read the Subject Officer Admonition and a recorded interview was completed.

Ofc. Shott was not working the evening Ofc. Milman conducted the traffic stop on Bradley, but returned on Monday, July 11, 2022. Sgt. Hayes and I reviewed the VisiNet messages between Ofc. Shott and Ofc. Milman, line by line. Ofc. Shott said that most of the messages were just "general banter" between two officers. Ofc. Shott did, however, clarify several statements: He was referring to the dog bite involving Bradley when he told Ofc. Milman that he "heard [Ofc. Milman] bit someone's eye off." As it relates to Ofc. Shott's message "I saw the pictures...BRAVO," Ofc. Shott explained from what he had heard, it

appeared to be a “good” stop and he was congratulating Ofc. Milman in the manner in which he does his job. Note: Generally, in law enforcement terms, “good” stop refers to an investigative action that is done lawfully and often times results in the arrest of a suspect. Ofc. Shott explained his response “hopefully not, these bedtimes stories are too good” was just “general banter.” Regarding Ofc. Shott’s comment of “One day I’ll be as good as you,” he said he was being sarcastic regarding Ofc. Milman’s competency generally at work. Ofc. Shott also clarified that when he messaged Ofc. Milman to “bring your trainee, someone needs to run. I put on 20lbs in past 3mths and don’t plan on losing it” he was implying that he had put on weight while on leave and was in no condition to run after anyone. Ofc. Shott said his statement “Yeah, I’m sure he’s [Bradley] reconsidering his decisions....” meant that “being dog bit probably doesn’t feel great despite where it is, so once the K9 apprehension happens, the regret of running appears evident very quickly.”

Ofc. Shott agreed some of the messages seem unprofessional and insensitive, as it relates to the incident involving Bradley.

INTERVIEW – Ofc. A. Milman

On August 11, 2022, I provided Ofc. Milman with all the Internal Affairs investigatory material. On August 16, 2022, Sgt. L. Hayes interviewed Ofc. Milman. Sgt. S. McKinzie was present as Ofc. Milman’s FOP Union Representative. I (Sgt. Fundenburg) was also present. Ofc. Milman was provided and signed the Garrity Warning and Officer Bill of Rights forms. He said he reviewed the information he was provided and had an independent recollection of the incident. Sgt. Hayes read the Subject Officer Admonition and a recorded interview was completed.

Ofc. Milman initiated the traffic stop on Bradley and was the primary investigator of the incident. Sgt. Hayes’ interview of Ofc. Milman was specifically related to the conversation he had with Officer Shott via VisiNet messages on Monday, July 11, 2022. As stated above, Officer Milman’s involvement in the arrest of Bradley will be documented in Internal Affairs Administrative Review IA 22-043.

Ofc. Milman stated that most of the messages were jokes. When asked, Ofc. Milman explained his statement “it twas the nastiest thing ever his eye was split open and just hanging outside of his face” in the messages was accurate and added, “It was disgusting.” He stated his statement regarding “maybe if these stories get around criminals will stop running from me” was meant to imply criminals shouldn’t run and likewise, he explained his comment that if criminals stopped running “...it would take the fun out of the job” meant that he became a police officer to put criminals in jail. Regarding the message that [the department] gives him trainees to “slow him down,” implies when he has a trainee, the pace is slower and everything takes longer. When Ofc. Shott asks Ofc. Milman if anything else happened (while he was off), Ofc. Milman responds that Monday used to be his day to “get after it” but while Ofc. Shott was gone he “didn’t do anything.” Ofc. Milman adds, now that Ofc. Shott has returned, when he (Ofc. Milman) no longer has a Police Trainee, he would go “out east.” Ofc. Milman explained “get after it” meant “catch criminals” and be proactive. He stated, go “out east” was meant as a general term, and does not necessarily mean “go out east.” Ofc. Milman clarified his statement of “...in hindsight that was a bad decision on his part lol” meant it was a bad decision on Bradley’s part because of “everything that happened. Ofc. Milman agreed the messages could appear to be unprofessional and insensitive.

Lt. Durst conducted a review of Ofc. Milman's and Ofc. Shott's VisiNet messages from April 1 through September 12, 2022. This was done to determine if the content and/or tone of the conversation discovered during this investigation may or may not be a common occurrence or a pattern of conduct of these officers. It was also done in order to possibly provide some clarification into the intent or meaning behind some of the content along with insight into Ofc. Milman's and Ofc. Shott's explanation regarding their messages.

Lt. Durst conducted a review of Ofc. Milman's VisiNet messages from April 1 through September 12, 2022. Aside from the conversation discovered during this investigation, there did not appear to be any other conversations regarding injuries received by an individual during an interaction with GPD. However, there were conversations and/or messages that appear to have similarities to the conversation addressed in this investigation, related to geographic areas of the city and foot pursuits.

The following messages referring to geography were sent by Ofc. Milman during the above listed time frame. During a conversation with a supervisor, Ofc. Milman states, "... Plus im driving out east right now im still down to have some fun tonight." In a separate conversation, Ofc. Milman states, "im going through sugar hill then going out west so we do some stop out there before it gets to late." The other officer in this conversation responded, "Heading to 20th AVE now." Ofc. Milman's comment in another conversation is, "its dead im going NW" and in another, "Actually im going to go downtown for bar closing and might do some stops there." Later in the same conversation regarding going downtown, Ofc. Milman explains, "That's where the guns are I feel it." Finally, during this timeframe, Ofc. Milman received a message from another officer stating, "heading out east."

The following messages referring to foot chases were sent by Ofc. Milman during the same time period. In one instance, Ofc. Milman sent a message to another officer asking, "On a scale of 1 to foot pursuit how bad do you want to chase someone today lol." In another conversation, while talking about attempting to locate a female suspect with other officers, Ofc. Milman states, "I may even be able to catch her in a foot chase lmao."

One other similarity between the conversation in this investigation and other reviewed messages involves Wheaties. Ofc. Milman tells an officer, "eat your Wheaties before work tomorrow im thinking it could be a productive night." The other officer replies, "ima just tie my shoes and then show up to your calls like 30 sec after you call it out."

The review also revealed a conversation in which Ofc. Milman states, "Theres a black infity rental pulled into the north most entrance of gardina and is sitting with its lights on the jitts were walking for me to leave to tell the driver its safe to go." "Jitt" is known to be street slang for a young person or juvenile.

The review of the messages also revealed that Ofc. Milman received direction or requests for assistance from detectives, shift commanders, captains, and other patrol officers. During the reviewed time period, it was revealed he was assigned to special details focusing on different areas in the city such as Lamplighter, Tiger Bay, Village Green (now Sweetwater Square), and Southwest 35th Place. On at least one of these details, the direction provided by a supervisor was to "hit it hard." Note: "hit it hard" means to actively patrol and seek out criminal behavior. This is often done to positively impact the area that is

being patrolled by improving the quality of life and/or to develop criminal intelligence regarding crime occurring in that area.

Finally, this VisiNet message review revealed that when holding over to work shift overtime, there was an instance in which Ofc. Milman requested to work and received the assignment of “Charlie” zone. In another instance, Ofc. Milman states, “is there a spot in the NW open” followed by “Lol im good with anywhere.” Ofc. Milman was subsequently assigned to Bravo zone. Both of these zones are located in the northwest portion of the City of Gainesville.

A review of Ofc. Milman’s MCT messages from July 1 through September 12, 2022, did not reveal anything of note. It appears to be mostly law enforcement related checks such as driver’s license and/or vehicle tags. There were very few, if any, conversations held between Ofc. Milman and other officers. Note: This search was abbreviated due to the volume of information received and lack of apparent conversation between officers.

Lt. Durst conducted a review of Ofc. Shott’s VisiNet messages from April 1 through September 12, 2022. In these messages, aside from the conversation discovered during this investigation, there did not appear to be any other conversations regarding injuries received by an individual during an interaction with GPD.

The review did reveal that Ofc. Shott was the officer that received Ofc. Milman’s message about eating Wheaties before work. Subsequently, Ofc. Shott replied, “ima just tie my shoes and then show up to your calls like 30 sec after you call it out.”

Other messages indicate, on certain dates, Ofc. Shott is either assigned to a detail or coordinates with other officers in reference to suspicious vehicles and/or conducting traffic stops. One of the areas indicated for this activity via message was Southwest 13th Street.

A review of Ofc. Shott’s MCT messages from July 1 through September 12, 2022, did not reveal anything of note. It appears to be mostly law enforcement related checks such as driver’s license and/or vehicle tags. There were very few, if any, conversations held between Ofc. Shott and other officers. Note: This search was abbreviated due to the volume of information received and lack of apparent conversation between officers.

Lt. Durst conducted a review of text messages sent and/or received from Ofc. Milman and Ofc. Shott utilizing their GPD issued cellular telephones from July 10, 2022, to July 24, 2022. There did not appear to be anything of note.

Based on the review of Ofc. Milman’s and Ofc. Shott’s VisiNet messages, it appeared they are sometimes selected to be part of special details as well as increased or direct patrols. In an attempt to gain more insight, Lt. A. Lugo and Lt. M. West were interviewed.

INTERVIEW – Lt. A. Lugo

On September 12, 2022, Sgt. Hayes and Lt. Durst interviewed Lt. Lugo. Lt. Lugo is the Midnight Shift Commander for the Bravo rotation. He was also acting Shift Commander for Evening shift on the night of July 10, 2022. Lt. Lugo does not directly supervise Ofc. Milman or Ofc. Shott as they work on Bravo Evening Shift and Alpha Midnight Shift respectively. Lt. Lugo's shift overlaps with Ofc. Milman's shift 3 days a week. Lt. Lugo's shift overlaps with Ofc. Shott's shift 1 day a week.

Sgt. Hayes asked Lt. Lugo about conducting increased patrols or special details on his shift. He said that on Midnight Shift, they tend to focus on crowd control and violent crimes. He stated 900 East University Ave. is usually a focus for crowd control and that this month he is focusing on Gardenia Gardens in response to the violence occurring there. Lt. Lugo said over the summer, Village and Forrest Green (Sweetwater Square) and the Phoenix neighborhood also experienced a lot of violent crime so he directed officers to those neighborhoods.

Lt. Lugo said the goals of the directed patrols and special details are to be highly visible to prevent further violence and also to be proactive and seek out and enforce violations in those areas. He said he chooses officers for these details based on their willingness to be proactive and whether they have been successful in the past on special details, not necessarily based on the officer's geographical assignment. He also pointed out that due to so many zone vacancies, officers are often expected to be responsible for more than just their assigned zones. Lt. Lugo confirmed that evening shift has similar staffing shortages and said the two shifts work together to try to cover all areas in the city.

Sgt. Hayes asked Lt. Lugo if he had ever heard officers use the term "out east". Lt. Lugo said he had and to him it simply meant anything east of Main Street, not necessarily any specific neighborhood. Lt. Lugo mentioned he has heard officers say they were headed out east or out west referring to either side of the city.

INTERVIEW – Lt. M. West

On September 13, 2022, Sgt. Hayes and Sgt. Funderburg interviewed Lt. West. Lt. West is the Evening Shift Commander for Bravo rotation. Lt. West directly supervises Ofc. Milman and overlaps with Ofc. Shott 1 day a week. Lt. West said that he receives direction from the Captains and from Crime Analysis intelligence of where to focus crime prevention efforts during his shift. He said that some of the areas that have recently been the focus are Sweetwater Square, Gardenia Gardens, Carol Estates, and Carver Gardens, all because of shootings.

Lt. West said the purpose of the directed patrols or special details is high visibility in those neighborhoods to prevent violence. He stated it is also a way to get the guns off the streets. Lt. West said the officers are expected to be proactive in addressing the issues during directed patrols. Lt. West said that he selects officers for special details based on their assigned geographical area. He said he assigns the zone officer and any surrounding zone officers to special details. Lt. West said that Ofc. Milman is often assigned to special details because his zone is adjacent to most of the areas he named earlier as experiencing shootings and gun violence.

Lt. West said that it is typical for officers to be expected to cover two zones because of staffing shortages on his shift. He said the shift commanders will try to put together details on overlap days, but they often do not have a lot of extra officers due to training adjustment days. Lt. West said if they do have extra officers, they will put together special details to address the focus areas.

CONCLUSION

On July 10, 2022, Ofc. Snitselaar accessed his BWC video of the incident involving Bradley on his department issued cell phone and subsequently used his personal cell phone to take one photograph of the paused BWC video. Ofc. Snitselaar admitted to taking this photo, not placing it into evidence, and sharing it with three other officers. He acknowledged he should not have taken the photo.

Gainesville Police Department General Order 40.14: Body Worn Camera Video Systems (BWC) states, in part, *Members shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the Chief or his or her designee.*

The allegation that Ofc. Snitselaar used his personal phone to take a photo of his BWC video that displayed Bradley's injury in violation of Gainesville Police Department General Order 40.14 *Body Worn Camera Video Systems (BWC)*, is **SUSTAINED**.

This is Ofc. Snitselaar's first violation of this policy and he will receive corrective action in the form of a Written Warning. Ofc. Snitselaar is reminded that continued violations similar in nature will result in progressive discipline, up to and including dismissal.

On July 10, 2022, Ofc. Johnson used his department issued cell phone to photograph Bradley's injury, while in the hospital. Ofc. Johnson admitted to showing the picture of Bradley to three other officers, prior to deleting the photo. Ofc. Johnson stated he did not place this photograph into evidence.

Gainesville Police Department General Order 83.5: Digital Photography states, in part, *Every photograph taken by a member of the Gainesville Police Department while on duty will be considered an official document and could be used in court. Only department issued equipment shall be utilized for this purpose and All photographs will be uploaded to the department's photograph database or evidence.com within 7 days.*

The allegation that Ofc. Johnson used his department issued cell phone to take a photo of Bradley's injury and failed to submit that photo into evidence is in violation of Gainesville Police Department General Order 83.5 *Digital Photography* is **SUSTAINED**.

This is Ofc. Johnson's first violation of this policy and he will receive corrective action in the form of a Written Warning. Ofc. Johnson is reminded that continued violations of this nature will result in progressive discipline, up to and including dismissal.

The allegation that Ofc. Miller used his personal cell phone to take a photo of Bradley's injury, while displayed on Ofc. Johnson's issued cell phone, and failed to submit that photo into evidence in violation of Gainesville Police Department General Order 83.5 *Digital Photography* is **SUSTAINED**.

This is Ofc. Miller's first violation of this policy and he will receive corrective action in the form of Written Warning. Ofc. Miller is reminded that continued violations of this nature will result in progressive discipline, up to and including dismissal.

This investigation also revealed that after Ofc. Snitselaar took a photograph of his body worn camera video and Ofc. Johnson took a photograph of Bradley's injuries, these photographs were shown and/or distributed electronically to other GPD and UPD officers. While all of the officers who shared or distributed these photographs have not been identified, all officers will be reminded of GPD General Order 83.5: Digital Photography which states *Personnel will have read-only access to view photographs for investigational purposes.* There are numerous other GPD and City of Gainesville Policies that address the proper handling of evidentiary photos, the care and control of those photos, as well as prohibited acts. All of the GPD members identified as possessing and/or sharing these photographs in the course of this investigation will receive verbal counseling. Additionally, as indicated, verbal counseling and/or training will be administered on a broader scale to the shifts and/or departmental entities in which this behavior was occurring.

On July 11, 2022 at 23:12:00hrs, Ofc. Milman initiated a conversation through messages on the VisiNet system with Ofc. Shott utilizing Department issued laptop computers. In their interviews, Ofc. Milman and Ofc. Shott stated this conversation contained "jokes" and was "general banter." A review of additional messages sent and/or received by these officers revealed other occurrences of referencing different geographic locations in the city by use of directional indicators such as "out east", "out west", "NW", and "downtown." The review also revealed an indication that Ofc. Milman often has individuals run from him as well as his desire to chase criminals on foot but it did not reveal any additional messages mirroring the tone and/or content regarding injuries sustained by an individual that was involved with member of the Gainesville Police Department. This investigation has revealed the VisiNet conversation between Ofc. Milman and Ofc. Shott does not appear to be a normal course of conduct for these officers. However, it also determined this conversation did not have an official GPD purpose and that several statements made by both officers are, at minimum, inappropriate and/or insensitive regarding Bradley's circumstances.

Gainesville Police Department General Order 22.8: Administrative and Personnel Matters states, in part, *Prohibited Statements: Members shall not make statements over cellular phones, taped telephone lines or type or enter any information or message of a derogatory nature using Department telephones, computers, pagers, radios or other communication equipment. This prohibition includes any information that is unprofessional, demeaning, obscene or harassing to any person or group.*

Under penalties of perjury, I declare that I have read the foregoing document and that to the best of my knowledge and belief the facts stated in it are true. Furthermore, 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.

IA#: 22-041

Investigator:



T. DORST FOR T. FUNDBERG

Date:

9.22.2022

Officer Milman's and Officer Shott's conversation through messages via the Visinet system did not have an official GPD purpose. Additionally, this conversation was improper and insensitive toward an arrestee, Terrell Bradley, who suffered severe injuries during his arrest causing him to lose his right eye. Therefore, the allegation of violation of Gainesville Police Department General Order 26.1 *Rules of Conduct* which states, in part, *Department members will conduct themselves in a manner that does not bring discredit upon or adversely reflect upon the reputation of the Department, its members, the City of Gainesville, or the community* is **SUSTAINED**.

Officer Milman's discipline shall consist of Written Instruction and Cautioning in the form of an Employee Notice, a 5 day (40 hour) suspension without pay, training from the City of Gainesville Office of Equity and Inclusion, removal from the Field Training Program, and completion of 30 hours of on-duty community engagement.

Officer Shott's discipline shall consist of Written Instruction and Cautioning in the form of an Employee Notice, a 5 day (40 hour) suspension without pay, training from the City of Gainesville Officer of Equity and Inclusion, and completion of 30 hours of on-duty community engagement.

Officers in violation of department policies and procedures will be held to the highest standard that GPD strives to maintain. The poor decisions made by the five officers identified in this investigation, were addressed and each officer was made aware of the impacts of such behavior and unprofessionalism. Conduct of this nature will not be tolerated by employees of the Gainesville Police Department.

Under penalties of perjury, I declare that I have read the foregoing document and that to the best of my knowledge and belief the facts stated in it are true. Furthermore, 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.

IA#: 22-041

IA Commander:	<u>T. DURST</u>	Date:	<u>9.22.2022</u>
Bureau Commander:	<u>[Signature]</u>	Date:	<u>9/22/22</u>
Chief Inspector:	<u>[Signature]</u>	Date:	<u>9/22/22</u>
Assistant Chief:	<u>[Signature]</u>	Date:	<u>9/22/22</u>
Chief:	<u>[Signature]</u>	Date:	<u>9/22/22</u>