

# Sheriff

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17 June 2013

Ms. Cindy Sanz, Director  
Office of Executive Investigations  
Florida Department of Law Enforcement  
P.O. Box 1489  
Tallahassee, Florida 32302-1489

  
Dear Director Sanz,

When we spoke on the telephone last week I advised you that I was preparing to submit a formal complaint against a special agent with your agency stationed at the Florida Department of Law Enforcement's (FDLE) Jacksonville Office. We have spoken before about the importance of FDLE personnel not discussing this case (O'Connell) or their opinions about it, especially in light of the fact that your agency is in the process of conducting internal and criminal investigations into the conduct of Pape and Rodgers. In fact, I was advised by Pape before he ended his employment with FDLE that he had given FDLE personnel stationed in Jacksonville a "direct order" not to discuss the case.

The substance of my complaint was that a particular agent as recently as four weeks ago in extemporaneous conversations with members of my agency, was still advancing his opinion that Michelle O'Connell was the victim of "homicide" and that Deputy Jeremy Banks, of the St. Johns County Sheriff's Office, was the perpetrator. The agent supported his opinion based on his belief in Agent Rodgers as well as his belief in Rodgers' "investigative ability." This agent is young and relatively inexperienced. It is quite clear that he has not had the opportunity to view the documents already submitted which clearly demonstrate not only Rodgers' lack of "investigative ability" but the recklessness and malice he employed during his "investigation." Because of these two facts, I have decided to not file a formal complaint at this time.

I am requesting that you personally issue the warning again to your personnel to not discuss this case especially advancing the false notion that Ms. O'Connell's death was the result of a "homicide" and not the suicide it has been determined to be by competent authorities. Please stress that this admonition also applies to their conversations with fellow law enforcement officers, especially officers from other agencies. Finally, please advise them that in the event that I become aware of any future similar conduct, in addition to filing a formal complaint against the offender, I



will employ any other remedies available. I am certain you can empathize with my position. If members of my agency were accusing an FDLE employee of committing a crime that never occurred, especially one as serious as "homicide", I have to believe Commissioner Bailey would be every bit as passionate and committed to stopping this conduct as I am.

Though I believe the above described conduct is highly inappropriate, I want to go on record one more time to convey that I strongly believe that the facts of this case and what occurred are vitally important and should be shared with the widest audience possible. Fortunately, after I sent my recent letter to the New York Times reporter advising him that I would no longer speak with him about this case (you received a copy as did various media outlets), we have been contacted by some major media outlets with impeccable credentials and they have conveyed to us a serious interest in this case.

Finally, my intent was to not publish any of our documents related to this case until your team had finished with their investigation. Because of the level of public interest, I have decided to publish all the documents related to this case on our agency website immediately beginning with my letter to Commissioner Bailey on March 26, 2013.

Thank you for your consideration in this matter.

Sincerely,



David B. Shoar  
Sheriff

CC:

Honorable Brad King, State Attorney, 5<sup>th</sup> Judicial Circuit – State of Florida  
Honorable R.J. Larizza, State Attorney, 7<sup>th</sup> Judicial Circuit – State of Florida  
Honorable Charles J. Tinlin, 7<sup>th</sup> Judicial County Court Judge – State of Florida  
Dr. Predrag Bulic, Medical Examiner, District 23 – State of Florida  
Gerald M. Bailey, Commissioner – Florida Department of Law Enforcement  
Robert McLeod, P.A.  
John Kaney, P.A.  
William Gladson, Assistant State Attorney, 5<sup>th</sup> Judicial Circuit – Sate of Florida  
Jeremy Bank, Deputy Sheriff – St. Johns County Sheriff's Office  
Scott O'Connell  
David E. McCraw, Assistant General Counsel, New York Times  
Dennis Bustle, SAC Florida Department of Law Enforcement – Jacksonville