



Entered: _____
Checked: _____
File Purged: _____
N/A: _____

Route To: **Intelligence**
Detective B.Moore#6357

#4

Year: 2006 Incident No.: 149456

1  **Jacksonville Sheriff's Office**
General Offense / Incident Report 

Incident Information

Sub-Sector A2

Day/Date/Time of Incident-From: **Friday 2/17/2006 08:00**

Day/Date/Time of Incident-To: **Friday 2/17/2006 08:00**

Location of Incident: **639 DUVAL ST W Apt./Lot #:**

City: **JACKSONVILLE** State: **FLORIDA** Zip: **32202**

Day/Date/Time Incident Reported: **Friday 2/17/2006 08:00**

Drug Activity: **NOT APPLICABLE**

Drug Type: **NOT APPLICABLE**

Of Offenses: **1**

Alcohol Related: **UNKNOWN (OR N/A)**

Drug Related: **UNKNOWN (OR N/A)**

Of Victims:

M.C.I. Case: **No** Follow-up by:

Of Suspects:

Offense or Incident:

#1 Statute No: **999**

Degree: **N/A**

UCR Code: **9999**

Attempt Code: **Commit**

INFORMATION:

Witness/Complainant Information: #1

Type: POTENTIAL VICTIM

Name: **SMITH RUFUS R**

Address: **1934 AFTON LN Apt./Lot #:**

Home Phone # **(904)-726-0843**

City: **JACKSONVILLE** State: **FLORIDA** Zip: **32211**

Bus. Phone # **(904)-630-0851 Ext.**

Place of Employ /School: **JACKSONVILLE FIRE & RESCUE DEPARTMENT**

Race: **BLACK** Sex: **Male** DOB: **5/6/1962** Age: **43**

Relationship To Victim:

Witness/Complainant Information: #2

Type: POTENTIAL VICTIM

Name: **LAWS RODERICK J**

Address: **11650 KENNEWICK CT Apt./Lot #:**

Home Phone # **(904)-714-6510**

City: **JACKSONVILLE** State: **FLORIDA** Zip: **32218**

Bus. Phone # **(904)-630-0851 Ext.**

Place of Employ /School: **JACKSONVILLE FIRE & RESCUE DEPARTMENT**

Race: **BLACK** Sex: **Male** DOB: **1/6/1972** Age: **34**

Relationship To Victim:

ADDITIONAL INFORMATION

On 02-17-06 at 0800 hrs, I responded to a disturbance at 639 W. Duval St, Jacksonville Fire & Rescue, station #4. Physical evidence was collected at the scene and placed into the property room by E.T. K.A. Long #7239.

Lt. A.J. Brown # 6237 and PIC. S.L. Carver # 6567 responded.

Intelligence Detective B. Moore #6357 responded and will conduct a follow-up investigation.

Patrol Investigation suspended.

Clearance Status: **CASE CLEARED - NON CRIMINAL**

Clearance Code: **NOT APPLICABLE**

Number of Cases Cleared **1**

CRIME ANALYSIS

Aggravated Assault/Murder:

Type of Weapon:

Forced Entry: **NOT APPLICABLE** Structure Occupancy Code: **NOT APPLICABLE** Number of Premises Entered:

Location Type: **Government/Public Bldg**

Incident Occurred Inside this Location Incident Occurred In the Parking Lot at this Location: **No**

Number of Vehicles Recovered:

Number of Arrested:

School Name: School Number

MISCELLANEOUS:

Is Offense Related to Domestic Violence: **No** If yes, were Children under 18 Present: If No is it Domestic Related: **NO**

Is there additional information included on a continuation report: **No** Are there other Pertinent Reports: **No**

In your opinion is there significant reason to believe that the crime can be solved by a patrol follow-up investigation? **No**

Neighborhood Canvass Conducted: **No**

Case Information Card Left With: **N.A.**

If Other (Name Address):

Address: Apt./Lot #:

Home Phone #

City: State: Zip:

Bus. Phone # Ext

Investigative Time:

#1 Hours: **1** Minutes: **30** Cost Amount: **\$21.69**

Detective Called To the Scene: **B.MOORE #6357**

NA: []

Notified: []

Evidence Technician Called to the Scene: **K.A.LONG #7239**

NA: []

Assigned By HQ: []

Reporting Officers: **N.J.PROTONOTARIOUS**

ID #7007

ID #0

2/17/2006 10:14

ID #6567

Approving Supervisor **S.L.CARVER**

Division: **PATROL** Unit: **ZONE 1**

Entered: _____
Checked: _____
File Purged: _____
N/A: _____

Route To: **Intelligence**
Detective B.Moore#6357

Year: 2006 Incident No. 149456 Sup #1



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Of Offenses: **#1** # Of Victims: **- none -** # Of Suspects: **#**

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Drug Type: **NOT APPLICABLE**

Alcohol Related: **UNKNOWN (OR N/A)**

Drug Related: **UNKNOWN (OR N/A)**

Follow-up by:

M.C.I. Case: **No**

Offense or Incident:

#1 Statute No: **999**

Degree: **N/A**

UCR Code: **9999**

Attempt Code: **Commit**

INFORMATION

ADDITIONAL INFORMATION

On Friday, 02/17/06, at approximately 0800 hours, JSO Patrol Officers Steven L. Carver and N. J. Protonotarios were dispatched to Jacksonville Fire Station #4, located at 639 West Duval Street, in reference to a possible Hate Crime. Upon arrival, the officers met with the two alleged victims, Rufus R. Smith-BM-05/06/62 and Roderick J. Laws (BM-01/06/72), who stated they found two "hangman" style nooses attached to their firefighter turnout coats when they reported for work this morning. The responding patrol officers secured the coats and notified the Intelligence Unit.

At approximately 0845 hours, Detectives Ben Moore, Maria Carney and Tonya Porter arrived at Fire Station #4 to conduct an investigation of the incident. Detectives Moore, Carney and Porter met with Officer Carver who showed detectives the coats that were seized and introduced them to the victims, Rufus Smith and Roderick Laws.

Detective Moore met with the fire department personnel, who had begun to recall all of Fire Station #4 personnel, including those employees who were on their day off. The fire department also held over the prior shift for any interviews or follow up necessary for the investigation.

Detectives Moore, Carney and Porter then interviewed Smith and Laws. Smith stated that he arrived at Fire Station #4 at approximately 0720 hours, for shift change. Smith stated he went into the coat room to get his firefighter gear to put on the ladder truck when he observed a "hangman" style noose on his turnout coat. Smith took his coat to Captain Richard Lundy, who was in an upstairs office and showed him the noose he found on his coat. Captain Lundy told Smith he was going to report the incident to the Fire District Chief N. White and told Smith to call the police.

Smith said he went back downstairs to the coat room to get Capt. Lundy's coat to wear for the day, but mistakenly grabbed Laws' coat instead. Smith stated he found a "hangman" style noose attached to it as well. When Smith was asked, "How could you mistake Captain Lundy's coat for Laws' coat?" Smith explained that Laws and Captain Lundy are the only two firemen with newer coats, and he confused the two. Smith returned to Captain Lundy's office with Laws' coat and showed him what he had discovered. According to Smith, Captain Lundy asked him if he had his digital camera with him and asked Smith to photograph the coats.

Smith and Laws provided a written statement, and the initial interviews were concluded. Smith and Laws were placed on temporary administrative leave by the fire department, pending the results of the investigation.

JSO Dispatch records showed that Smith reported the incident to the police at approximately 0756. Evidence Technician K. Long responded to Fire Station #4 to process and photograph the scene. Evidence Technician

Long photographed the fire coats and the nooses along with other parts of the station. Evidence Technician Long removed the nooses from the coats and placed them in the JSO property room. The actual fire coats belonging to Smith and Laws were not taken as evidence and were released to them at the scene. The coats' surfaces could not be processed for prints due to the presence of smoke damage and chemicals that would prevent fingerprints. A preliminary search of Station #4 revealed no twine rope. The twine rope that was used in making the nooses is considered obsolete at the fire station. New safety insulated ropes are being used throughout the fire department. Some of the older extension ladders have small lengths of twine rope used for the ladder operation, but is of a different size. No bulk amounts of any other twine ropes were located at the station.

Fire Station #4 is a special operations station that specializes in high angle rescues and urban search and rescues. The assigned firefighters at Station #4 are active full time firefighters that have volunteered for the assignment and also have to be certified in the special operations field.

Detective Moore addressed the firefighters who had been held over or called back to Fire Station #4 that were waiting in the lounge area. Detective Moore explained to the firefighters that they would be interviewed in reference to the found nooses and that the investigation was being treated as a potential hate crime. Detective Porter stayed in the lounge area to keep the discussion to a minimum while Detectives Moore and Carney conducted separate interviews of the following firefighters until approximately 2230 hours.

- 1) LT. Eric Courtis-Ladder 4 B
- 2) FF. Blair Bennett-Ladder 4 B
- 3) FF. James Stone-Ladder 4 A
- 4) ENG. Chris Philips-Engine 4 A
- 5) FF. Heath Mooney-Ladder 4 B
- 6) LT. Matt Cipriani-Engine 4 C
- 7) ENG. Jimmy Renaud-Engine 4 B
- 8) ENG. Ben Stein-Engine 4 B
- 9) FF. Jason Bishop-Engine 4 A
- 10) FF. Josh Montoro-Engine 4 B
- 11) ENG. Eric Prosswimmer-Engine 4 C
- 12) ENG. James Baity-Engine 4 A
- 13) FF. Adam Albritton-Ladder 4 A
- 14) FF. Jasper Carter-Engine 4 A
- 15) LT. Mike Allen-Engine 4 A
- 16) LT. Allen Mallard-Ladder 4 A
- 17) ENG. Neal Tarkington-Ladder 4 C
- 18) CAPT. Richard Lundy-Ladder 4 C
- 19) CAPT. Robin Gainey-Engine 4 B
- 20) FF. Brian Ross-Ladder 4 C
- 21) ENG. Shaun Hultquist-Ladder 4 B
- 22) CHIEF Neal White-District Chief

Firefighters Colin Aguilar-Ladder 4C, Pam Ramsdell-Engine 4C, Patrick Gouin-Ladder 4B and Mark O'Steen-Engine 4C were on leave and were unable to be contacted. These firefighters will be interviewed when they return to work.

The following individuals were interviewed on Friday February 17, 2006 at Fire Station #4:

Lt. Eric Courtis was on his day off and was called back to the station to be interviewed. During the interview Lt. Courtis stated that he heard about the "deck gun" incident (an incident that occurred the previous year and is elaborated on later in this report) while at training the day that it occurred. He stated that he had no personal knowledge of who placed the nooses on the turnout coats or what may have led up to it, stating that he was not aware of any racial tensions or issues at the station.

Firefighter Blair Bennett stated that he heard of tension between Laws, Smith and other members of the A-shift, as a result of the complaint filed by Laws. He was aware of the "deck gun" incident and commented that the general feeling at the station was that Laws should have not filed a formal complaint. He added that Laws was a "jokester" and got along fine with the crew, adding that the jokes were always good natured. Bennett stated that he had no personal knowledge of who may have placed the nooses and was not aware of any racial tensions at the station.

Firefighter James Stone stated that he has been at Fire Station #4 for one month and works with Laws and Smith. He stated that he was aware of the "deck gun" incident and the tension that it caused between the engine and ladder crews. Stone stated that Laws and Smith were helpful with training him on the ladder truck. He added that Laws and Smith kept to themselves and stayed upstairs, stating that Smith was known to be a quite person and that he has never seen Laws joking around. According to Stone, Lt. Mallard told him that

there were some "negative" feelings towards Smith and Laws because of their actions but that Lt. Mallard defended them. Stone stated that he heard from others that Laws and Smith were lazy and did not participate in some of the ladder work at the station. He is also aware that there is a rivalry between the ladder and engine crews, but it appears to be city wide. Stone concluded by saying that he had no personal knowledge of who may have placed the nooses on the coats and had not heard of any racial incidents at the station.

Engineer Chris Philips stated that he has been assigned to Fire Station #4 for six months. Philips stated that after the "deck gun" incident, Laws and Smith isolated themselves from everyone and kept their distance. He added that there have been accusations of racism, steroid use, and talk of Smith and Laws not doing their job, going back and forth throughout the station. Philips stated that he had no information on who may have placed the nooses and had not witnessed any incidents of racism.

Firefighter Heath Mooney has been assigned to Fire Station #4 for seven months. He was aware of the "deck gun" incident and was aware that Laws was unhappy with the final outcome of his complaint. He also noticed that Laws and Smith kept themselves isolated from the crew but has never had a problem with either of them. Mooney said that he had no personal knowledge of who placed the nooses or any incident of racism at the station.

Lt. Matt Cipriani stated that he was at the station when Smith found the nooses. He said that he knows both men and feels they are both good men and good firefighters. He said that he has no knowledge of who placed the nooses and is not aware of any racial incidents.

Engineer Jimmy Renaud described Smith as being a quite person and Laws being "vocal" but good natured. Renaud's personal feelings on the "deck gun" incident was that Lt. Allen took the spraying a "little too far" when he hit Laws in the head with the water. He has heard that there is tension on A-shift between the guys and that Smith does not eat with them. He said that he does not know who placed the nooses and has not heard of any racial issues.

Engineer Ben Stein said that he too was aware that Laws suffered a neck injury as a result of the "deck gun" incident. He is not aware of the final outcome or what the actual complaint was. He described Laws and Smith as "solid" firefighters and has no knowledge of who placed the nooses. He is not aware of any existing racial issues at the station.

Firefighter Jason Bishop stated that he has worked with Smith and Laws for over two years at Fire Station #4. Bishop stated that Smith and Laws are good firefighters and has not heard anything negative. He has no knowledge of who may have placed the nooses on their coats and is not aware of any racial incidents.

Firefighter Josh Montoro said that Laws and Smith are good guys and does not feel that they were targeted by the other members of the station. He has no knowledge of any racial incidents or of who may have placed the nooses on their coats.

Engineer Eric Prosswimmer stated that he went to the academy with Laws and has worked at Fire Station #4 for five years. Prosswimmer stated that Laws got along great with everyone but has seen a change in him in the past six months. He said that Laws had been spending a lot of time with Smith and is not sure if that contributed to his personality change. He explained that Smith had "militant views" and discussed several racial "conspiracy theories" with him. According to Prosswimmer, Smith believed that the last promotional exam was racist and believed that the answers were being changed so that black firefighters would fail. Smith also believed that the first American President was black, but it was never acknowledged. He said that over the years, Smith has become religious and has toned down some of his militant views. Prosswimmer added that Jacksonville is the most racist city he has ever lived in and that it is obvious that we have racial issues, but has not seen or heard any racial incidents at the station directed at anyone.

He added that Lt. Allen tried to encourage Smith to help in station duties with the rest of the crew, but did not feel that Allen was out to get Smith. He added that Laws filing the complaint against Allen caused tension at the station, but did not feel it was racially motivated. Prosswimmer added that he does not believe anyone at the station was responsible for the placement of the nooses. He said that he has no knowledge of who placed the nooses and did not observe any behavior prior to their discovery that would indicate there was a racial problem.

Engineer James Baity is assigned to the A-shift and stated he arrived for work this morning at 0650 hours. Baity said he learned of the nooses when he overheard other firefighters talking about it. Baity said that he started working for Lt. Allen in October 2005 and heard of the "deck gun" incident from other firefighters and was aware of the tensions it caused. Baity said that the general opinions were that the complaint should have been handled in house. He added that one of the fire department chiefs came by last year and spoke to everyone about getting past the "deck gun" incident, in an effort to minimize the tension.

Baity added that he does not know Laws and Smith personally and is not aware of any existing problems involving either. He said that he was aware that Laws and firefighter Carter had an altercation while on a call, but did not know the details. He concluded by stating that he did not have any personal knowledge of who placed the nooses on the coats.

Firefighter Adam Albritton is also assigned to A-shift and reported for work at 0715 hours. Albritton said that he learned of the nooses at the breakfast table. He said that he works with Smith and Laws and has gone out with them outside of work. He added that he has never heard anyone at the station make racial comments or use racial slurs. He does not know who placed the nooses and is not aware of any racial problems at the station.

Engineer Neal Tarkington stated that he has known Laws for a very long time, stating that they are both members of the Florida Air National Guard. He believes that Laws would have not have filed a formal complaint if Lt. Allen would have apologized to him for the incident. Tarkington stated that all of Fire Station #4 personnel attended the Fireman Union meeting on 02/16/06 from 1800-1900 hours, leaving the station unattended for that period of time. He commented that he found it suspicious that Joseph Moseley attended the meeting since he had never seen him at any other prior union meetings. He found it especially suspicious after learning that nooses were found by Smith at the station and thought there might be a connection between the two events. Tarkington did not have any personal knowledge of who placed the nooses or incidents of racism at the station.

Captain Richard Lundy stated that he was upstairs in the officer's room when Smith brought his turnout coat to him and showed him the attached noose. Lundy contacted District Chief Neal White and informed him about the situation. Lundy then offered Smith his coat to use for his shift and instructed to him to go get it and put it on the truck. Lundy stated that Smith returned a few minutes later with Laws' turnout coat and showed him where a noose was also attached to his coat. Smith called Laws and advised him to report to the upstairs office when he arrived at the station. Laws arrived at the station and was briefed on what had occurred. Lundy denied telling Smith to get his camera and take pictures. Lundy added that he has no personal knowledge of who may have placed the nooses on their coats and was not aware of any incidents of racism.

Captain Robin Gainey said that he has not observed any conflict at the station but is aware of the conflicts on the A-shift. Gainey said that he would be surprised if one of the firefighters placed the nooses on their coats. Gainey did not have any personal knowledge of who placed the nooses.

Firefighter Brian Ross stated that he worked with Smith on A-shift for seven months. He described both as being good workers and did not observe any negative activity prior to the deck gun incident. He said he understood why Laws was upset that Allen did not apologize for it. Ross also heard that Smith and Laws did not eat or sleep with the rest of the crew. He had no personal knowledge of who placed the nooses on their coats and was not aware of any racial incidents at the station.

Engineer Shawn Hultquist stated that he has worked with both victims and thought that they were good firefighters. Hultquist stated that he has gone fishing with Laws and has swapped days with him and never had any problems. Hultquist said he heard of the deck gun incident and felt that it was wrong. He had no knowledge of who placed the nooses and was not aware of any racial problems.

Fire Station #4 District Chief Neal White stated that he was made aware of the complaints and the possible friction that was occurring at Fire Station #4 last year, after the deck gun incident. Chief White stated he has held several meetings at Fire Station #4 to address this particular issue and to warn people against any harassment, if any. Chief White went on to say that he personally met with Laws to obtain any input or complaints that Laws may have had, and Laws indicated to him that he thought things were getting better. Chief White also stated that there were no other complaints made against Smith or Laws by any of the firemen. White had no personal knowledge about who may have placed the nooses on the victims' coats and was not aware of any other problems at the station.

Firefighter Jasper Carter stated that he knows Smith and Laws from work. Carter stated that when the deck gun incident occurred, Laws felt that it was a personal attack against him. He did not believe that it was, adding that he believes that Allen liked Laws because they had worked together in the past. After the incident, Laws and Smith isolated themselves even further and spent all of their time upstairs. Carter said that Smith and Laws would not help with the station chores and feels they lack motivation to help, which also caused tension at the station. He said that although the complaint filed by Laws caused tension at the station, he did not observe anyone say or do anything to him as a result.

Carter stated that he had no personal conflicts with Smith but had a few disagreements with Laws. Carter explained that they had a confrontation at the scene of a crash a few months back, but met with Laws at the station after and apologized for it. Laws accepted his apology and they continued to work together with no other problems. According to Carter, Laws changed significantly after the deck gun incident, by isolating himself even further and spending all of his time with Smith. Carter felt that the deck gun incident should have been handled internally and did not feel the complaint was justified. He added that he, Laws and Allen have

worked together installing meters and never had any problems. Carter said that he believes that Smith and Laws were capable of planting the nooses themselves to draw attention to the station, since neither felt that Allen received a severe enough punishment for the deck gun incident. Carter stated that he had no personal knowledge of who may have planted the nooses.

Lt. Mallard stated that he arrived at Fire Station #4 at approximately 0600 and was told of the nooses at approximately 0730. Mallard stated that he is the immediate supervisor for Laws and Smith and that they are both assigned to the Ladder truck. Mallard stated that there are the normal firemen "digs" and pranks being played at the station between the engine and ladder companies. This rivalry is from the concept that the engine truck goes on more runs than the ladder truck. Mallard stated that he felt Allen was wrong in spraying Laws and Mancino and that the incident should have never occurred. After the incident, Laws complained of headaches, however, he reported to his off-duty job digging trenches with him and others after his shift ended. Laws complained of a neck injury when he reported to his next regular scheduled tour of duty at the station and sought medical attention at that time.

Mallard stated that it was common knowledge that Laws was not happy with the disciplinary action Allen received as a result of his complaint. Allen complained to him on numerous occasions about Laws and Smith not participating in the station chores and about Smith sleeping in the Officers room. Mallard denied ever telling Smith or Laws that Allen was a racist. Mallard did not have a problem with Smith using the Officers room, stating that the room was seldom used because most of the officers elected to sleep in the open bay area with the rest of the firemen. He added that when Smith and Laws were asked to participate in station chores, they both did without complaint or hesitation. He did admit that because Smith and Laws isolated themselves upstairs they did not work as much as the other firemen, because the chores were not always announced over the PA. Mallard said that he did not hold them responsible for not completing chores that they were not aware of.

Mallard said that Allen, Smith and Laws have had many misunderstandings but that all of the complaints were fielded through him. He thinks Allen may be holding a "firemen's grudge" against Laws for not returning the favor and driving the engine truck when Allen was studying for the Lieutenant's exam, as was done for him when he was studying. He commented on the fact that he also thought it was suspicious that two unknown black males attended the union meeting, stating that neither attended union meetings on a regular basis. (Joseph Moseley and Anthony Bivins) Mallard said that the station was left unattended during the union meeting and that entry could have been made through the broken roll up doors. He also commented on the fact that he found it suspicious that the nooses were discovered just as the discrimination lawsuit filed by white firemen against former Chief Alfred, was being heard at the Federal Courthouse. Mallard concluded by saying that he does not believe that anyone on his shift could be responsible for placing the nooses. Mallard does not have any personal knowledge of who may have placed the nooses on the victim's coats and was not aware of any other problems other than the ones mentioned.

Lt. Allen stated that when he arrived at the station he went to the kitchen to help with breakfast when he heard of the nooses. Allen stated that he knows both Smith and Laws and had worked with Laws in the past, including the off-duty job digging trenches and installing meters. Allen stated that prior to the deck gun incident, Laws wrestled around and spent time with the other firemen, but that Smith has always isolated himself upstairs. Allen admitted that he showed poor judgment by spraying Laws and Mancino, but was adamant that he did not intentionally set out to hurt anyone. He was aware that Laws had filed a formal complaint against him and accepted the Letter of Reprimand he received in October 2005, charging him with "Conduct Unbecoming an Officer," stating that he accepted responsibility for his actions and just wanted to move on from the incident. He was aware that Laws was not happy with his Letter of Reprimand and filed a complaint with the city's EEOC, claiming that the incident was racially motivated.

Allen admitted to complaining to Mallard about Smith and Laws' work performance and lack of participation, but stated that he fielded all of his complaints through Mallard. He explained that he had a problem with Smith using the Officer's room and admitted that at times he would place his bed linens on the bed, when in fact he had no intentions of using it, just so Smith would be forced to sleep in the general sleeping area. He claimed that this was his way of encouraging interaction between Smith and the rest of the firemen. Allen said that he was shocked when he first heard of the nooses and does not believe anyone at the station is capable of doing something like this. He does not have any knowledge of who may have placed the nooses and is not aware of any racial tension on incidents at the station.

Engineer Mark O'Steen was interviewed on 02/19/06. He stated that he knew Laws and had worked with him a few times in the past and thought that he was a pleasant person. O'Steen began to notice a change in Laws after the deck gun incident. Laws seemed more isolated after the incident and began to spend all of his time with Smith. O'Steen stated that Smith appeared to be more militant in his views and acted as if the department owed him something. He made reference to the fact that Smith sued the JFRD over the promotional exams. O'Steen said that some of the tension also came from the fact that Smith and Laws were given the opportunity to study for the exam, by other firefighters taking their calls etc., but the favor was not returned when it was

their turn to work and cover for other firefighters. O'Steen stated that he left the station on 02/16/06 at approximately 1800 and returned back at 2030 hours to attend the union meeting. O'Steen mentioned that he found it odd to see Joseph Moseley at the union meeting and that he was one of the first people to arrive at the station on 02/17/06 when the nooses were discovered. O'Steen said that he would not be surprised to find out that Smith, Laws, Allen or Carter planted the nooses. He was doubtful about Carter stating that he had just had a child and said that Allen was already under the microscope for the deck gun incident. He said that the only thing that he observed at the station was the placement of a tampon and a band-aid on the wall inside the communications room. He had no personal knowledge of who placed the nooses and was not aware of any other problems at the station that would have led to it.

Firefighter Colin Aguilar was interviewed on 02/22/06. He stated that he knows both victims and has worked with both men in the past. He was aware of the deck gun incident and thought that it was an accident. Aguilar is a Hispanic male and stated that he has not experienced any discrimination and has not felt singled out due to his ethnic background. He had no personal knowledge of who placed the nooses.

Firefighter Pamela Ramsdell was interviewed on 02/22/06. She stated that she knows Laws from working Hurricane deployments with him. Ramsdell is a white female and stated that she has not experienced nor observed any incidents of discrimination or racism directed at anyone.

On February 24, 2006 at approximately 1345 hrs, Detectives M. Carney and T. Porter interviewed Patrick David Gouin. During the interview Patrick stated that he worked his shift on the 15th of February, and then went out of town from the 16th of February to the 24th of February. Patrick stated he worked with Rufus (Smith) and Rod (Laws) for 4 years, and he got along well with both of them. Patrick stated Rufus and Rod told him about their feelings about the deck gun incident and that Rod felt Lt. Allen disrespected him by not apologizing. Patrick stated there is tension between the Engine and the Ladder truck people but it is not directed towards any one person.

Patrick stated over the last year and a half, the tension has gotten worse. Patrick stated after the deck gun incident Rod and Rufus separated themselves from everyone else. Patrick stated there has always been tension between Rufus and Lt. Allen. Patrick stated he feels Rufus has had some bad things happen before, and he has kept to himself. Patrick stated after the deck gun incident the Engine and Ladder people separated from each other. Patrick stated little incidents would occur where the Engine people felt the Ladder people were lazy, so the Engine people would do things to make the Ladder people mad or make them help. Patrick stated Rufus stayed in the Officer's room and Lt. Allen had a problem with that sometimes. Patrick stated he does not know of any racial incidents that have occurred.

Patrick stated he has heard rumors of Rod and Rufus looking at Black Power and NAACP websites on the computer. Patrick stated he feels the deck gun incident was a serious issue, but does not feel there is any racial tension within Station 4. Patrick stated he heard about the outburst between Jasper and Rod but does not know of any other incidents that have occurred. Patrick stated Jasper and Rod did not go out of their way to reach out to one another. Patrick stated he feels Rufus, Rod or Jasper put the nooses on the coats. Patrick stated Rufus and Rod may not have been happy with the results of Rod's complaint, and Jasper did not put forth any effort to make things easy for Rod and Rufus. Patrick stated if someone works at Fire Station 4 and leaves, he/she does not have to return their key.

Patrick stated he does not feel a fireman will go out and buy new rope, because they are too lazy. Patrick stated he relieved Rufus' gear and Sean Hultquist relieved Rod's gear or vice versa. Patrick stated he did not notice anything on Rufus's coat Wednesday morning. Patrick stated from Wednesday to Friday Rufus and Rod's jackets should have been in the locker and there was no reason for anyone to touch Rufus or Rod's jackets. Patrick stated he heard about the incident while in Iowa and read about it in the paper. Patrick stated the general consensus is that the incident occurred Thursday night while everyone was at the Union meeting.

During the interviews of the listed firefighters, it was learned that Smith, Laws, Lt. Mike Allen and Carter are all assigned to the A-Shift. Smith and Laws are assigned to the ladder truck, and Lt. Allen and Carter are assigned to the engine truck. All of the firefighters interviewed stated everyone at Station #4 is aware of the July 2005 deck gun incident and the complaint Laws filed against Lt. Allen. The consensus among the firefighters regarding Laws complaint is that, Laws was horse playing (wrestling) with another fireman when the incident occurred. The opinion of the firefighters interviewed was that the deck gun should not have been used to spray Laws and Mancino, but the incident should have been settled "in house" since the incident occurred as a result of horseplay, which is common practice, but against department policy. Most of the firefighters interviewed questioned Laws' injuries, adding that the day after the incident, he worked an off duty job with Lt. Allen, Lt. Mallard and Carter digging trenches for meters. According to these firefighters, Laws did not report the injury until his next duty day at Station #4. The firefighters that knew Laws well stated he was outgoing, talkative, and got along well with his co-workers until he filed his complaint against Lt. Allen. It was then he became more withdrawn from the group. The firefighters stated Smith has always been withdrawn from the group and attributed his withdrawal to him having a quite and private personality, and they were not bothered by it.

Lt. Allen was given a written reprimand in October 2005, as a result of the complaint filed by Laws, for "Responsibility to Set a Good Example and Willful Violation of Department Rules, Carelessness and Conduct Unbecoming". Laws was unhappy with the reprimand and felt Lt. Allen should have received a much harsher punishment for his actions. Laws pursued the matter further and filed a complaint with the City and the NAACP.

Investigation and Follow-up:

02/17/06- Detectives Carney and Porter left Fire Station #4 and met with Smith at his residence to obtain any notes and photographs he had taken to document the harassment he was receiving at Station #4. Smith provided Detectives Carney and Porter with several photographs he had taken with his digital camera. The photographs were of incidents that occurred at Station#4. Detective Carney asked Smith if the date on the photographs were accurate and Smith stated "yes". Smith stated he set the time and date on his digital camera himself and that the time and date on the photographs were correct. Smith did not provide any written notes documenting any type of harassment directed at him.

Detectives Carney and Porter then met victim Laws at his residence to obtain his documented notes. Laws provided Detective Carney and Porter with two e-mails showing correspondence between him and Dr. Greenwood, a copy of Lt. Allen's written reprimand as a result of the deck gun incident, and a copy of the police report he filed (CCR 05-820533). Laws stated he filed the police report because he felt that the fire department was not addressing the complaint in a timely manner, and he wanted to pursue the matter criminally. Laws added that he had been communicating and meeting with the NAACP and the Brotherhood of Black Firefighters who were bringing forward complaints to the Mayor's office about the working conditions of several black firemen, including his deck gun incident. Laws stated he was not satisfied with the discipline Lt. Allen received, stating he felt it was too lenient. Laws stated that he expected Lt. Allen to be suspended from work and then transferred out of Station #4.

02/18/06- Detective Moore made contact with JFD Public Information Officer, Bennie Seth, in reference to any other complaints or situations that occurred at Fire Station #4 in the past or that was filed through the fire department. Fire Chief Barrett was contacted and confirmed that there were no recent incidents or situations reported at Fire Station #4 to fire department officials, with the exception of the July 2005 "deck gun" incident.

02/19/06- Detective Moore met with Evidence Technician K. Long at Fire Station #4. Evidence Technician Long was briefed about the broken front roll up door and the coat room where the "turnout" coats are stored. Officer Long processed the bottom of the roll up doors but determined that no usable prints were identified. Officer Long processed the wall where the coats were stored and identified a palm print which was taken as evidence.

02/20/06-Detectives Moore and Michael Sherman re-interviewed Laws at the Police Memorial Building. Detective Moore updated Laws in reference to the status of the investigation and the other follow up interviews. Laws was asked if he had received any threatening or harassing telephone calls or messages, and he stated "no". Laws was then asked if there were any other incidents besides the "deck gun" and verbal confrontations with Carter that may have occurred to prompt the noose being placed on their coats. Laws stated that there was not anything else except what was previously mentioned.

Laws was asked if he ever thought his and Smith's lives were in danger either before the "deck gun" incident or after, and Laws stated "no". Laws was asked if he ever heard, received, or observed any type of direct or indirect racist remarks, action or vandalism directed to their person or property, and he stated "no". Laws stated that he did seek assistance from the Brotherhood of Black Firefighters and the NAACP in reference to his complaint of Lt. Allen receiving minor punishment for the "deck gun" incident. Laws was asked about the morning of 02/17/06 when he was told about the nooses, and he thought it was strange that the media and NAACP were out in front of the station shortly after he arrived. Laws stated he has no idea who put the noose on his coat or what might have led up to it.

Laws stated that Smith assisted him with making contact with Joe Mosley who is a retired firefighter and currently has an executive position with the local NAACP. Laws stated Smith and Joe Mosley are very good friends and talk often. Laws stated the NAACP has copies of his complaint that he filed against the fire department and thought they were supposed to act on his complaint, but he has not heard anything about the results of the NAACP investigation.

On 02/20/2006 Detectives Moore and Michael Sherman re-interviewed Smith at the Police Memorial Building. Detectives Moore and Sherman re-interviewed Smith at the Police Memorial Building. Detective Moore updated Smith in reference to the status of the investigation and the follow up interviews. Smith was asked if he had received any threatening or harassing telephone calls or messages, and he stated "no". Smith stated he has been at Fire Station #4 since 1988 when he was hired and has never observed or has been the victim of any racism.

Smith stated there was never any problem with Lt. Allen until 2005. Smith stated Lt. Allen began complaining on him and Laws to their immediate supervisor, Lt. Mallard. Smith stated the complaints included them not doing some of the in-house work, not letting other firefighters ride in charge, etc. Smith also stated that Lt. Allen never confronted him but went straight to Lt. Mallard. Smith stated he never thought there was a problem between him and Lt. Allen until Lt. Mallard told him and Laws about Lt. Allen's complaints against them. Smith stated the complaints were work related issues. Smith brought up the issue of sleeping and utilizing the spare officer's quarters in which Lt. Allen apparently had issues with. Smith stated this matter was brought to the station captain's attention. Smith stated during these in house issues there was never a time that he thought of himself being in danger or the target of racism or harassment. Smith stated he always kept to himself and would not participate in practical jokes or harassment because it could get out of hand. Smith stated this was his own decision to stay isolated and he was not forced into it.

When Smith was questioned about finding the noose on his and Laws' coat, Smith stated it was not until he went back to the coat room to get Capt. Lundy's coat that he found the noose on Laws' coat. Smith stated Captain Lundy and Laws have newer coats that have strobe lights on them, and he picked Laws' coat up by mistake. Smith stated he took the coat upstairs because it did not have a name on it and he wanted Laws to confirm it was his jacket. Smith stated he called the police and Joe Mosley (Brotherhood of Black Firefighters). Smith stated he called Joe Mosley because Mosley has been involved with some of the department wide complaints by black firefighters that the NAACP is assisting in.

Smith was questioned about his involvement with Laws' complaint against Lt. Allen. Smith stated he and Laws went to Chief Alonso McQueen, the president of the local Brotherhood of Black Firefighters for advice. Smith stated a complaint was filed with the EEOC after speaking with McQueen. Smith was asked if he had made contact with anyone else or another agency about this incident, and he stated "no". This contradicted with what victim Laws stated. When questioned about this, Smith stated that he misunderstood the question, and stated he had spoken with others. When asked how he felt about the incident and who might have done it, he stated that he didn't care if the person was white, black or even if it was "Rod" (Roderick Laws), he wanted them prosecuted to the fullest extent of the law. Smith stated this incident has caused him problems with his job and his personal life. Smith stated he is now on the promotion list and does not want this to hinder his promotion.

02/21/06- Detective Moore met with JSO Public Information Officer Rick Woods. Woods previously reviewed all JSO police related calls to and from Station #4 between 2003 and 2006 that may have been firefighter related. The calls researched by Officer Woods indicated that most were citizen calls from the fire station or for minor property crimes. No disturbance calls involving firefighters were reported.

02/22/06- Detective Moore met with firefighters Jasper Carter and Mike Allen at the PMB and coordinated their polygraph examination. Polygraph results indicated that Carter and Allen were "Non Deceptive". Carter and Allen were re-interviewed, but no new information was obtained.

02/22/06- Detective Moore coordinated with the State Attorney's Office (Special Prosecution Unit) to begin the subpoena process of business, residential and cellular telephone toll records for the Fire Station #4 main telephone lines, firefighters Mike Allen, Jasper Carter, Rufus Smith, Roderick Laws, Alonzo McQueen, Joseph Mosley for examination to obtain any additional information.

On 02/23/2006 Detective Moore met with and interviewed District Chief Alonzo McQueen (President of the Brotherhood of Black Firefighters) at 515 N. Julia Street. Chief McQueen was advised of the purpose of the interview which was to attempt to gain any information on complaints that have been brought to the attention of the Brotherhood of Black Firefighters from firefighters stationed at Station #4. Chief McQueen was also questioned if any of the current firefighters stationed at Station #4 are the targets or subject of any investigation that he is aware of that were brought to him by other black firefighters. Chief McQueen stated that he was not aware of any Station #4 firefighter that is the center of any investigation with the exception of Laws "deck gun" complaint.

02/24/06- Detective Moore made contact with Assistant Chief Tranquille (Z-2) and Assistant Chief Jones (Z-6) in reference to increasing patrol presence and having JSO patrol units conduct security checks on Laws' and Smith's residences due to the media exposure. No threat information has been received nor has any other incident occurred towards Smith and Laws at this time.

02/27/06- Detective Moore met with firefighters Chris Philips and Jason Bishop at the PMB and coordinated their polygraph examinations. The polygraph results indicated that Philips and Bishop were "Non Deceptive". Detective Moore re-interviewed Philips and Bishop but they had no new information.

02/27/06- A flyer was found on Engine #18 while parked at the Gateway Shopping Center. According to JFD personnel, the flyer was passed out and put on other vehicles in the parking lot. The flyer had a picture of a fire engine and a burning cross, and made reference to the fire department as being racist. The letter had been handled by several people before it went to fire headquarters and then into the possession of Bennie Seth.

02/28/06- Detective Moore met with firefighters Allen Mallard and James Baity at the PMB and coordinated their polygraph examination. The polygraph results indicated that Mallard and Baity were "Non Deceptive". Lt. Mallard was specifically questioned and tested if he directly told Smith that Lt. Allen was a racist. (Smith stated in his previous verbal and written statements to JSO that Lt. Mallard told Smith that Lt. Allen was a racist and that was due to his (Allen) constantly complaining on both Smith and Laws). Lt. Mallard's polygraph results indicated he did not make the statement to Smith, and was indicated as being "truthful" about not making this statement. Detective Moore re-interviewed Mallard and Baity, but no new information was obtained.

03/01/06- Detective Moore met with firefighter Shaun Holtquist at the PMB and coordinated the polygraph examination. Polygraph results indicated firefighter Holtquist as being "Non Deceptive". Holtquist was re-interviewed, but no new information was obtained.

03/01/06 Detective Moore was contacted by JFD Public Information Officer Bennie Seth about a letter that the NAACP sent to JFD, the Mayor's office, JSO, FBI and JHRC. The letter alleged that on 02/24/06, a chief assigned to Station #32 made statements at breakfast that he had a reliable source who told him that Smith and Laws had planted the nooses themselves. A copy of letter was faxed to the Intelligence Unit by Bennie Seth. Contact was made with FBI Special Agents Ted Delacourt and John Hummel about the letter. The agents contacted Isaiah Rumlin of the NAACP and scheduled an interview at the FBI Office for 03/02/06. Detective Moore contacted the district chief in question, Steve Gerbert, and set up an interview at the PMB.

03/01/06- Detective Moore interviewed District Chief Steve Gerbert at the PMB. Chief Gerbert stated that he is the "C-Shift" District Chief for the Station #32 area. Chief Gerbert stated that he was notified by JFD PIO Bennie Seth about the letter and then observed some of the news coverage about him. He stated the allegations were untrue, and he wanted to talk to someone to clear his name.

Chief Gerbert stated he was at Fire Station#32 on 02/24/06 having breakfast with JFD personnel Lt. Doug Phillips, Capt. Michael Weeks, Eng. Nate McNamee, Eng. Paul O'Quinn, FF Edward Jefferson, FF Willie Stevens and a firefighter whose last name is Simonds. Chief Gerbert stated there was a conversation at breakfast about the noose incident. Included in the discussion was that polygraphs were being conducted at Station #4, but two people failed to do them.

Chief Gerbert was asked what rumors he heard and he stated that he told them that he heard that DNA was being taken from the manila rope but he didn't know if DNA could be taken from rope. He also heard that someone said they heard that two firefighters were not going to give DNA. Chief Gerbert stated he heard the rumors from other stations and firefighters but did not have specifics or remember who said what. Chief Gerbert stated he had a friend from New York who told him that he read about the Station #4 nooses incident and joked that the new logo of the station would be: "hang em high". Chief Gerbert stated that he told the group that as a joke from his friend, but nobody took offense to it.

Chief Gerbert was asked if he had told the firefighters that he had a reliable source or good source from which this information was coming from. Chief Gerbert stated that he never said that he had a source of information or that he was getting personal information from anyone that could be interpreted as a source. Chief Gerbert stated he only heard rumors and was telling what he heard like everyone else. Chief Gerbert was asked if there was anyone at the station that might have misunderstood his words or interpret them to mean he has a source and he stated no. Chief Gerbert was asked if there was anyone at the station who might have reported the incident and he stated that firefighter Willie Stevens probably did. Chief Gerbert stated that during the past mayor's race he was a Peyton supporter and Stevens was a Glover supporter. Chief Gerbert stated that there was animosity during the election and that he thought Stevens was very racist. Stevens was at the station only for the day as a replacement.

Chief Gerbert was asked if he knew the Station #4 victims and he stated he knew Rufus Smith in the early nineties and thought of him as a friend. Chief Gerbert knew Rod Laws from other station assignments and that Laws used to work with his brother Jeff Gerbert. Chief Gerbert stated he had no further information.

On 03/02/2006 FBI Special Agent John Hummel interviewed NAACP President Isaiah Rumlin at the FBI Office in reference to the complaint letter that was distributed by the NAACP. Mr. Rumlin stated that firefighter Mike McQue brought forth the information about Chief Gerbert making those statements and having a reliable source telling him the victims planted the nooses. This information was forwarded to McQue from a firefighter named Willie Stevens, who was working at Station #32 on the morning of 02/24/06 when the conversation took place at breakfast. Mr. Rumlin stated he had a list of other firefighters that were present at the table but left the list at his office.

Mr. Rumlin was asked about the 02/17/06 noose incident and how he was contacted. He stated he was notified of the incident by Joe Mosley, who is a retired firefighter and board member of the NAACP. He stated he was contacted between 0745 and 0815 hours and then responded to the fire station and met with Capt. Lundy. Mr.

Rumiin went on to state he has not spoken with the victims of the 02/17/06 incident.

Detective Moore obtained a roll call list of the International Association of Firefighters (IAFF) union members, and attendees of the 02/16/06 union meeting that was held at 625 Stockton Street. A check was done to verify that all of "C" Shift firefighters assigned to Station #4 attended the meeting and signed in. This was done to verify that the station was vacant between 1900 and 2100 hours the night before the nooses were found.

03/02/06- Detective Moore met with firefighter Jimmy Renaud at the PMB and coordinated the polygraph examination. Polygraph results indicated that firefighter Renaud was "Non Deceptive". Renaud was re-interviewed, but no new information was obtained.

03/03/06- Detective Moore received an update from Special Agents Ted Delacourt and John Hummel in reference to FBI interview with victims Rufus Smith and Roderick Law. Both of the victims were interviewed separately at the FBI Office by the listed agents. Both of the victims were interviewed in general about the details of the noose incident and any problems at Station #4. Both of the victims gave the same basic information to the FBI interviewers as they did to JSO during the day of the incident and the subsequent follow up. No major deviations were noted nor was there any new information that came up in reference to the incident. The polygraph topic was discussed with the victims and both victims stated they wanted to take the polygraphs and get back to work.

03/03/06- Detective Moore met firefighter Patrick Gouin at the PMB and coordinated the polygraph examination. Polygraph results indicated firefighter Gouin as being "Non Deceptive". Firefighter Gouin was re-interviewed but no new information was obtained.

03/03/06- FBI Special Agents Ted Delacourt and John Hummel met at Intelligence Unit and took possession of the two rope nooses. The nooses will be sent to the FBI Laboratory to be processed for any possible physical or DNA evidence. All Station #4 firefighters were requested to indicate whether they are right or left handed. This information would be useful if the FBI laboratory technicians can determine what technique is used to make the nooses.

03/03/06- Detective Carney contacted the Communications Center to discover the location of any downtown JSO security cameras. Detective Carney learned that there is a camera on the Bank of America building that may have a view of Station #4.

03/04/06- Detective Moore met with firefighters Adam Albritton, James Stone and Josh Montoro at the PMB and coordinated their polygraph examinations. Polygraph results indicated the listed firefighters as being "Non Deceptive". The firefighters were re interviewed, but no new information was obtained.

03/05/06- Detective Moore met with firefighters Blair Bennett, Heath Mooney, Eric Courtis and Robin Gainey at the PMB and coordinated their polygraph examinations. Polygraph results indicated that firefighter Heath Mooney was "Inconclusive" and that firefighters Bennett, Courtis and Gainey were "Non Deceptive". Detective Moore re-interviewed the firefighters but no new information was obtained.

03/06/06- Detectives Moore, Porter and Carney met with victim Smith at the PMB and updated him on status of the case. Smith was offered the opportunity to take a polygraph test and he accepted. Detective Carver was contacted and Smith was scheduled to be given a polygraph exam on Tuesday (03/07/06). Attempts were made to contact victim Laws, but he has not returned phone calls.

03/07/06 Detectives Moore, Porter and Carney met with Rufus Smith to coordinate the polygraph examination. Polygraph results indicated that Smith was "Deceptive".

03/07/06-Detective Moore contacted victim Laws via telephone in reference to setting up an interview and possible polygraph. Laws stated that he has National Guard drill this week and does not know what the scheduling situation would be. Laws stated that Dr. Greenwood has been trying to contact him for a meeting, and Laws' attorney has been attempting to meet with him as well. Laws stated that he has an attorney because of what he believes to be possible slanderous allegations against him through the media articles last week. Detective Moore asked Laws if he still wanted to take his polygraph, because it was voluntary and Laws had indicated previously that he was interested. Laws then stated that he had not been able to talk to anyone about it, and thought maybe he should ask his lawyer first, because he does not know the procedures. Detective Moore told Laws that if he wanted to talk to his attorney, he could and there was no problem with it due to the polygraph being voluntary. Detective Moore then advised Laws that the investigation is criminal and that Laws' attorney would not be told anything about the criminal investigation. Laws stated that he would contact his attorney and then call Detective Moore back.

Between 03/07/06 and 03/17/06 Detective Porter made telephonic contact and met with various managers and loss prevention officers at the listed hardware and building supply stores in an attempt to obtain any

information about rope purchases that was similar to the rope nooses found at Station #4. Contact was made with the listed stores: Home Depot Stores located on Regency Square Boulevard, Dunn Avenue, Girvin Road and Lem Turner Road, Lowes Warehouse located Regency Square Boulevard, St. Augustine Road and Lenox Avenue, Ace Hardware located on Arlington Road. Inquiries were made for any similar type rope that was in stock and to identify any purchases. An analysis of purchase orders, stock supplies and video surveillance did not identify any usable information or possible suspects.

03/08/06- Detective Moore attempted to contact victim Laws via telephone but was unable to contact him. Messages were left for him to call via cell phone. Detective Moore also telephoned the 125th FANG Fire Station and left a message for him to call, but he did not call back. JSO Director Michael Edwards also attempted to contact victim Laws via telephone and left a message, but he did not return his call.

Detectives Moore, Carney and Porter interviewed the listed firefighters who had been previously assigned to Station #4 from October 2005 through February 2006 as either permanent replacements or overtime fill-ins. The interviews were conducted over three weeks and ended on 04/07/06.

- 1) ENG. Scott Baker
- 2) ENG. Richard Barrett Jr.
- 3) FF. Michael Benoit
- 4) FF. Omayra Bermudez
- 5) LT. Jesse Brown, III
- 6) FF. Anthony Dourlas
- 7) FF. Donald Hardin Jr.
- 8) LT. David Hart
- 9) LT. William Ironside
- 10) FF. Jeremy Isaacson
- 11) FF. Scott Karpus
- 12) LT. Mark Kruger
- 13) ENG. Christopher Lewis
- 14) FF. Stephen Pullen
- 15) ENG. James Rhoden
- 16) FF. Joseph Rhoden
- 17) FF. Andrew Sallette
- 18) FF. Craig Silcox
- 19) FF. Lawrence Skidmore
- 20) FF. Laurence Washington

None of the listed firefighters were assigned to the station during the incident. The interviews with the listed firefighters did not reveal any specific information about the Station #4 incident, nor did it identify any suspect information. The majority of the firefighters were aware of the deck gun incident and most of the firefighters knew of Smith and Laws, but were not aware of any specific problems involving the fire station. They did not have any additional information about the nooses.

03/09/06- Detective Moore contacted SMSgt. Mark Perry of the 125th Florida Air National Guard (FANG) Security Forces Squadron in reference to checking for any type of sample rope that the base fire department has that is similar to the rope that was used for the nooses at Station #4. Victim Laws is a member of the 125th FANG and works in the fire department. SMSgt. Perry notified Detective Moore that they checked the base fire department and the civil engineers department for any resemblance to the rope in question and none was observed or obtained by security personnel.

03/09/06- Detectives Moore, Carney and Porter began examining correspondence conducted on official JFRD email. All station 4 personnel's email will be reviewed .

03/10/06- Detectives Moore, Carney, Porter, and FBI Special Agent Ted Delacourt interviewed victim Rufus Smith at the FBI Office. During the interview, Smith was briefed and updated on the status of the investigation. Smith was asked if he was aware of the flyer that was found on a fire truck at Gateway Shopping Center on 02/27/06 and if he knew of the NAACP complaint letter against Chief Gerbert. Smith stated that he was not aware of the flyer until he read about it in the newspaper, and he found out about Chief Gerbert's complaint from the previous FBI interview.

Detective Moore questioned Smith about the photographs he gave to Detectives Carney and Porter on the evening of 02/17/06. Smith stated that he took the pictures at the request of Dr. Greenwood about anything that Smith and Laws perceived as harassment. Smith admitted to taking a picture of a chalk board located in the kitchen area that contained the written words: "Team work____ n. Cooperative effort by the members of a group or team to achieve a common goal (underneath "common goal" is the words: What is the common goal). Smith stated that the "n" could have meant "ladder or nigger" based on his explanations from Lt. Mallard that Lt. Allen

was a racist. Smith did not know who wrote the words on the board, or who it was directed to. Detective Moore then asked Smith if he was aware that the "Team Work_____n" definition was taken directly out of the dictionary and Smith replied no. Smith was shown a copy of the exact definition which came from The American Heritage College Dictionary, which was exactly the same as what was on the chalk board. Smith was asked if he was aware that the "n" after "Team Work" indicated that the word was a "noun" as indicated by the dictionary. Smith did not further elaborate, nor could he provide the time frame that he took the photograph, because it was not dated.

Smith was questioned about another photograph that he took which was of a magnet attached to the fire station kitchen refrigerator that had a "skull and crossbones" symbol on it with the words "The beatings will continue until morale improves". Smith was asked what did this magnet represent to him and the only point Smith made was that it had to be directed to him and Laws. Smith did not know who put the magnet on the refrigerator or when it was placed there.

Smith was then questioned about the photographs of the "bunk" that was inside of the officer's quarters at the fire station. Smith stated that he took the photographs of the "bunk" on 02/11/06 to show that Lt. Allen's bed linen was placed on it, but then on 02/12/06, the pictures showed that Lt. Allen's linen was removed to indicate that Lt. Allen purposely put it there to prevent Smith from using the room. Detective Moore asked Smith if the officer's quarters was for officers only and he stated yes. Smith went on to say that the officer's room issue was settled awhile ago and he was allowed to use the officer's room after the chief called a station meeting and Smith was given permission to use it. Smith was questioned if the incident was settled, why was the "bunk" photographed recently and not when the situation was unsettled? Smith could not elaborate except to state that Dr. Greenwood told him to document and photograph anything perceived as harassment.

According to Smith, Lt. Mallard told him that the only reason that Lt. Allen was doing those things was that he (Allen) was a racist. Detective Moore asked Smith about the sequence of photographs which started on 02/11/06 that included the four "bunk" pictures and "skull and crossbones" magnet which was taken on 02/14/06. Detective Moore asked Smith why he took the photographs of the listed items only a week before the noose incident if these incidents had been ongoing in the past? Smith stated that Dr. Greenwood told him to take the pictures and keep written notes of any harassment but he only started taking pictures in February 2006. Smith stated that he did not make any written notes but kept mental notes. Smith went on to state that the dates on the photographs were incorrect when he took them (the dates were proved to be correct after further interview with Smith). Smith went on to state that all of the listed things that happened to him prior to 02/17/06 could have resulted in a noose being placed on his jacket by some unknown person.

Detective Moore then asked Smith to go over the details again of the morning of 02/17/06. Smith stated that he arrived at the station between 0715 and 0720 hours and went to the coat room to get his fire coat and equipment to put on the ladder truck for relief. Smith stated that he put the other firefighter's coat (whom he was relieving) up in the coat room and brushed the coat off. Smith then picked up his coat and gear and took it to the ladder truck and started brushing his coat off and that is when he observed a rope noose attached to his coat (Smith stated in his initial 02/17/06 statement that he found the noose on his coat in the coat room before taking it out to ladder truck). Smith then took the coat upstairs and showed Capt. Lundy. Smith stated that Capt. Lundy apologized and told Smith to get his (Lundy's) coat and Smith went back downstairs and picked up Laws' coat by accident, and observed a rope noose attached to it. Smith took that coat upstairs and showed Capt. Lundy. Capt. Lundy then called the district chief and Smith called Laws on the cell phone and told him when he gets to the station to come upstairs and meet with Capt. Lundy. Smith stated that Capt. Lundy told him to get his camera and photograph the coats.

Detective Carney asked whether or not it was customary to store firemen helmets above each fireman's coat, to which he replied "yes," stating that all of their gear would be stored together. He was then asked if it would be safe to assume that the helmet hung above the coat and the coat itself belongs to the same fireman, and he said "yes." Detective Carney then showed Smith a photograph taken by a JSO Evidence Technician on the morning of 02/17/06. The picture was of Capt. Lundy's coat hanging in the coat room. Above Lundy's coat was his helmet with a small "sack" attached to it with "Lundy L4" clearly written on it and visible. Smith was asked how he mistakenly grabbed Laws' coat when Lundy's gear was clearly marked. He did not have an answer. According to Smith, he then attempted to call retired firefighter Joseph Mosley three times before he got through and advised him of the nooses. Smith stated that Mosley told him to call the police at which time Smith did. Smith stated in his initial interview that he did not contact anyone about the nooses, except Laws.

After Smith and Laws departed the station, both victims, along with Joseph Mosley and Alonso McQueen, went to lunch. Smith stated while they were at lunch, McQueen did not talk to either victim about the nooses, but only seemed concerned about the upcoming press conference which was to be held at the Brotherhood of Black Firefighter's Union Hall. The victims were asked if they wanted to go to the press conference and they agreed. According to Smith, he did not know there was going to be a press conference until McQueen told him. During the press conference, Smith stated that he and Laws stayed in the background while Mosley and others spoke. Smith stated that he and Laws were approached by a reporter after the press conference and were asked

to comment at which time they did.

Detective Moore asked Smith why he attempted to contact Mosley first before calling the police if he thought that the nooses were of a criminal intent. Smith stated that Mosley was a mentor to him and Mosley was also helping Laws with his past deck gun incident. According to Smith, he had not spoken to Mosley for a while until he (Mosley) got involved with Laws' complaint and then began to speak with him monthly starting in January 2006. According to Smith, Mosley is a board member of the NAACP and has been coordinating some firefighter complaints against the fire department through the city. Smith stated that he does not have a complaint filed but he assisted Laws with filing a complaint with the Brotherhood of Black Firefighters and the NAACP.

Detective Moore asked Smith why he and Laws gave statements to the media after they said they wouldn't during the criminal investigation? Smith stated that they had no plans to say anything but they were approached after the press conference and questioned by a reporter. Smith stated that he was not directed by anyone to speak to the media. Detective Moore questioned Smith about his statement of "feeling that their lives were in danger" to the media when he previously told detectives that he had no direct safety concerns or felt in danger. Smith did not elaborate.

Detective Moore then advised Smith that only one Station #4 firefighter had "failed" the polygraph examination and asked Smith if he knew who it was. Smith stated no, and Detective Moore advised Smith that he was the one that failed. Smith stated that all he can do is tell the truth and that he did not have anything to do with planting the nooses. Detective Moore also explained to Smith that Lt. Allen Mallard was given specific questions during his polygraph exam on whether or not he made the statement to Smith that Lt. Mike Allen was a racist. Detective Moore advised Smith that Lt. Mallard's polygraph indicated that he (Mallard) was telling the truth when he indicated that he did not tell Smith that Lt. Allen was a racist. Smith's response was "that's what Lt. Mallard told me". Smith went on to state that he was telling the truth and had not lied.

Detectives told Smith that the complaints he has made about the officer's bunk room incident with Lt. Allen, the "Team Work" definition on the chalk board, the skull and crossbones magnet, and the allegations of Lt. Mallard stating Lt. Allen was a racist had been investigated and does not appear to be directly related to the nooses being planted.

Smith was questioned in detail about his "deceptive" result on the polygraph exam and also about what he perceived to be harassment. Smith was asked if someone else could have planted the nooses for the victims to elevate their complaints or issues with the fire department. Smith stated that he did not know and did not have any other information. Smith was asked if Laws could have planted the nooses. Smith stated that he does not know but feels that Laws has been acting suspiciously. Smith stated that Laws is concerned about a "police conspiracy" and that law enforcement would try to make the victims look like they planted the nooses. Smith was asked if he thought that JSO and the FBI were being fair and impartial and Smith stated yes.

Smith stated that Laws does not want to take the polygraph examination because he feels that the polygraph can make it seem like you told a lie. Smith stated that Laws may be suspicious of him, because he has been talking with JSO and the FBI. Smith told detectives that Laws has an attorney because he does not think law enforcement will help him and Smith feels that Laws could be holding back information. Smith stated that he and Laws have been meeting with Joseph Mosley, Alonso McQueen and the NAACP about some harassment issues but does not think those issues would cause the nooses to be planted.

Smith said he and Laws were discussing the noose incident and Smith brought up a conversation that occurred earlier in the morning about the evidence technician possibly finding DNA evidence on the nooses. He said Laws made the statement "what if they are wearing gloves?" Smith stated that he thought the statement was suspicious because he thought Laws would be happy if evidence could be found and wondered why he would question the use of gloves. Smith also stated that Laws had counted the rings on the noose that numbered thirteen and thought that was suspicious because Laws knew how many rings were needed to make a noose.

Due to several inconsistencies with Smith's statements during this interview, paired with his failure of the initial polygraph examination, Smith was offered the opportunity to retake the polygraph examination. Smith stated he would retake the polygraph examination because he was telling the truth.

On 03/10/06 JSO Polygraph Examiners Detective Kevin Carver and Oliver Harris met with firefighters Eric Prosswimmer and Brian Ross at the PMB and coordinated their polygraph examinations. Polygraph results indicated firefighters Prosswimmer and Ross as being "Non Deceptive". The listed firefighters were subsequently interviewed later, but no new information was obtained.

On 03/11/06 Detective Moore met with victim Rufus Smith at Beach and University Boulevard after Smith left a message for Moore to call him. Smith believes that Laws could be possibly more involved to some extent with the nooses due to his response and theory that law enforcement is going to blame the victims. Detective Moore

questioned Smith about other details and Smith stated that he is more suspicious because Laws had gotten an attorney and is against the polygraph test. Smith had remembered more comments and statements made by Laws which he thinks are important. Smith states that Laws made it a point to even tell him where he was at the night before the noose incident and said they will try to blame him (Laws) because he was in the area visiting bars on Beaver Street. Smith goes on to state that he does not understand the reluctance of Laws to take the polygraph test. Detective Moore instructed Smith to go home and write down a time line of the events and the information he has about Laws to further explain his suspicions.

Smith also stated Joseph Mosley called him earlier that morning. Mosley told Smith that he spoke to McQueen last night about Smith's concern of Laws not taking the polygraph. McQueen told Mosley that if Laws has concerns that JSO will blame him for the nooses, then Laws should try to get a polygraph done outside of the sheriff's office. Mosley told Smith to tell Laws that when he speaks to him again.

On 03/13/06 Detectives Moore, Carney and Porter interviewed Smith at the Intelligence Unit. The purpose of the interview was to go over the time and sequence of events during the day prior to and after the incident. No new information was obtained and no time line could be established because Smith could only provide information that had already been given in previous interviews.

On 03/13/06 Detective Moore met with firefighters M. R. O'Steen, P. Ramsdell, C. Aguilar and B. Stein at the PMB and coordinated their polygraph examinations. Polygraph results indicated the listed firefighters as being "Non Deceptive". The listed firefighters were re-interviewed but no new information was obtained.

03/14/06 Detectives Moore, Carney and Porter interviewed Smith at the Intelligence Unit. The purpose of the interview was to go over the time line and sequence of events during the day prior to and after the incident. Smith had previously been instructed to do this by Detective Moore on 3/11/06. No new information was obtained and no time line could be established because Smith could only provide information that had already been given in previous interviews.

03/14/06- Detective Moore met with firefighters R. G. Lundy and M. J. Cipriani at the PMB and coordinated their polygraph examination. Polygraph results indicated that firefighter Cipriani was "Deceptive" on the polygraph examination. Polygraph results indicated that firefighter Lundy was "Non Deceptive". The listed firefighters were re interviewed, but no new information was obtained.

03/14/06-Detective Moore and Sgt. Brannan went to the residence of Rod Laws who was not home but left a JSO card at the residence due to Laws not returning phone calls to Detective Moore. Detective Moore also placed a telephone call to Laws cellular telephone but did not make contact and left a message. Shortly after the message was left, Attorney William (Bill) Shepherd called the Intelligence Unit and spoke to Detective Moore and advised that he is representing Laws in the investigation. Detective Moore advised Mr. Shepherd that Laws is a listed victim of the alleged Hate Crime investigation and that the JSO and FBI are jointly conducting the investigation. No other information was given to Mr. Shepherd except that we were waiting for Laws to return our calls to either take or refuse the polygraph examination and to interview him again. Mr. Shepherd stated that he will call back with Laws' decision.

Detectives Moore, Carney and Porter completed Station #4 emails searches. No email correspondence was identified as evidence or any reference to the nooses was found. Analysis did not reveal any illegal emails or conversation about the incident. Contacted JFD PIO Bennie Seth in reference to releasing Station #4 emails back to JFD for media release.

03/15/06- Detective Moore was briefed by Detectives Carver and Harris in reference to the polygraph test on M. Cipriani and the "Deceptive" conclusion. It was determined to re-interview Cipriani in reference to the "Deceptive" polygraph results.

03/15/06-Detectives Moore, Porter and FBI Special Agent Delacourt interviewed District Chief Alonso McQueen at JFD HQ in reference to the Station #4 incident. McQueen stated he is the District Chief over the fire prevention department and the president of the Brotherhood of Black Firefighters. McQueen stated he became aware of the noose incident after he received a call from Joseph Mosley on the morning of 02/17/06. McQueen stated once he learned of the incident, he viewed the situation as an opportunity to hold a press conference to bring out other racial incidents that were occurring within the fire department that were not being handled properly. McQueen stated his personal experience and knowledge of the system allows him to help other individuals who feel they have been discriminated against to file a complaint properly. McQueen stated he informs an individual of the process of filing a complaint with the Equal Employment Opportunity Commission (EEOC), and what avenues and recourse of action to take regarding their situation. McQueen stated he also explains to an individual how they can file their complaint through the corporate office in Miami, Florida or through city hall in Jacksonville. McQueen stated he only gives advice in civil matters and does not get involved with criminal investigations.

McQueen stated after the noose incident occurred, he went to Fire station #4 to see what was going on. McQueen stated he later met Joseph (Joe) Mosley, Laws and Smith for lunch. McQueen stated he never talked with either victim regarding the incident during lunch, because he was too busy putting a package together regarding other incidents for the press conference. McQueen stated he spoke with the victims after the incident to see how they were doing. McQueen stated he met with the victim's a couple of times after the incident occurred. McQueen stated Laws indicated to him that he did not trust the police, but McQueen advised Laws to cooperate fully with the investigation. McQueen stated when he spoke with Smith he appeared to be a little paranoid. McQueen stated anytime someone files a discrimination complaint, that person becomes a target for retaliation. McQueen said Laws came to him and informed him that he had filed a police report regarding the deck gun incident, and McQueen advised Laws to file his complaint with EEOC. McQueen denied any involvement with the Fire station #4 noose incident.

When McQueen was informed about Joe Mosley attending the monthly union meeting of the International Association of Firefighters on 02/16/06, McQueen stated members of the Brotherhood of Black Firefighters have no reason to attend a monthly IAFF meeting.

03/15/06- at approximately 1330 hours, Detective Moore received a telephone call from Smith who advised that Laws had just called him and apologized for upsetting Smith with his talk of conspiracy theories and acting paranoid. After speaking to Laws, Smith placed a call to JFD Captain James Edwards, who is a friend and works at Station #27. Edwards advised Smith that Laws had just stopped at Station #27 to meet with Edwards. According to Smith, Captain Edwards thought the visit and conversation was suspicious because Edwards does not know Laws and the conversation that ensued during the visit. Contact was made with Capt. Edwards by JSO who agreed to meet with detectives.

Detective Moore and Sgt. Daniel Brannan met with Captain Edwards at Station #27 and asked him about the conversation he had with Laws. Edwards stated that his engine company had just returned from training at approximately 1400 hours and he observed Rod Laws waiting in the fire station parking lot. Laws approached Edwards and told him that he had just returned from the doctor's office and then expressed his theories about the police harassing him and calling him at work, and the fire department wanting to put him back to work. Laws also told Edwards that he had been talking to his mom and was discussing the incident when she asked Laws if he was under pressure because he had turned up the heat on Lt. Mike Allen. According to Edwards, after seven to eight minutes of that conversation, Laws departed the fire station. Capt. Edwards stated he does not know why Laws stopped by the fire station to talk to him. Edwards states that he does not know Laws except through Rufus Smith and because of the current Fire Station #4 incident. Edwards believes the visit was suspicious and thinks that Laws was possibly "fishing" for information.

Edwards was then asked about the visit approximately two weeks ago when Smith was at his residence and Laws called Smith to find out where he was. Edwards stated that it seemed to only take five minutes for Laws to come to his residence, although he lives far out on the Westside of town. According to Smith, Laws was possibly following him since he was so close to Capt. Edwards's residence. Edwards was asked his opinion about the conversation and the actions of Laws, and about the noose incident. Edwards stated that it is suspicious and something isn't right.

03/16/06- Detective Moore met with firefighter Neal Tarkington at the PMB to coordinate the polygraph examination. Polygraph results indicated that firefighter Tarkington was "Non Deceptive". The listed firefighter was interviewed again but no new information was obtained. This completed the last polygraph examination of all of the firefighter personnel currently assigned Station #4 who volunteered to be tested, with the exception of Rod Laws.

03/17/06- Detectives Moore, Carney and Porter met with and conducted a follow up interview with Lt. Cipriani of Station #4 at the PMB and discussed the results of his "Deceptive" polygraph examination. Cipriani advised that he wanted to cooperate fully and he did not request any legal advice or assistance. Cipriani reported that he was nervous about the entire polygraph test due to the tension that the incident has produced among the community and the firefighters. He explained that he has no information about the incident and does not know who may have placed the nooses on the victim's coats.

Detective Moore met with Polygraph Examiner Detective Kevin Carter in reference to the upcoming polygraph retesting for Rufus Smith. Detective Moore contacted Smith again to ascertain if he still wanted to retake the polygraph and Smith voluntarily agreed. Smith was told the polygraph would be scheduled for 03/22/06.

03/20/06- Detectives Moore and Carney met with firefighter Heath Mooney at the PMB and re-interviewed him in reference to his "Inconclusive" polygraph examination. Mooney was advised of his "Inconclusive" polygraph results and indicated that he wanted to cooperate fully and he did not request any legal advice or assistance. Mooney stated that he was truthful in his statements and did not have any new information about the nooses or

who placed the nooses.

03/20/06-Detectives Moore, Carney and Porter met with JSO Crime Lab Technician Richard Kocik and coordinated a plan to obtain complete palm and fingerprints from all of the firefighter personnel currently assigned Station #4. This was initiated due to the latent palm print that was lifted on 02/17/06 from the Station #4 ladder coat room where the victim's "turnout jackets" were hung.

03/20/06- Detective's Moore and Carney met with FBI Special Agent Ted Delacourt at the FBI office to interview Joseph Mosley. Mr. Mosley stated that Smith and Laws contacted him in October of 2005 and reported on-going tension at Station #4, relating to the reported "deck gun" incident involving Laws and Lt. Allen. Joe Mosley is an executive board member of the NAACP and retired fireman who had been meeting with city and fire officials to address problems within the fire department. Mr. Mosley stated that he spoke to Smith and Laws on several occasions about the status of their complaints prior to the noose incident.

Mr. Mosley was surprised to hear that the deck gun incident occurred in July 2005 because he was under the impression that the incident occurred in October 2005. He added that Laws was not happy with the discipline Lt. Allen received as a result of the deck gun incident. Laws also complained about the tense working conditions his complaint generated and felt Lt. Allen should be transferred out of the station to alleviate some of the tension. Smith claimed that Lt. Allen would place his bed linen on a bunk Smith had already chosen to sleep on and would later remove it when Smith chose another one. Smith felt this activity was directed at him and was used as an intimidation factor. Mr. Mosley was under the impression that this was occurring in the general bunk area and was surprised to hear that these incidents were occurring in the officer's room and not the general bunk area. Mr. Mosley was also surprised to learn that Smith told detectives that the officer's bunk issue had been addressed, an agreement had been reached about the use of the officer's room, and that Smith no longer considered it a problem. Detective Moore asked Mosley about attending the IAFF union meeting on 02/16/06. Mosley stated that he went there to speak with the union president because of some follow up that was being done on a complaint. Mr. Mosley stated that he had nothing to do with the noose incident.

03/20/06 Detective Moore contacted Smith via telephone in reference to checking on him and his status. He stated that he was doing okay. Detective Moore told Smith that we would see him on Wednesday, 03/22/06, at the PMB for the retaking of the polygraph examination and he agreed. A short time later, Smith contacted Detective Moore via telephone and stated that he does not wish to retake the polygraph examination which JSO scheduled for him. Detective Moore asked Smith why he changed his mind and he stated that he had spoken to his wife, son, and mother who advised him against it. Smith then stated that he has told the truth and cooperated by spending numerous hours meeting with law enforcement. Smith then went on to say that he is a victim who has been cooperating. Detective Moore advised Smith that it was his option for the re-testing and if he didn't want to take it, that was his decision.

03/21/06- Detective Moore made telephonic contact with Attorney Bill Shepherd in reference to the current status of victim Laws. Mr. Shepherd stated that Laws apparently does not want to talk to law enforcement anymore because he already spoke with detectives several times and already told everything he knows. Detective Moore advised Mr. Shepherd that we (JSO) had been putting the other firefighters through numerous procedures and processes including the current fingerprinting and polygraph process. Detective Moore informed Mr. Shepherd that JSO supervisors and the assisting FBI special agents were briefed that if Laws does not want to cooperate or talk anymore, we (JSO/FBI) would then view Laws as a "non cooperating victim" and all agreed. Mr. Shepherd stated "okay". Detective Moore informed Mr. Shepherd that if Laws wanted to tell us anything or had anything else to discuss with us to call.

03/22/06- Detective Moore was briefed via telephone by FBI Special Agents Delacourt and Hummel in reference to Hummel meeting with Attorney Bill Shepherd at the federal courthouse today. Agent Hummel stated that he met with Shepherd about representing Laws. Agent Hummel told Shepherd that the FBI was assisting in the case and wanted to see if Laws was represented by him. He also wanted to know the status of Laws' cooperation in the investigation and if he would be taking the polygraph examination. Mr. Shepherd advised Agent Hummel that he told Laws that he probably shouldn't take it (polygraph examination) and that he does not trust the polygraph either. Mr. Shepherd told Agent Hummel that he would meet with Laws in the future and contact Hummel if Laws' status changed.

03/23/06- Detective Moore contacted Smith via phone about his fingerprinting process and Smith stated that he would be in at 1030 hours. Victim Smith arrived at the JSO Crime Lab for fingerprinting which was completed. Smith then informed Detective's Moore and Carney that he (Smith) had also retained an attorney. Smith stated that Attorney Reginald Luster was representing him.

Detective Moore informed Smith to have his attorney call him for verification that he is representing him. No other questions were asked of Smith because of the retention of legal counsel. At approximately 1150 hours, Detective Moore received a telephone call from Mr. Reginald Luster's office secretary who stated that Mr. Luster

was out of town and will be in next week, and he will call Detective Moore when he is back in town.

03/27/06- Detectives Moore, Carney and Porter met with Lt. Williams and Director Edwards about status of investigation.

03/28/06- Detective Carney went to the JSO Communications Center and met with camera operator Jimmy Vangorder. He stated the downtown security camera system can only retain 2-3 days of memory and he would not have access to footage for the February dates. Mr. Vangorder pointed out that the camera that could record Fire Station #4 would not pick up any activity at that location unless the camera was intentionally zoomed in on the building. No other recordings could be obtained from the video surveillance system.

03/30/06- all of the firefighters assigned to Station #4 have been fingerprinted with the exception of firefighter Rod Laws. Detective Carney was contacted by JSO Crime Lab Technician Richard Kocik who stated that the latent print found in the bunk room was positively identified as that of Lt. Allen Mallard. Lt. Mallard is Ladder #4 lieutenant and is the supervisor for both Smith and Laws. Lt. Mallard uses the same "coat room" as all of the firefighters assigned to Ladder #4 and this is the same area that both Smith and Laws have utilized. Lt. Mallard's fingerprint in the same area is not suspicious due to that being his assigned "coat room" storage area.

04/18/06- FBI Special Agent Delacourt contacted Detective Moore and advised that the FBI Laboratory has processed the two rope nooses for trace evidence and found an animal fur hair on one specimen (rope) and no hairs on the second specimen (rope). DNA processing is still being conducted and awaiting the results.

08/16/06- FBI Special Agent Richard Dent contacted Lt. Butch Williams of the JSO Intelligence Unit in reference to the preliminary results of the DNA testing that was completed on both rope nooses. According to FBI laboratory technicians, a small amount of trace DNA was found on one of the rope nooses but the results are "inconclusive" as far as any positive identification.

09/07/06- Director Michael Edwards, Lieutenant Butch Williams, Detective Ben Moore, Special Agent Richard Dent met with Assistant United States Attorney's Jim Klindt and Brian Kane in reference to making formal decision about whether or not a hate crime or a possible hoax has been committed, and if federal prosecution is warranted.

10/31/06- Director Michael Edwards, Lt. Michelle Cook, Sgt. Daniel Brannan, Detectives Ben Moore, Robbie Hinson and Special Agent Richard Dent met with U.S. Attorneys Brian Kane and Jim Klindt about this investigation. The U.S. Attorney's Office indicated that there will be no federal prosecution or further follow up, due to the lack of victim cooperation.

11/22/06-United States Attorney Paul Perez sent Sheriff John Rutherford a letter informing of the decision that there was inconclusive evidence to determine whether or not a hate crime or hoax occurred. The letter stated that the investigation was also impeded by the lack of cooperation by one of the victims.

11/22/06- Detective Moore contacted firefighters Matt Cipriani and Heath Mooney in regards to offering the opportunity for both of them to retake the voluntary polygraph examination. This was initiated as a follow to Cipriani's "Deceptive" results on 03/14/06 and Mooney's "Inconclusive" results on 03/05/06. Both Mooney and Cipriani verbally agreed to cooperate and retake the polygraph examination on 11/24/06.

11/24/06- Detective Moore met with firefighters Matt Cipriani and Heath Mooney at the PMB and coordinated their polygraph examination. Polygraph results indicated that firefighter Cipriani was "Deceptive" and firefighter Mooney was "Non Deceptive". Based on Cipriani's "Deceptive" results it was determined to reinterview Cipriani at the PMB.

Detectives Moore and Carney initiated another interview with firefighter Matt Cipriani. Detective Moore immediately informed Cipriani of the "Deceptive" polygraph examination results and also reiterated that this is the second "Deceptive" polygraph examination that he voluntarily participated in. During this time Cipriani stated that he wanted to cooperate and made no indication that he wanted legal counsel or advice. Cipriani went on to state that he did not understand the "deceptive" results on the second test and is telling the truth about his non involvement with the nooses. Cipriani stated that he is concerned that his reputation will be tarnished within the fire department from the first "deceptive" polygraph examination and that is why he agreed to voluntarily retake the second test. Detective Moore asked Cipriani if he knew how he failed the examination. Cipriani stated that he was nervous about his reputation and during some of the preliminary questions given by the examiner, he thought some of the questions were trick questions and he was trying to clarify the questions. Cipriani also had questions about how the polygraph examination was scored and evaluated. Detective Moore told Cipriani that the test results were just a tool for the investigation but something had to be bothering him for the "deceptive" results.

Detective Moore then asked Cipriani directly if he place the nooses or had knowledge of who placed them and

he stated "no". Detective Moore asked Cipriani if he learned or obtained information on who placed the nooses after the incident occurred and did not report it and he stated "no". Detective Moore told Cipriani that he (Cipriani) was assigned at the fire station the night before the incident and he had the opportunity to place the nooses. Cipriani again denied any involvement in the incident. Detective Moore asked Cipriani who he thought had planted the nooses and he reluctantly stated that "the victims could have done it themselves". Cipriani was asked what would be their motives and he stated "possibly to bring their issues forward". Cipriani was asked who else could have planted the nooses. Cipriani stated that "some other association could have planted the nooses for their own causes". Detective Moore asked Cipriani if he was referring to the National Association of Advancement Colored People or the Brotherhood of Black Firefighters as the "association" and he stated "yes". Detective Moore asked Cipriani why did he believe those organizations had any involvement and he replied "from the general discussions at the fire station about who was at the union meeting the night before the incident and some of the organization's representatives who were at the fire station on the morning of the incident". Cipriani could not provide specific details on what was said or who said what.

Detective Moore then asked Cipriani to pick the most likely firefighter at Station 4 who could have planted the nooses. Cipriani responded that "he had no knowledge of who planted the nooses". Detective Moore advised Cipriani that this was a hypothetical situation based on his (Cipriani's) own observations of who would be the most obvious person. Cipriani reluctantly responded by mentioning firefighter Jasper Carter. Detective Moore asked Cipriani why he picked Carter and he stated that "I know Carter liked Lt. Mike Allen and Rod Laws and Carter had some altercations in the past". Cipriani could not provide any specific details about the past altercations. Detective Moore then asked Cipriani if he had any direct or indirect knowledge of Carter placing the nooses and he stated "no". Detective Moore asked Cipriani what he thought of the victims and he stated that "they did not have the best work ethic while they were at the station". Detective Moore asked Cipriani if he knew where the victims had been reassigned to and he stated "yes". Cipriani was asked if the victims returned back to Station 4 and worked for him would he do everything to make their environment safe. Cipriani replied "why would they return back to Station 4 if the victims themselves think it is an unsafe work environment"? Detective Moore asked Cipriani why would it be an unsafe environment and Cipriani replied that "no one has been caught for the noose incident yet". Detective Moore asked Cipriani would he do everything he could to protect the victims and he stated "yes".

Detective Moore asked Cipriani if the noose incident could have been a "bad joke" that got out of hand? Cipriani stated "I don't think the nooses were a joke because of what everyone knows the nooses to represent". Detective Moore then asked Cipriani as a supervisor (Lieutenant) if he had ever witnessed pranks or jokes being played at the station and he stated "yes". Cipriani was asked if he would stop or intervene if a joke or prank was to be played and he stated "probably not because it is common in the fire station". Cipriani was asked if he would intervene if he observed or had information that a bad prank such as nooses being planted was about to occur. Cipriani replied "I would intervene due to the seriousness of what the nooses represent and my responsibility as a supervisor". Cipriani was asked if he had information not shared with detectives previously, had knowledge since the incident occurred about who was responsible for planting the nooses would he report it now. Cipriani stated that if he had information then and did not report it earlier he would not report it now due to the chance of him losing his job. Cipriani reiterated that he has "no knowledge" of who planted the nooses at Station 4.

Detective Moore asked Cipriani if he was aware of the letter released to the media by the United States Attorney's Office about their investigative findings of the noose incident and he stated "yes". Detective Moore advised Cipriani that the investigation will always be open until a suspect (s) is identified. Detective Moore explained to Cipriani that in a criminal investigation anyone that had knowledge or information could be charged if not reported.

Detective Moore asked Cipriani about the possibility that Cipriani could he have overheard conversations, pieced together information or formed opinions about who could have planted the nooses but may be reluctant to say anything because he was unsure. Detective Moore assured Cipriani that if he had any information or an opinion on anyone, the information would have to be proven first before any action is taken. Cipriani stated that he has no new information on the incident nor did he have any original information or involvement with the incident.

Investigative efforts are suspended as of 11-27-06 pending any further information or credible evidence.

Clearance Status: **CASE NOT CLEARED**
Case Not Cleared Type:

Clearance Code: **NOT APPLICABLE**

Number of Cases Cleared

CRIME ANALYSIS

Aggravated Assault/Murder:

Type of Weapon:

Forced Entry: **NOT APPLICABLE** Structure Occupancy Code: **NOT APPLICABLE** Number of Premises Entered:

Location Type: **Government/Public Bldg**

Incident Occurred Inside this Location Incident Occurred In the Parking Lot at this Location: **No**

Number of Vehicles Recovered:

Number of Arrested:

School Name: School Number

MISCELLANEOUS:

Is Offense Related to Domestic Violence: **No** If yes, were Children under 18 Present: If No is it Domestic Related: **NO**

Is there additional information included on a continuation report: **No** Are there other Pertinent Reports: **No**

In your opinion is there significant reason to believe that the crime can be solved by a patrol follow-up investigation? **No**

Neighborhood Canvass Conducted: **No** Number of Cases Cleared **0** Case Information Card Left With: **N.A.**

If Other (Name Address):

Address: **0** Apt./Lot #:

City: State: Zip:

Home Phone #

Bus. Phone # Ext.

Investigative Time:

#2 Hours: 997 Minutes: 0 Cost Amount: \$14,416.62

Detective Called To the Scene: **B.MOORE #6357**

NA: []

Notified: []

Evidence Technician Called to the Scene: **K.A.LONG #7239**

NA: []

Assigned By HQ: []

Reporting Officers: **B.P.MOORE**

ID #6357

T. F. PORTER

ID #6202

11/28/2006 10:13

Approving Supervisor: **D.L.BRANNAN**

ID #5056

Division: **OTHER** Unit: **INTELLIGENCE**