


August 17, 2016  
Re: Notice of Proposed Discipline (Burgess)  
Page Two (2)

While you are on Administrative Leave you will not represent yourself as an employee of this agency.

Respectfully,

 8-18-16

Major Tom Ring  
Acting Chief Deputy  
Walton County Sheriff's Office

TR:skb

cc: Personnel File



WALTON COUNTY SHERIFF'S OFFICE  
INTERNAL COMPLAINT

WCSO 50-02  
07/2012

INFORMATION RECEIVED BY Matt Maikowski		DATE Aug 1, 2016	
COMPLAINT RECEIVED BY <input checked="" type="checkbox"/> MAIL <input type="checkbox"/> TELEPHONE <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER			
NAME OF COMPLAINANT [REDACTED]		COMPLAINANT ADDRESS (INCLUDING CITY, STATE, AND ZIP) [REDACTED]	
TELEPHONE NO. [REDACTED]	CELL PHONE NO. [REDACTED]	WORK PHONE NO. [REDACTED]	
LOCATION OF OCCURRENCE Scenic Gulf (Surfside Condos)		DATE Jul 29, 2016	TIME 1608 hours
SUBJECT(S)			
NAME OF SUBJECT		ADDRESS	TELEPHONE NO.
1	Buddy Burgess	752 Triple G. Road, DFS, FL 32433	[REDACTED]
2			
NAME OF WITNESS AND/OR PERSONNEL INVOLVED		ADDRESS	TELEPHONE NO.
1			
2			
3			
4			
5			
COMPLAINANT INTERVIEWED BY No Interview			
DETAILS OF COMPLAINT			
<p>See attached email from complainant. Upon looking into the complaint regarding D/S Burgess' behavior, I found several videos on his body camera raising my concern. The videos show an abuse of his authority as a deputy. Several times the videos showed rude behavior, threats, questionable legal issues, and what could be described as bullying. All behaviors were unprovoked.</p>			

CAPT. AUDIE ROWELL  
Division Chief (Printed)

Audie Rowell  
Signature of Bureau Chief

8/16/16  
Date

Tom Ring  
Director (Printed)

Tom Ring  
Signature of Director

8-17-16  
Date

Tom Ring  
Chief of Professional Standards (Printed)

Tom Ring  
Signature of Chief of Professional Standards

8-17-16  
IA/SI #

## Matthew Maikowski

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**From:** Audie Rowell  
**Sent:** Monday, August 01, 2016 10:24 PM  
**To:** Matthew Maikowski  
**Cc:** Tom Ring  
**Subject:** FW: July 29th Officer Behavior Complaint - Buddy N. Burgess

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Lt,

Please pull Dep. Burgess's body camera on this and send it to me so I can view it before you speak with him about this. I don't want to interview him until we view the video so we can decide if it warrants going to IA. I told the complainant I would follow up with him before the end of the week.

Also did you ever get his body camera video from the other incident?

Thanks

**Captain Audie Rowell**  
South Walton Bureau Chief  
Walton County Sheriff's Office  
133 Sheriff Dr  
Santa Rosa Beach, Florida 32459  
[850-401-4599](tel:850-401-4599) Cell  
850-267-2700 Office  
**Commitment to Excellence**

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**From:** [REDACTED]  
**Sent:** Monday, August 01, 2016 9:27 PM  
**To:** Audie Rowell; Tom Ring  
**Cc:** [REDACTED]  
**Subject:** July 29th Officer Behavior Complaint - Buddy N. Burgess

Major Ring and Captain Rowell,

As the Director of Law Enforcement Operations and head of Walton County(South) Uniform Patrol I felt that this message was best directed to you. On July 29<sup>th</sup> at 4:30pm myself, my wife, our two children (ages 2 and 4), and my parents (age 64 and 66) were using the golf cart we rented to travel from our rented home in Destiny to the Winn Dixie while on vacation. Our golf cart was stopped by Deputy Buddy Burgess near Seascapes where he cited me for not using proper child restraint. This was completely acceptable as I didn't understand the law and was not aware that our two small children could not sit between me and my wife in the front seat. I was very polite and let Deputy Burgess know that we had rented a golf cart 4 times total for a full week in the last 12 months and the rule had simply never been explained to me and I didn't know I was doing anything wrong.

It was at this point that his behavior took a turn that I thought was worth bringing to your attention. To my horror and completely unprovoked, the phrases of both 'Child Abuse' and 'Child Neglect' then came out of Deputy Burgess's mouth to explain the treatment toward my children for letting them ride in the front seat of a golf cart. As you can imagine this was not the end to our vacation I was hoping for especially in front of my 60+ year old parents who were furious at this

point, but also avoided comment. Additionally, my children were afraid of the tone and manner of his delivery. I can imagine this is an experience that will stay with them for some time. To make matters worse Deputy Burgess would not allow us to return home on the golf cart which was 3 miles away from our home and he told us he was 'too busy' to help us return home with the kids. Me, my wife, and our two small children had to wait at a small Seascapes beach bar nearby to avoid the sun while we waited for my parents to drive the golf cart to Destiny and return with a car to pick us up. Since traffic was bad this took almost 45 minutes.

Additionally the law that applied in this situation was never explained to me by Deputy Burgess. I had to call back today to better understand what I should be doing with the golf cart since we are returning in October for another family vacation. I was connected to another deputy, who I wasn't able to take note of his name, but he was extremely helpful in explaining this law.

I'm not certain I have ever seen an overreaction to a situation this minor in any business or personal situation and I thought you would find it helpful to understand the behavior of Deputy Burgess during our encounter. I'm more than happy to pay the fine and was deserving of it, but I hope this behavior is as disappointing to you as it was myself and my family. If you would like to discuss further feel free to contact me at one of the numbers below.

Thanks,  
Clay

Clay





[REDACTED]

Your transmission of electronic mail to this address represents your consent to two-way communication by Internet email. If you received this in error, please contact the sender and delete the material from any computer on which it exists.

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In the event that you cannot click on the above link, the [REDACTED] Opt-out form can be found at the following URL: [\[REDACTED\]](#)

[REDACTED]

## Video's

1. Complainant would not come to fill out anything in writing. No body cam at the time. Complainant recorded on phone and provided video.

During this traffic stop Deputy Burgess began pointing his finger at the driver and stated that it was a federal law prohibiting her from recording a law enforcement officer without his permission. He then asked her if she got his permission. He went on to tell her that a federal judge ruled on it a month ago, and that he could contact the federal authorities and have her arrested for it. When she asked if he was going to do that, he then asked are you going to turn it off or ask my permission. The video then cuts off.

*Deputy Burgess Statement about current Federal Law on recording Law Enforcement Officers is completely out of line and inaccurate and no federal agency would have taken his complaint for her recording him. Deputy Burgess became verbally aggressive and was pointing his finger at the driver. There was no reason for this.*

2. 7/7/16 @ 05:59:35 Deputy Burgess did not start his body camera at the onset of his encounter. When he made contact with his camera on, he first demanded to know why he should not take the driver to jail for DUI. When the driver tried to apologize for his actions Deputy Burgess rebuked his apology and stated it did matter because he was driving under the influence and driving like an idiot. Deputy Burgess then berated him saying he (driver) could have killed someone and he (Burgess) would have been more than happy to put him in jail for the rest of his life. Deputy Burgess then began to yell and told the driver that apologies don't do anything for him. Deputy Burgess continued to scold him about driving under the influence. The driver remained calm during this encounter. When the driver's phone rang, Deputy Burgess stated to him "you might as well answer it because you may not have a chance in a little bit if I take you to jail". The driver did not respond. Deputy Burgess then called the rental car company of the vehicle the driver was driving and told him he was notifying them that he was of the situation and that he (Burgess) was probably going to arrest him for DUI and reckless driving, and wanted to make the rental company aware. After a neighbor of the driver came out, Deputy Burgess told her that the driver was about to go to jail for DUI and reckless driving and he (Burgess) was not going to put up with stupid stuff. When the neighbor asked him an unknown question, Deputy Burgess asked her if she had law enforcement training and then told her to stop talking and asking stupid questions. He then told her that she has 30 seconds to get away from her or she would go to jail and then he began to countdown out loud from 30, at 15 he stopped. As Deputy Burgess began to issue the driver a citation for reckless driving, he again began to scold the driver about his actions. The driver who is obviously from another country was trying to get Deputy Burgess to explain why he was signing for the ticket. Deputy Burgess stated that it was a misdemeanor and he was required to sign. Deputy Burgess became frustrated and told the driver, either sign now or go to jail you have 10 seconds. Deputy Burgess then began to count down from 10 and he stopped at 6. The driver paused and then signed. At the end of his conversation he told the driver, if I see you driving again, you will go to jail I promise and then told him do not drive again until your sober. When the driver said that he was sober, Deputy

Burgess stated no your not and if you want to argue I can take you to jail and then you can do a breathalyzer.

*Deputy constant berating of the drive was uncalled for. He also threatened the driver numerous times with arrest yet never carried out his threat. There was no evidence to support Deputy Burgess had probable cause to arrest the driver for DUI, because deputy burgess never attempted any field sobriety test. Deputy Burgess also berated the neighbor and threatened to arrest her, but there is nothing to support he had probable cause to do so. Deputy Burgess also informed the rental company the he was probably going to arrest the driver for reckless driving and DUI. The amount of threats Deputy Burgess levied to everyone during this encounter is uncalled for.*

3. 7/11/16 @ 11:46:14; Deputy Burgess made contact with a Juvenile. When he did he told the occupants of the house he would arrest them for accessory to an absconded juvenile if the juvenile came back. The Juvenile stated that he left the home because he (unknown who) was hitting him in the eye and kicking him out of the house. Deputy Burgess told him to stop talking because he was making himself look dumb, and that had nothing to do with him running from his house when he (Burgess) showed up. Deputy Burgess told him to stand up and then said, do I have to put cuffs on you to walk you to the car, because I am not going to chase you, I will tase you. During this time the juvenile had been sitting down and was calm. The juvenile complied and walked to the car and got in the back seat. The Juvenile apparently asked about being hit and Deputy Burgess stated that it is called corporal punishment, in the state of Florida it is legal, you run your mouth you get hurt. Deputy Burgess stated he would go over it with the juvenile when they get to his house. While the juvenile was talking in the back seat Deputy Burgess stated, I suggest you stop talking. Once at the house the juvenile asked about his phone and deputy burgess stated that he did not own it. As the juvenile was walking to the front door upset and walking quickly, Deputy Burgess yelled at him to come back and while yelling at the juvenile to told him he would take him to DJJ if he did not obey his orders. Meaning he would get some slip on crocks and an orange jump suit, with 10 foot high chain link fence and razor wire. He told the juvenile that he does not own anything in this world and that he is a child (the juvenile is 15). He then told the juvenile not to open his mouth until he told him to. Once inside Deputy Burgess made many threats to take the juvenile to DJJ and that corporal punishment is legal. During this entire time the juvenile attempted to comply with all of Deputy Burgess orders. Deputy Burgess then ordered the juvenile to that a drug test his mom was wanting him to take. After the juvenile went into the bathroom, deputy burgess began threatening to arrest him if he put water in the vial. Deputy Burgess told the juvenile if he broke one more thing in the house he would arrest him and would come back personally to do it.

*Deputy Burgess was attempting to help parents in a very tough situation, and trying to be stern with the juvenile which is understood, however Deputy Burgess constant threats of arrest is overwhelming and uncalled for. No action taken by Deputy Burgess and he left.*

4. 7/29/16 @ 06:58:25; started off somewhat rude, told driver going too fast. Wrote for careless and then told the driver it was borderline careless driving and that it was a misdemeanor.
5. 7/29/16 @ 07:32:22; Deputy Burgess body camera was not turned on from the first contact with the driver. Upon turning on the camera and making contact with the driver deputy burgess

threatened to take the driver to jail for driving with no license and the passenger for allowing him to drive. Deputy Burgess issued both occupants citations.

6. 7/29/16 @ 14:19:25; Stopped a male for driving scooter on bike path. Wrote him a citation for rude at the end of stop. Threatened to write more tickets to the guy.
7. 7/29/16 @ 16:08:54;  
Deputy Burgess first approached golf cart and explained that a child need to be restrained.

On the second golf cart stop the driver (out of state) stated we apologies and that they did not know about the child being in a car seat on a golf cart. Deputy Burgess responded that it was common sense and stated that it was child neglect. He then told the parents if there was an accident he (burgess) would to have to be doing a report at the hospital because they don't have enough sense to put them in a seat belt. The driver was very apologetic and admitted they were wrong. Deputy Burgess wrote him a citation and then ended the encounter.

*Deputy Burgess accusation that the parents were committing child neglect is false. The charge for not having a child in a safety restraint is an infraction not a crime.*

8. 7/29/16 @ 17:12:45; From the very start of the encounter Deputy Burgess yelled at the driver, who was compliant from the onset. They tried to explain to deputy burgess that their child was injured, and he yelled back they should have called an ambulance. He then ordered the driver to move to a different location off the roadway which he did. Deputy Burgess then called for an ambulance. When Deputy Burgess re-approached the car he looked at the child's injury and the driver then said "I'm sorry". Deputy Burgess then then yelled at the driver again and told him "go sit over there now". As the driver was complying with Deputy Burgess demands and walking away from the vehicle. Deputy Burgess came around the vehicle and yelled at him and said "turn around and put your hands behind your back now, your under arrest for wreck less driving and then handcuffed him. He then yelled at him again and said "sit down now", which the driver did. Deputy Burgess then left the driver and went back to the vehicle and spoke to the mother about what happened. Deputy Burgess then went back to the driver who was on his knees and said to him (while pointing his finger at him), I am going to take these cuffs off you and if you act up I will put you down on the ground. Your son's well-being is in your hands and you are acting like a moron, you could have killed everybody in this car. I am going to take these off but if you act up your going to regret it". Deputy Burgess un handcuffs the driver and allows him to go back over to the vehicle with his family. Deputy Burgess told a deputy that arrived a few minutes later that he had to cuff the driver because he acted like he wanted to fight. After the ambulance arrived deputy burgess made contact with the driver again and told him he was not taking him to jail, but that he was pushing triple digits. The driver again apologized. Deputy Burgess let the driver go without a citation.

*Deputy Burgess repeatedly threatened to take the driver to jail and escalated the situation at the beginning and not taking into consideration that the parents of the child were under a great deal of stress due to their infant being injured.*



9. 7/30/16 @ 15:12:04; Makes contact with a reported reckless driver (female) who was now in a nail salon sitting in a salon chair and immediately says "You get up and get outside now", get on your feet you have 30 seconds to get outside this building before I put you in handcuffs and drag you out. When she asked what she had done, he says DUI and you hit a car in the parking lot. Deputy Burgess went outside and spoke to dispatch on the radio and then went back inside and told the female "Lets go, I aint got all day, I got a lot of paperwork to do to take you to jail." As she leaving he asked an employee what she owed and they said \$35. He then ordered her to pay the bill and if she didn't he would arrest her for defrauding an innkeeper. After she pays the bill they go outside. It is apparent that the driver is impaired (unknown reason). The driver began saying that she just got out of the hospital, but Deputy Burgess refused to listen and asked he about 10 times in a row what kind of car she was driving. She then said she had been in the hospital for having seizures. Deputy Burgess then accuses her of hitting a car in the parking lot and going inside the business without telling anyone and that was leaving the scene of an accident. After completing paper work in his vehicle deputy Burgess made contact again with the driver and asked her if she had some she could call to come get her, and either someone could come get her or he could give her a ride "and it's not to her house" and when she asked where that would be, he stated "the Walton county jail in defuniak springs, a beautiful location just outside of defuniak springs, sprawling hills lots of greenery, but you won't get to see any of it because you'll have four walls and no windows. Can you call someone to come get you or do I need to take you north to the jail. Deputy Burgess issued two citations and one for leaving the scene of a traffic crash. After issuing the citations Deputy Burgess advised her that he was keeping her license and recommending her for a drivers re-examination because she indicated to him that she has had seizures, and that she is no longer allowed to drive until she is medically cleared. Deputy Burgess then threatened her again with jail if she could not find someone to come pick her up, because she was under the influence. Even though he was going to take her home, he continued to tell her that he was going to take her to jail. Deputy Burgess then gave her a ride to Tara-mar Apartments.

*Deputy Burgess repeated threats to take her to jail are overwhelming and uncalled for. His attitude towards the female were condescending at times. He also never took into consideration that she may be having a medical issue due to her impairment (It should be noted that the female had bandages on both her arms from her hospital stay), but used her statement that she had just got of the hospital for having seizures to penalize her. He repeatedly accused her of being DUI but never took any steps to determine that and only berated her that he was going to take her to jail for it. He even told her he was taking her to jail even though he was taking her home.*



**MICHAEL A. ADKINSON, JR., SHERIFF**  
**Office of the Sheriff, Walton County**

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DATE: 8/17/16  
SIGNATURE: Buddy Burgess  
WITNESS: [Signature] #105

August 17, 2016

Buddy Burgess  
752 Triple G Road  
DeFuniak Springs, 32433

RE: Field Training Officer/Dive Team

Mr. Burgess:

Please be advised that effective immediately you will be removed from Field Training Officer status in accordance with General Order 3-2, Field Training and Evaluation Program. You are also being removed from the Dive Team effective immediately.

The decision to remove you as a Field Training Officer and Dive Team Member is based upon the Notice of Proposed Discipline you received on August 17, 2016.

Your pay will be reduced by the amount you received when appointed as a Field Training Officer. Your new rate of pay will be \$18.17 per hour. The stipend you receive as a member of the Dive Team in the amount of \$100.00 per month will also be removed.

Respectfully,

Major Tom Ring  
Acting Chief Deputy  
Walton County Sheriff's Office

TR:skb

cc: Personnel File



**MICHAEL A. ADKINSON, JR., SHERIFF**  
**Office of the Sheriff, Walton County**

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**NOTICE OF PROPOSED DISCIPLINE**

HAND DELIVERED ON 8/17/16  
RECEIVED: [Signature]  
WITNESS: [Signature] #105

August 17, 2016

Buddy Burgess  
752 Triple G Road  
DeFuniak Springs, Florida 32433

Mr. Burgess:

This letter is to advise you that effective immediately you are being removed from sworn status with the Walton County Sheriff's Office. You will be placed in a civilian position as a Communication Officer.

These actions are being taken as a result of your violation of the following policies:

**General Order 2-8 Section V, Subsection A (2F) Conduct Unbecoming a Public Employee**, which states in part, "*Employees shall conduct themselves, on and off the job, in a manner that will not bring discredit or embarrassment to the Agency, the Sheriff, or the law enforcement profession*".

**General Order 2-8 Section V, Subsection A (2g) Employees Shall Be Courteous**, which states in part; "*Being considerate, respectful, and prompt in dealing with and serving the public and co-workers*".

**General Order 2-8 Section V, Subsection B (2) Contact with the Public**, which states in part; "*Members shall be courteous to the public at all times. They shall be orderly and attentive and will exercise patience and discretion in dealing with the public*".

Specifically, after a review of footage from your body camera on several occasions you displayed conduct that was not acceptable for a member of this agency. Your lack of professionalism when dealing with the public will not be tolerated. Your actions brought embarrassment to this agency, the Sheriff, and the law enforcement profession.

In accordance with General Order 2-8, "Conduct Standards, Discipline, and Regulations", you are entitled to a Predetermination Conference (PDC). To request the Predetermination Conference you must submit the request in written memorandum form to Major Brian Schultz within five (5) working days from your receipt of this letter. If no request is received for a PDC by 5:00 p.m. on Wednesday, August 24, 2016 this agency will move forward with the above action by serving a final letter. You will be placed on Administrative Leave with pay pending the outcome of this proposed discipline.

August 17, 2016  
Re: Notice of Proposed Discipline (Burgess)  
Page Two (2)

While you are on Administrative Leave you will not represent yourself as an employee of this agency.

Respectfully,

Major Tom Ring  
Acting Chief Deputy  
Walton County Sheriff's Office

TR:skb

cc: Personnel File