

Austria, Ceres

From: Austria, Ceres
Sent: Monday, September 15, 2025 12:07 PM
To: Shelley, Mary
Cc: Estaris, Joy
Subject: DSK Law invoice - August services
Attachments: DSK Law LR25-0553 CC Invest #529288.pdf
Importance: High

Attached for payment processing is the invoice for DSK Law's August services related to CC Investigation.

Thanks so much.

Respectfully,



OFFICE OF THE COUNTY ATTORNEY
18500 Murdock Circle, Port Charlotte, FL
33948
941.743.1330
941.743.1550 fax
CharlotteCountyFL.gov
Delivering Exceptional Service

DSK Law

de Beaubien · Simmons · Knight · Mantzaris · Neal

EST. 1976

Post Office Box 87
332 North Magnolia Avenue
Orlando, Florida 32802
Phone: 407-422-2454
Tax ID No. 59-2206392
www.dsklawgroup.com

REC'D COUNTY ATTORNEY
SEP 15 25 AM 10:40

Charlotte County Internal Investigation
18500 Murdock Circle
Port Charlotte, FL 33948

September 10, 2025
Invoice # 529288

For Legal Services Rendered Through 08/31/25

Re: 062932 Charlotte County Internal Investigation

Date	Atty	Description	Hours	Amount
08/01/25	JYW	Edits and compilation of report with exhibits - Charlotte County Investigations	1.00	100.00
08/05/25	LNG	Finalize report and review exhibits	1.70	595.00
08/05/25	LNG	Finalize report	0.10	35.00
08/06/25	JYW	Exhibit preparation re CC Report - Charlotte County Investigations	0.50	50.00
08/07/25	JYW	Edits complete and ready to submit - Charlotte County Investigations	0.30	30.00
08/07/25	JYW	Email from and to Attorney Knowlton re Final Report - Charlotte investigation	0.30	30.00
08/07/25	JYW	submission of Final Report RE: Charlotte investigation	1.00	100.00

Summary of Services

		Rate	Hours	Amount
LNG	Lindsay N Greene - Partner	350.00	1.80	630.00
JYW	Jacquee Williamson - Paralegal	100.00	3.10	310.00
Total Fees			4.90	\$940.00

de Beaubien, Simmons, Knight, Mantzaris & Neal LLP

Client Ref: CHARCO - 062932
Invoice # 529288

September 10, 2025
Page 2

Current Due	<u><u>\$940.00</u></u>
Previous Balance	2,150.00
Payments Since Last Bill	-2,150.00
Total Due	<u><u>\$940.00</u></u>

All Invoices Due Upon Receipt. Balance Subject to 12% Finance Charge.

Our Federal Tax ID #: 59-2206392

APPROVED FOR PAYMENT
Janeth Skunnet
County Attorney
LR25-0553 9/15/25
ACA Date

Austria, Ceres

From: Estaris, Joy
Sent: Tuesday, August 12, 2025 10:28 AM
To: Austria, Ceres; Shelley, Mary
Cc: McNulty, Karen
Subject: Re: DSK Law invoice - July services
Attachments: DSK Law LR25-0553 CC Invest #528135.pdf

Thank you, Ceres.
The check request has been submitted via Munis. I'll check on Friday 8/15 for check number.
Please let me know if anything else is needed.
Thank you!



Joy Estaris
Charlotte County Human Resources Department
Office 941.743.1225
CharlotteCountyFL.gov
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From: Austria, Ceres <Ceres.Austria@charlottecountyfl.gov>
Sent: Tuesday, August 12, 2025 10:16 AM
To: Shelley, Mary <Mary.Shelley@charlottecountyfl.gov>
Cc: Estaris, Joy <Joy.Estaris@charlottecountyfl.gov>
Subject: DSK Law invoice - July services

Attached for payment processing is the invoice for DSK Law's July services related to CC Investigation.

Thanks so much.

Respectfully,



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Orlando, Florida 32802
Phone: 407-422-2454
Tax ID No. 59-2206392
www.dsklawgroup.com

REC'D COUNTY ATTORNEY
AUG 11 25 AM 10:50

Charlotte County Internal Investigation
18500 Murdock Circle
Port Charlotte, FL 33948

August 7, 2025
Invoice # 528135

For Legal Services Rendered Through 07/31/25

Re: 062932 Charlotte County Internal Investigation

Date	Atty	Description	Hours	Amount
07/01/25	JYW	Telephone call and Email from Atty Knowlton re Coordination of Interview with Commissioner Constance - Charlotte County Investigations	0.20	20.00
07/01/25	JYW	Telephone call re Coordination of Interview of Commissioner Constance with Atty Greene (lvm) - Charlotte County Investigations	0.10	10.00
07/02/25	JYW	follow-up telephone call and text message re Coordination of Interview of Commissioner Constance with Atty Greene (lvm no. 2) - Charlotte County Investigations	0.20	20.00
07/03/25	JYW	follow-up telephone call and text message re Coordination of Interview of Commissioner Constance with Atty Greene (lvm no. 3) - Charlotte County Investigations	0.20	20.00
07/08/25	LNG	Email to set commissioner's interview RE: Charlotte Investigation Folder Link	0.10	35.00
07/09/25	LNG	Emailed Ms. Knowlton as to the pending Investigation and to advise of our difficulty in reaching Commissioner Constance	0.20	70.00
07/09/25	JYW	Request for telephone conference RE: Pending Investigation - Charlotte County	0.10	10.00

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Client Ref: CHARCO - 062932
 Invoice # 528135

August 7, 2025
 Page 2

Date	Atty	Description	Hours	Amount
07/09/25	JYW	Telephone call from Jeanette Knowlton re Pending Investigation - Charlotte County	0.10	10.00
07/09/25	LNG	Email JW RE: [EXT]395615 Invoice #353285 - Re: Charlotte County Florida county employee investigation	0.10	35.00
07/10/25	JYW	Court Reporter Invoice #353285 RE: Pending Investigation - Charlotte County Investigations	0.20	20.00
07/19/25	LNG	Reviewed transcript of Anthony Aguirre	1.10	385.00
07/20/25	LNG	Review transcript and laptop data to prepare for interview of Commissioner Constance	1.80	630.00
07/25/25	JYW	Telephone Message - Charlotte County follow-up	0.10	10.00
07/31/25	LNG	Prepare investigation report	2.50	875.00

Summary of Services

		Rate	Hours	Amount
LNG	Lindsay N Greene - Partner	350.00	5.80	2,030.00
JYW	Jacquee Williamson - Paralegal	100.00	1.20	120.00
Total Fees			7.00	\$2,150.00

Current Due \$2,150.00

Previous Balance 4,540.00

Payments Since Last Bill -4,540.00

Total Due \$2,150.00

All Invoices Due Upon Receipt. Balance Subject to 12% Finance Charge.

Our Federal Tax ID #: 59-2206392

APPROVED FOR PAYMENT

 County Attorney
LR 25-0553 8/11/25
 ACA Date

Austria, Ceres

From: Shelley, Mary
Sent: Wednesday, July 23, 2025 9:07 AM
To: Estaris, Joy
Cc: Austria, Ceres; Knowlton, Janette; McNulty, Karen
Subject: FW: DSK Law invoice - June services
Attachments: DSK Law **LR25-0553** CC Invest #526842.pdf

Thank you, Ceres.

Joy – please proceed with processing payment for the attached.

Kind regards,
Mary



Mary Shelley, MBA, SHRM-SCP
Human Resources Director
Charlotte County Board of County Commissioners
941-743-1257
941-743-1254 fax
CharlotteCountyFL.gov
Delivering Exceptional Service

Now hiring! [Click here to visit our job board](#)

From: Austria, Ceres <Ceres.Austria@charlottecountyfl.gov>
Sent: Wednesday, July 23, 2025 8:33 AM
To: Estaris, Joy <Joy.Estaris@charlottecountyfl.gov>
Cc: Shelley, Mary <Mary.Shelley@charlottecountyfl.gov>; Knowlton, Janette <Janette.Knowlton@charlottecountyfl.gov>
Subject: DSK Law invoice - June services

Joy,
Attached is an invoice for payment related to CC Investigation.

Respectfully,



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18500 Murdock Circle, Port Charlotte, FL
33948
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941.743.1550 fax
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Orlando, Florida 32802
Phone: 407-422-2454
Tax ID No. 59-2206392
www.dsklawgroup.com

REC'D COUNTY ATTORNEY
JUL 11 12 54 PM '25

Charlotte County Internal Investigation
18500 Murdock Circle
Port Charlotte, FL 33948

July 16, 2025
Invoice # 526842

For Legal Services Rendered Through 06/30/25

Re: 062932 Charlotte County Internal Investigation

Date	Atty	Description	Hours	Amount
06/01/25	LNG	Reviewed materials and County policies	1.00	350.00
06/02/25	LNG	Investigation Report	0.40	140.00
06/02/25	LNG	Telephone conference with J. Knowlton	0.40	140.00
06/05/25	LNG	Emailed Mr. Aguirre re: Charlotte Investigation into Commissioner Constance	0.20	70.00
06/06/25	JYW	Prepare and email secure document folder RE: Charlotte Investigation (CC) - Charlotte County	0.20	20.00
06/06/25	JYW	Telephone conversations with Mr. Aguirre & DSK IT and email communication to DSK IT KA re SENSITIVE AND ATTORNEY CLIENT PRIVILEGE - RE: Charlotte Investigation - Data Extraction	0.40	40.00
06/06/25	JYW	Review of upload progression re secure document folder - Charlotte Investigation (CC) - Charlotte County	0.50	50.00
06/08/25	LNG	Receive and review emails RE: SENSITIVE AND ATTORNEY CLIENT PRIVILEGE - RE: Charlotte Investigation - Data Extraction	0.50	175.00
06/09/25	JYW	Update regarding upload - SENSITIVE AND ATTORNEY CLIENT PRIVILEGE - RE: Charlotte Investigation - Data Extraction	0.20	20.00

de Beaubien, Simmons, Knight, Mantzaris & Neal LLP

Client Ref: CHARCO - 062932
 Invoice # 526842

July 16, 2025
 Page 2

Date	Atty	Description	Hours	Amount
06/12/25	JYW	Email communication from and to client re Upload status of files re Charlotte Investigation - Charlotte County	0.30	30.00
06/12/25	JYW	Coordination of Review RE: Charlotte Investigation - Charlotte County	0.10	10.00
06/14/25	LNG	Review thousands of photos, several videos, documents,etc purported to be from Commissioner Constance's laptop	6.30	2,205.00
06/16/25	JYW	Confirmation of Review TC w/LNG RE: Charlotte County Investigation	0.20	20.00
06/17/25	JYW	Telephone conference with Jennette Knowlton re if a court reporter will be utilized during interviews with transcripts available - Charlotte County	0.10	10.00
06/19/25	JYW	Clarification re court reporter to LNG RE: Coordination of Review RE: Charlotte Investigation	0.10	10.00
06/25/25	LNG	Prepare for interview with Mr. Aguirre	0.80	280.00
06/26/25	JYW	Scheduled and confirmed Court reporter for 06-26-25 Investigation Call at 10 AM via conference call - Charlotte County Investigations	0.30	30.00
06/26/25	LNG	Prepare for and conduct interview of Anthony Aguirre	2.20	770.00
06/28/25	LNG	Email to JW RE: Charlotte Investigation Folder Link	0.40	140.00
06/30/25	JYW	Commissioner Constance's interview with Attorney Greene - Charlotte County Investigations	0.30	30.00

Summary of Services

		Rate	Hours	Amount
LNG	Lindsay N Greene - Partner	350.00	12.20	4,270.00
JYW	Jacquee Williamson - Paralegal	100.00	2.70	270.00
Total Fees			14.90	\$4,540.00

de Beaubien, Simmons, Knight, Mantzaris & Neal LLP

Client Ref: CHARCO - 062932
Invoice # 526842

July 16, 2025
Page 3

Current Due	<u><u>\$4,540.00</u></u>
Previous Balance	7,642.70
Payments Since Last Bill	-7,642.70
Total Due	<u><u>\$4,540.00</u></u>

All Invoices Due Upon Receipt. Balance Subject to 12% Finance Charge.

Our Federal Tax ID #: 59-2206392

APPROVED FOR PAYMENT

Janette S. Kurwath
County Attorney

ACA
LR 25-0553

7/21/25
Date

Austria, Ceres

From: Estaris, Joy
Sent: Tuesday, July 22, 2025 12:21 PM
To: Austria, Ceres
Cc: McNulty, Karen; Shelley, Mary; Knowlton, Janette
Subject: Re: **Court Reporter**

Good afternoon, Ceres.

Check #410011 was cut last Friday, 7/18, in the amount of \$242.45 and sent to:

Milestone Court Reporters, LLC

PO Box 3426

Orlando, FL 32802

Please let me know if anything else is needed.

Thank you!



Joy Estaris
Charlotte County Human Resources Department
Office 941.743.1225
CharlotteCountyFL.gov
Delivering Exceptional Service



From: Austria, Ceres <Ceres.Austria@charlottecountyfl.gov>

Sent: Monday, July 14, 2025 4:04 PM

To: Estaris, Joy <Joy.Estaris@charlottecountyfl.gov>

Cc: McNulty, Karen <Karen.McNulty@charlottecountyfl.gov>; Shelley, Mary <Mary.Shelley@charlottecountyfl.gov>; Knowlton, Janette <Janette.Knowlton@charlottecountyfl.gov>

Subject: RE: Court Reporter

Sure. Thanks so much Joy!

Respectfully,



Ceres Austria | Assistant to County Attorney
OFFICE OF THE COUNTY ATTORNEY
18500 Murdock Circle, Port Charlotte, FL
33948
941.743.1327
941.743.1550 fax
CharlotteCountyFL.gov



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From: Austria, Ceres <Ceres.Austria@charlottecountyfl.gov>
Sent: Friday, July 11, 2025 3:24 PM
To: Shelley, Mary <Mary.Shelley@charlottecountyfl.gov>
Subject: Court Reporter

Hi Mary –

Attached is the court reporter invoice on the CC Investigation matter requiring payment. I don't know who your Munis A/P person is.

Thanks.

Respectfully,



OFFICE OF THE COUNTY ATTORNEY
18500 Murdock Circle, Port Charlotte, FL
33948
941.743.1330
941.743.1550 fax
CharlotteCountyFL.gov
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INVOICE

1 of 1



Milestone Court Reporters
dba The Reporting Company
dba Milestone Reporting
Tax ID: 59-1937999
P.O. Box 3426
Orlando, Florida 32802
Phone: (407) 423-9900 Toll Free (855) MY-DEPOS

Lindsay Greene, Esquire
DSK Law
332 N Magnolia Avenue
Orlando, FL 32801

Invoice No.	Invoice Date	Job No.
353285	7/9/2025	395615
Job Date	Case No.	
6/26/2025		
Case Name		
Re: Charlotte County Florida county employee investigation		
Payment Terms		
Due upon receipt		

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

Interview w/Chief Officer	27.00	Pages	@	4.350	117.45
Reporter Attendance - First Hour	1.00	Hours	@	75.000	75.00
E-Litigation Package	1.00		@	35.000	35.00
Transcript Formatting and Cloud Archiving	1.00		@	15.000	15.00
No Paper - E-Delivery Only	1.00		@	0.000	0.00

TOTAL DUE >>> \$242.45

Location of Job : ALL PARTIES APPEARING REMOTELY
No set address
Remote Location, FL

APPROVED FOR PAYMENT

By: Janette Knowlton
Janette S. Knowlton, County Attorney

Terms are Net 30 days. Past due amounts may be charged a 12% finance charge after 90 days. Where collection is required, debtor will pay all collection costs, attorney fees and court costs. Debtor consents to jurisdiction of the courts of Orange County, Florida.

Payments can be made online through the link below:
<https://milestonereporting.com/make-a-payment/>

Tax ID: 59-1937999

Please detach bottom portion and return with payment.

Lindsay Greene, Esquire
DSK Law
332 N Magnolia Avenue
Orlando, FL 32801

Invoice No. : 353285
Invoice Date : 7/9/2025
Total Due : \$242.45

Remit To: **Milestone Reporting Company**
P.O. Box 3426
Orlando, FL 32802

Job No. : 395615
BU ID : MRC
Case No. :
Case Name : Re: Charlotte County Florida county
employee investigation

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Reply to Orlando office

August 7, 2025

VIA ELECTRONIC MAIL ONLY

Ms. Janette S. Knowlton, Esquire
County Attorney
Charlotte County, Florida
Office of the County Attorney
18500 Murdock Circle
Port Charlotte, Florida 33948

Re: Internal Investigation (Commissioner Christopher Constance)

Dear Ms. Knowlton:

The firm of DSK Law was retained to investigate and determine if Charlotte County Commissioner Christopher Constance violated Charlotte County Policy 3.45¹, ***Discrimination, Harassment and Offensive Behavior Prohibited***, when he caused certain images to be downloaded onto his Charlotte County issued laptop. The investigation was initiated after County employee, Anthony C. Aguirre, reported that he observed concerning images on Commissioner Constance's County issued laptop. A true

¹ There may be additional potential violations, which are not addressed in this report and may be addressed through other means.

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Lindsay N. Greene, Partner / E: lgreene@DSKLawGroup.com / D: (407) 992-3532
332 N. Magnolia Avenue, Orlando, Florida 32801 / P: (407) 422-2454 / F: (407) 650-2840

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and correct copy of the IT Security Incident Response Form is attached hereto as Exhibit “A.”

Below is a summary of the interview with Mr. Aguirre, which was taken under oath. I interviewed Mr. Aguirre via Zoom and a copy of his transcript is attached hereto as Exhibit “B.”

I interviewed Mr. Aguirre, on June 26, 2025. Mr. Aguirre is employed as an Information System Security Officer. (Depo. Tr. 9:5-6). He has been employed by the County for approximately five (5) years. (Depo. Tr. 9:7-9). Mr. Aguirre testified that in or about May of 2025, Commissioner Constance submitted a work order ticket for his County issued laptop. In the process of attempting to repair the laptop, Commissioner Constance’s computer data was deleted.

On or about May 28, 2025, Mr. Aguirre was tasked with retrieving the lost data from Commissioner Constance’s County issued laptop. (Depo. Tr. 7: 10-25; 8:1-14). Mr. Aguirre used the computer program, “Recuva”, to scan Commissioner Constance’s laptop and retrieve the lost data. (Depo Tr. 10:6-16)

Mr. Aguirre testified that County issued laptops are issued an identification number as part of the County’s asset protection program. (Depo. Tr. 11:15-25). The assigned identification number to Commissioner Constance’s laptop is No. 15875. (Depo.

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332 N. Magnolia Avenue, Orlando, Florida 32801 / P: (407) 422-2454 / F: (407) 650-2840

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Tr. 11:22-25). Also, County computer users are issued a user account profile, such that all documents, photos, and data are attributable to that profile\User ID. (Depo. Tr. 12:10-21). Both of these identifiers (laptop number and User ID) served to isolate and confirm that the data retrieved, was indeed from the laptop issued to Commissioner Constance and that Commissioner Constance's login credentials were used to download the data at issue. (Depo. Tr. Id.)

Mr. Aguirre said that he retrieved 14,162 items from Commissioner Constance's laptop. (Depo. Tr. 13:6-12). Mr. Aguirre said that he observed photos of undressed women, appearing to be in a doctor's setting. (Depo. Tr. 13:18-25). Mr. Aguirre further testified that there were a number of photographs of the same woman with "blonde" colored hair. In one such photo this woman appeared to be "flirtatious" in her mannerisms. She was in her underwear. (Depo. Tr. 15:9-17).

Mr. Aguirre said that he became concerned that his observance of these materials could violate HIPAA. (Depo. Tr. 14:3-14). Mr. Aguirre proceeded to contact Kevin Mangels, the Senior Division Manager of Information Technology, and informed him of his concerns. (Depo. Tr. Id.). The matter was then forwarded to their Director, Gordon Burger and to the County's legal department. (Depo. Tr. 17:11-17).

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Mr. Aguirre uploaded a copy of the data retrieved from Commissioner Contance's laptop and as part of this investigation provided a copy of said data for my review. (Depo. Tr. 14:15-22).

FINDINGS

It is important to note that my office has made numerous attempts to reach Commissioner Constance to coordinate his interview. Despite numerous phone calls, texts messages and requests for the legal department to contact Commissioner Constance on my behalf; Commissioner Constance took no steps to schedule his interview and did not cooperate with this investigation. At one point, I was informed that Commissioner Constance's partner had recently delivered a baby. I agreed to further delay his interview; however, I never received a response to our requests. Thus, this report is concluded absent Commissioner Constance's input due to his refusal to coordinate his interview. A true and correct copy of a attempts to reach Commissioner Constance is attached hereto as Exhibit "C."

Policy 3.45, states in pertinent part, that the "purpose" of the Rule is:

"[t]o provide a work environment free from discrimination, harassment **or offensive behavior** on the basis of race, color, national origin, religion, sex, gender, age, marital status, pregnancy, disability, veterans' status, genetic information, or other status protected by federal, state or applicable local law." ***It is the responsibility of employees to "refrain from the display of offensive materials related to race or sex or any protected status."*** [emphasis added]

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Rule 3.45 further states:

Offensive Behavior-***Not all complained -of behavior rises to the level of unlawful discrimination.*** However, jokes, innuendos, insults, gestures, comments and other behaviors, as well as the display of posters, photographs, cartoons, magazines, graffiti and the like based upon race, color, national origin, religion, sex, gender, age, marital status, pregnancy, disability, veterans' status, genetic information, or other status protected by federal, state or applicable local law, ***are clearly inappropriate in the workplace. [emphasis added].*** A copy of Rule 3.45 is attached hereto as Exhibit "D."

I reviewed the photographs and data uploaded by Mr. Aguirre. A sample of those photographs, which were of concern are attached hereto as Composite Exhibit "E." The attached images include those of nude women. Upon independent investigation, it appears that Commissioner Constance is a plastic surgeon. While Commissioner Constance refused to schedule an interview, it is reasonable to assume that these nude photos (which include full frontal nudity) are consultation photos of existing or potential clients.

There are at least two photos of a blonde women in a bathroom in her underwear. These photos appear to be personal in nature and not work related.

With that said, all of the above referenced photographs are "offensive" as defined by Rule 3.45 and it was highly inappropriate for Commissioner Constance to cause these images to be downloaded on a County issued laptop. Simply put, had Commissioner Constance used better judgment in his use of a County issued laptop, County employees

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Lindsay N. Greene, Partner / E: lgreene@DSKLawGroup.com / D: (407) 992-3532
332 N. Magnolia Avenue, Orlando, Florida 32801 / P: (407) 422-2454 / F: (407) 650-2840

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would not have been exposed to these photographs; all of which are inappropriate for the workplace.

Of additional concern is Commissioner Constance's failure to protect the private information of the other people photographed. In downloading these apparently private images onto a County laptop, Commissioner Constance made these images subject to Florida's Sunshine law, pursuant to Chapter 119; thus, making these photographs public record.

Next, I find that Commissioner Constance further violated Rule 3.45 in failing to cooperate with the investigation. All persons having "supervisory responsibilities" are responsible for "cooperat[ing] with the HR Director, the County Attorney, the County Administrator or any investigator in the investigation of a complaint and cooperate in the determination of any appropriate disciplinary actions that may result." *See Rule 3.45* Commissioner Constance was well aware of the instant investigation and that County time and resources were dedicated to the completion of the same. The decision to repeatedly ignore requests by our office to schedule his interview was an unreasonable abdication of his duty to cooperate with the investigation. A public official should be mindful to behave in a manner which does not fall below the standard expected of an employee. By way of example, Rule 3.53 makes clear the obligation of County employees to cooperate with an investigation. A copy of Rule 3.53 is attached hereto as Exhibit "F."

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Lindsay N. Greene, Partner / E: lgreene@DSKLawGroup.com / D: (407) 992-3532
332 N. Magnolia Avenue, Orlando, Florida 32801 / P: (407) 422-2454 / F: (407) 650-2840

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CONCLUSION AND RECOMMENDATION

For the reasons set forth above, I sustain violations of Rule 3.45 and conclude that images downloaded by Commissioner Constance's were offensive and that he further violated Rule 3.45 in not cooperating with the investigation.

Based upon the findings above, I recommend that the Charlotte County Commission (or authorized person/body) issue a public reprimand of Commissioner Constance for the violations set forth above.

Should you have any further questions or concerns, do not hesitate to contact me.

Respectfully submitted,

/s/ Lindsay N. Greene

Lindsay N. Greene, Esquire
Partner

LNG/jyw
Enclosures as stated

DSKLawGroup.com

Lindsay N. Greene, Partner / E: lgreene@DSKLawGroup.com / D: (407) 992-3532
332 N. Magnolia Avenue, Orlando, Florida 32801 / P: (407) 422-2454 / F: (407) 650-2840

Knowlton, Janette

From: Knowlton, Janette
Sent: Thursday, August 7, 2025 8:54 AM
To: Shelley, Mary; Flores, Hector
Subject: FW: Final Report RE: Charlotte investigation

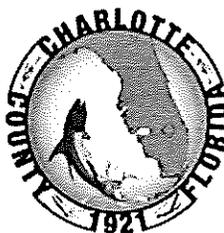
Report will be in house today. Mary you should then be prepared to start your investigation from the IT perspective.



Janette S. Knowlton | County Attorney
OFFICE OF THE COUNTY ATTORNEY
18500 Murdock Circle, Port Charlotte, FL 33948
941.743.1327
941.743.1550 fax
CharlotteCountyFL.gov
Delivering Exceptional Service

From: Knowlton, Janette
Sent: Thursday, August 7, 2025 8:52 AM
To: 'Jacquee Williamson' <jwilliamson@dsklawgroup.com>
Cc: Greene, Lindsay <lgreene@dsklawgroup.com>
Subject: RE: Final Report RE: Charlotte investigation

Pdf and one link will be perfect.



Janette S. Knowlton | County Attorney
OFFICE OF THE COUNTY ATTORNEY
18500 Murdock Circle, Port Charlotte, FL 33948
941.743.1327
941.743.1550 fax
CharlotteCountyFL.gov
Delivering Exceptional Service

From: Jacquee Williamson <jwilliamson@dsklawgroup.com>
Sent: Thursday, August 7, 2025 8:50 AM
To: Knowlton, Janette <Janette.Knowlton@charlottecountyfl.gov>
Cc: Greene, Lindsay <lgreene@dsklawgroup.com>
Subject: Final Report RE: Charlotte investigation

Caution – This email originated from outside of our organization

Please do not open any attachments or click on any links from unknown sources or unexpected email

Report Suspicious

Good morning,

The final report has been completed, and I just sent it to Lindsay for her final approval. You should have it by Noon today.

I can send you one pdf file (80 pages total), as well as one link to the report and all exhibits. Please advise if you prefer a printed copy mailed to your attention.

Thank you kindly.

Jacquee' Y. Williamson, MS LS
Paralegal to Lindsay N. Greene, Partner
City Attorney for the City of Sanford

DSK Law

de Beaublen · Simmons · Knight · Mantzaris · Neal
EST. 1976

332 North Magnolia Avenue
Orlando, Florida 32801
P 407.422.2454 | D 407.992.3532
F 407.992.3532
www.dsklawgroup.com

From: Knowlton, Janette <Janette.Knowlton@charlottecountyfl.gov>
Sent: Thursday, August 7, 2025 8:45 AM
To: Jacquee Williamson <jwilliamson@dsklawgroup.com>
Subject: Charlotte investigation

⚠ Caution: External

I spoke with Lindsay last night and know she has completed her report. Can you please email to me today just the body of the report? I don't need the transcripts etc. at this point. You can just send all of that through the mail if it is lengthy. Thanks in advance.



Janette S. Knowlton | County Attorney
OFFICE OF THE COUNTY ATTORNEY
18500 Murdock Circle, Port Charlotte, FL 33948
941.743.1327
941.743.1550 fax
CharlotteCountyFL.gov
Delivering Exceptional Service

Knowlton, Janette

From: Knowlton, Janette
Sent: Thursday, July 31, 2025 8:53 AM
To: Greene, Lindsay; Lang, Ydalmis
Subject: Charlotte County Investigation

Good morning Lindsay. Just touching base to see if you can provide an idea of when we should expect your final report on this latest matter. Please let me know when you have a chance. Thanks in advance.



Janette S. Knowlton | County Attorney
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CharlotteCountyFL.gov
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Knowlton, Janette

From: Knowlton, Janette
Sent: Wednesday, July 9, 2025 3:12 PM
To: Greene, Lindsay
Cc: Jacquee Williamson
Subject: RE: Pending Investigation

Please give me a call when you have a moment. My direct dial is 941-743-1325.



Janette S. Knowlton | County Attorney
OFFICE OF THE COUNTY ATTORNEY
18500 Murdock Circle, Port Charlotte, FL 33948
941.743.1327
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CharlotteCountyFL.gov
Delivering Exceptional Service

From: Greene, Lindsay <lgreene@dsklawgroup.com>
Sent: Wednesday, July 9, 2025 12:52 PM
To: Knowlton, Janette <Janette.Knowlton@charlottecountyfl.gov>
Cc: Jacquee Williamson <jwilliamson@dsklawgroup.com>
Subject: Pending Investigation

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Report Suspicious

Good afternoon,

I am following up to provide a status on the investigation concerning Commissioner Constance. Our office has made numerous attempts to contact him by telephone, texts, and email to schedule his interview. He has not responded to any messages. I would appreciate it if you would reach out to Commissioner Constance on my behalf. Should you have any additional questions, please let me know. Thank you.

Lindsay N. Greene
Partner

DSK ||| Law

de Beaubien · Simmons · Knight · Mantzaris · Neal

EST. 1976

332 North Magnolia Avenue
Orlando, Florida 32801

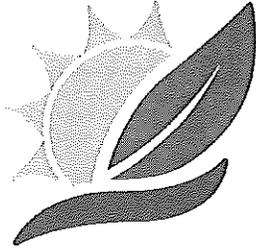
From: Knowlton, Janette
Sent: Friday, May 30, 2025 9:24 AM
To: Greene, Lindsay
Subject: Charlotte County Investigation
Attachments: 20250530090650682.pdf

Good morning Lindsay. Thank you for agreeing to assist us with this investigation. Attached you will find the reports from our IT Department and 4 county policies which may be applicable. Policy 3.45 is the Investigation Procedure for Offensive Behavior; Policy 3.53 is the Investigation Process used for circumstances when the alleged behavior may violate some other county policy or concerns something other than Discrimination, Offensive Behavior; Policy 3.33 is Usage of County Equipment and the final Policy is the IT Appropriate Usage Policy.

Your main witness is Anthony (Tony) Aguirre, the County's IT Security Manager whose contact information is Anthony.aguirre@charlottecountyfl.gov 941-764-5519; His superior, Kevin Mangels- Senior Division IT Manager, should also be contacted and can be reached at kevin.mangels@charlottecountyfl.gov 941-764-5540; Commissioner Christopher Constance can be reached on his cell phone at 941-268-3405. The Commissioner has an active medical practice and can sometimes be difficult to reach. I will give all of them a heads up to expect your call. I leave it to your discretion whether you prefer to meet in person or by Teams. Let me know if you need anything further from me. Thank you in advance.



Janette S. Knowlton | County Attorney
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CHARLOTTE COUNTY

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IT Security Incident Response Form

1 Incident Detection & Analysis

Item	Description
Ticket (s) #	23177
Date	5/28/2025 - Present
Incident Indicators	<input checked="" type="checkbox"/> Employee Report <input type="checkbox"/> SIEM <input type="checkbox"/> IDS <input type="checkbox"/> Other: _____
Determine whether an incident has occurred	<input checked="" type="checkbox"/> Incident has occurred <input type="checkbox"/> Incident has not occurred
Affected Systems (which systems are affected)	15875 Surface Pro 5
Attack Vectors (how systems were affected)	<input type="checkbox"/> External/Removable Media <input type="checkbox"/> Attrition <input type="checkbox"/> Web <input type="checkbox"/> Email <input type="checkbox"/> Impersonation <input checked="" type="checkbox"/> Improper Usage <input type="checkbox"/> Equipment Loss <input checked="" type="checkbox"/> Other: _____
Incident Actors (whose actions affected system)	Commissioner - Christopher Constance
Functional Impact (how significant is the system impact)	<input checked="" type="checkbox"/> None <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
Information Impact	<input type="checkbox"/> None <input checked="" type="checkbox"/> Privacy Breach <input type="checkbox"/> Proprietary Breach <input type="checkbox"/> Integrity Loss
Recoverability Effort	<input type="checkbox"/> Regular <input type="checkbox"/> Supplemented <input checked="" type="checkbox"/> Extended <input type="checkbox"/> Not Recoverable
Internal Notification (list internal notifications that have been made)	Hector Flores Gordon Burger Kevin Mangels Anthony Aguirre

	(Legal)
External Notification (list external notifications that have been made)	None
Other information	N/A

2 Containment, Eradication and Recovery

2.1 Containment

Item	Description
Incident Status	Isolated
Integrity Assessment	N/A
Containment Measures	N/A

2.2 Eradication

Item	Description
Incident Status	N/A
Vulnerability Assessment	None
Eradication Measures	N/A

2.3 Recovery

Item	Description
Incident Status	In legal review
Recovery Plan	Pending Next Steps
Recovery Process Documentation	<p>On May 28, 2025, at approximately 12:00 PM EST, Anthony Aguirre was notified by Kevin Mangels that Commissioner Constance's laptop had been re-imaged without a backup having been performed beforehand. In response, Mr. Aguirre advised that it might be possible to recover some data or files using a forensic recovery tool known as Recuva. Mr. Mangels subsequently directed Mr. Aguirre to proceed with the data recovery effort.</p> <p>During the course of the recovery and validation process, Mr. Aguirre discovered images depicting a woman in underwear, documents that may contain protected health information (PHI) and/or personally identifiable information (PII), and images of individuals who may be patients, some of whom appeared to be in a state of undress.</p> <p>On May 28, 2025, at approximately 4:00 PM EST, Mr. Aguirre reported these findings to Mr. Mangels, who instructed him to retain custody of the laptop pending further direction.</p>
Validation	May 28 th 2025 - Images of woman in underwear were shown to Kevin Mangels for validation.

3 Post Incident Analysis & Forensics

Item	Description
Collected Forensic Data	<p>Total Recovered (Visible to Recuva) 14162 Fully Recovered 14126 Partially Recovered 36</p> <p>After removing system icons and files, the following is what was recovered.</p> <p>Word Documents - 270 (some documents have corruption but are still readable, some are completely distorted). Excel - 28 Movies - 127 PDF - 89 Photos - 2,038 (some files are system icons) PowerPoint - 15</p>

Evaluation Process	<p>The system was booted using a clean copy of "Hiren's Boot CD" via USB.</p> <p>The data recovery application "Recuva" was launched. A "Deep Scan" was initiated on the target drive to identify recoverable data.</p> <p>Data previews are displayed during the recovery process to validate file contents.</p> <p>Recovered data is stored on the same machine but recovered and transferred from a (DoD) wiped external drive used specifically for recovery purposes.</p>
Lessons Learned	Pending
Action Items	Pending

Incident Handling Checklist

Action		Completed
Detection and Analysis		
1.	Determine whether an incident has occurred	Completed
1.1	Analyze the precursors and indicators	Completed
1.2	Look for correlating information	N/A
1.3	Perform research (e.g., search engines, knowledge base)	N/A
1.4	As soon as the Incident Manager believes an incident has occurred, begin documenting the investigation and gathering evidence	Completed
2.	Prioritize handling the incident based on the relevant factors (functional impact, information impact, recoverability effort, etc.)	Completed
3.	Report the incident to the appropriate internal personnel and external organizations	Patial Complete
Containment, Eradication, and Recovery		
4.	Acquire, preserve, secure, and document evidence	Complete
5.	Contain the incident	Complete
6.	Eradicate the incident	N/A
6.1	Identify and mitigate all vulnerabilities that were exploited	N/A
6.2	Remove malware, inappropriate materials, and other components	N/A
6.3	If more affected hosts are discovered (e.g., new malware infections), repeat the Detection and Analysis steps (1.1, 1.2) to identify all other affected hosts, then contain (5) and eradicate (6) the incident for them	N/A
7.	Recover from the incident	Pending
7.1	Return affected systems to an operationally ready state	Pending
7.2	Confirm that the affected systems are functioning normally	Pending
7.3	If necessary, implement additional monitoring to look for future related activity	N/A
Post-Incident Activity		
8.	Create a follow-up report	In-Progress
9.	Hold a lessons learned meeting (mandatory for major incidents, optional otherwise)	In-Progress

4 Media & Attachments

The recovered backup folder is located on system 15875. The recovered data was transferred from an external storage device that had been previously sanitized in accordance with Department of Defense (DoD) data wiping standards. The external drive will be subjected to a DoD-compliant wipe again following completion of data handling procedures to ensure proper sanitization. System and External Drive are secured and locked away with Anthony Aguirre.



CHARLOTTE COUNTY

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EVIDENCE / PROPERTY CHAIN OF CUSTODY

TICKET NO. 23177	DESCRIPTION Commissioner Christopher Constance's Surface (15875)		
ITEM NO. Green Tag 15875 Grey Tag 37422	QUANTITY 1	DESCRIPTION OF ARTICLES (If physical device, include manufacturer, model, and serial number) Microsoft Surface Pro 5 Serial: 024605492753	
Date/Time	From	To	PURPOSE OF CHANGE OF CUSTODY
5/22/2025 4:50PM EST	Name Christopher Constance Division Commission Offices Signature	Name Bobby Taylor Division IT Signature	Pick up and diagnose surface 15875 Bobby Taylor, couldn't login and re-imaged the Surface on 5/23/25
Date/Time	From	To	PURPOSE OF CHANGE OF CUSTODY
5/28/25 7:00 AM EST	Name Bobby Taylor Division IT Signature	Name Diego Maldonado-Morales Division Signature	Diego performed driver updates / application installs
Date/Time	From	To	PURPOSE OF CHANGE OF CUSTODY
5/28/25 8:00 AM EST	Name Diego Maldonado-Morales Division IT Signature	Name Bobby Taylor Division IT Signature	Bobby took the Surface from Diego to deliver



CHARLOTTE COUNTY

FLORIDA

Date/ Time	From	To	PURPOSE OF CHANGE OF CUSTODY
5/28/25 8:10 AM EST	Name Bobby Taylor Division IT Signature	Name Janina Stamoulis Division Commission Offices Signature	Bobby handed the Surface back to Janina
5/28/25	Name Janina Stamoulis Division Commission Offices Signature	Name Christopher Constance Division Commission Offices Signature	Janina handed the Surface back to Christopher Constance

Date/ Time	From	To	PURPOSE OF CHANGE OF CUSTODY
5/28/25 12:45 PM EST	Name Lisa Eby Division Commission Offices Signature	Name Evan Leibman Division IT Signature	Picked Up Surface.
Date/ Time	From	To	PURPOSE OF CHANGE OF CUSTODY

5/28/25 12:50 PM EST	Name Evan Leibman Division IT Signature	Name Anthony Aguirre Division IT Signature	Delivered Surface to Anthony Aguirre to perform recovery.
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3.45 DISCRIMINATION, HARASSMENT, AND OFFENSIVE BEHAVIOR PROHIBITED

ORIGINATING DEPARTMENT:

Human Resources

ADOPTED:

August 15, 2014

PURPOSE:

To provide equal employment opportunity to all qualified persons;

To provide a work environment free from discrimination, harassment or offensive behavior on the basis of race, color, national origin, religion, sex, gender, age, marital status, pregnancy, disability, veterans' status, genetic information, or other status protected by federal, state or applicable local law;

To provide an avenue for employees to report claims of discrimination, harassment (including sexual harassment) or offensive behavior; and

To provide a procedure for investigating and resolving claims of discrimination, harassment (including sexual harassment) or offensive behavior.

POLICY:

Various Federal and state laws, including Title VII of the Civil Rights Act of 1964 and the Florida Civil Rights Act, prohibit discrimination in employment based on protected class. There shall be no unlawful discrimination or harassment against applicants or employees on the basis of race, color, national origin, religion, sex, gender, age, marital status, pregnancy, disability, veterans' status, genetic information, or other status protected by federal, state or applicable local law. This policy applies to all terms and conditions of employment, and to all phases of the employment relationship, including recruitment, hiring, assignments, selection for training, promotion, upgrading, transfer, layoff, discipline, discharge, pay and benefits.

There shall be no unlawful retaliation against any employee because he or she has reported or complained, internally or externally, about discrimination, harassment or offensive behavior; because he or she has refused to participate in discrimination, harassment or offensive behavior; or because he or she has participated in an investigation, internal or external, of alleged discrimination, harassment or offensive behavior.

A formalized method for investigating and resolving complaints of discrimination, harassment or offensive behavior has been established, as fully outlined below. **It is the responsibility of all employees to fully comply with this process and the other requirements of this Policy to ensure equal employment opportunity for all persons.**

Failure on the part of any employee, supervisor or management personnel to fully comply with the requirements of this policy may result in disciplinary action up to and including termination from County employment.

PROCEDURE:

Employee Responsibilities

It is the responsibility of all employees to:

- be knowledgeable about the County's current employment Policies and Procedures, and about this policy on Discrimination, Harassment and Offensive Behavior;
- attend training provided by the County on sexual harassment and other forms of discrimination and harassment;
- refrain from engaging in discrimination, harassment or offensive behavior toward, or in the presence of, other employees;
- refrain from the display of offensive materials related to race or sex or any protected status;
- **immediately inform** any person, whether elected official, director, manager, supervisor, co-worker or outside party (such as vendor or contractor) who has demonstrated unwelcome and offensive behavior that such behavior is offensive and that you request the behavior stop;
- **immediately cease** all discriminatory, harassing or offensive behaviors if you are requested by another employee to stop such behaviors;
- **immediately report**, according to the procedures below, any experienced, observed or alleged incidents of discrimination, harassment or offensive conduct or behavior by another employee, elected official, director, manager, supervisor or third party;
- keep claims of discrimination, harassment and/or offensive behavior otherwise confidential;
- refrain from retaliation against other employees for reporting or participating in the investigation of claims of discrimination, harassment or offensive behavior; and
- refrain from making complaints in bad faith – that is, complaints that are known by you to be false.

Note: It is never acceptable for an employee experiencing or witnessing discrimination, harassment or offensive behavior to take no action.

Supervisory Responsibilities

It is the responsibility of all persons with supervisory responsibilities to:

- be knowledgeable about the County's current employment Policies and Procedures, and about this policy on Discrimination, Harassment and Offensive Behavior;
- attend training provided by the County on sexual harassment and other forms of discrimination and harassment;
- monitor carefully and frequently the workplace within your area of responsibility, be aware of the conduct of all employees under your supervision as it relates to this policy, and take all steps necessary to ensure that the work environment is free from discrimination, harassment and/or offensive behavior;
- immediately report to the Human Resources Director any observed, perceived, alleged or reported incidents of discrimination, harassment or offensive behavior by or concerning any employee, supervisor, manager, director, elected official or third party.

Notification to Human Resources (HR) must occur without delay.

- cooperate with the HR Director, the County Attorney, the County Administrator or any investigator in the investigation of the complaint and cooperate in the determination of any appropriate disciplinary actions that may result;
- refrain from engaging in discrimination, harassment and/or offensive behavior;
- refrain from retaliation against any person;
- avoid the appearance of impropriety at all times in relationships with subordinate employees;
- keep confidential any and all information, report or investigations of claims of discrimination, harassment and/or offensive behavior. Disclosure should be limited only to persons identified by the Human Resources department as having a "need to know".

Note: It is never acceptable for a member of management who becomes aware of alleged or perceived discrimination, harassment or offensive behavior to take no action. Failure to report any and all information, complaints, etc. to HR will result in disciplinary or performance action, up to and including termination from employment.

Reporting Discrimination, Harassment or Offensive Behavior

It is the responsibility of all employees experiencing, witnessing, or receiving information concerning discrimination, harassment or offensive behavior to immediately report the same to:

- the employee's supervisor;
- the employee's manager;
- the employee's department director;
- any member of management; and/or
- any person in the HR department.

You are not expected to report discrimination, harassment or offensive behavior to your manager or director if it is your manager or director that is responsible for the offensive conduct, but you are expected to report the behavior to someone, listed above, with whom you feel comfortable speaking.

All directors (or other management personnel) aware of or receiving complaints of discrimination, harassment or offensive behavior shall immediately inform the HR Director, who shall follow the processes for investigating complaints, outlined below.

No employee will be retaliated against for complaining about discrimination, harassment or offensive behavior. Accordingly, **fear of retaliation is never an acceptable reason for failing to make a complaint.**

Investigating Complaints of Discrimination, Harassment or Offensive Behavior

All complaints shall be investigated, coordinated and handled through the County's HR Director, in consultation with the Office of County Attorney, unless otherwise specifically provided in this Policy.

Because of the extremely sensitive nature of these types of complaints and the potential "spill-over effect" on the job, future, and personal lives of all involved, the following procedures are established:

- If the complaint is against a member of the Board of County Commissioners, the HR Director shall bring the complaint to the Chairperson (unless the complaint is against the Chairperson, in which case, it shall be brought to the Vice-Chairperson). The Chairperson (or Vice Chairperson), in coordination with the County Attorney, will appoint an independent outside investigator to investigate the complaint. The investigator shall investigate and issue a report to the Chairperson (or Vice Chairperson, as applicable) in accordance with the procedures, below.
- If the complaint is made against the County Administrator, the County Attorney or the Director of Economic Development, the HR Director shall bring the complaint to the Chairperson of the Board of County Commissioners. The Chairperson, in coordination with the County Attorney (or designee if the complaint is against the County Attorney), will appoint an independent outside investigator to investigate the complaint. The investigator shall investigate and issue a report to the Chairperson in accordance with the procedures, below.
- If the complaint is made against a Department Director, the HR Director shall bring the complaint to the County Administrator. The County Administrator may appoint the HR Director, a member of the County Attorney's staff or an independent outside investigator selected in coordination with the County Attorney, to investigate the complaint. The investigator shall investigate and issue a report to the County Administrator, in accordance with the procedures, below.
- If the complaint is made against the HR Director, it shall be brought directly to the County Administrator. The County Administrator may appoint a member of the County Attorney's staff or an independent outside investigator selected in coordination with the County Attorney, to investigate the complaint. The investigator shall investigate and issue a report to the County Administrator, in accordance with the procedures, below.
- If the complaint is made against any other County employee (whether supervisory or non-supervisory), or if the complaint is against a third person (such as a vendor or contractor), unless directed by the County Administrator otherwise, the HR Director may investigate the complaint or assign a member of his or her staff to conduct the investigation. The investigator shall investigate and issue a report to the HR Director, in accordance with the procedures, below. The HR Director will report to the County Administrator.

In all cases, a separate complaint file will be opened by the HR Director which will be separate from the personnel files of the persons involved. Said file shall be confidential to the extent allowed by the Florida Public Records Act and will be available only to the Chairperson, the County Attorney (or designee), the County Administrator (or designee), the HR Director (or designee), and the investigator appointed to investigate the complaint.

The investigator will be charged with the responsibility of gathering information relevant to the claim and shall have the right to interview employees and witnesses. When appropriate, the Chairperson of the Board of County Commissioners (or designee), the County Administrator (or

designee), the County Attorney (or designee, or the HR Director (or designee) shall assist in coordinating the interviews and obtaining any documentary evidence needed.

The investigator will not discuss any aspect of the investigation with anyone, and the identity of persons interviewed will remain confidential, except to those persons who have access to the file as provided above, and then, only upon their request.

Investigators shall instruct all persons interviewed to keep the contents of their interview confidential. Unless otherwise required by law, failure to maintain confidentiality by any person, whether management personnel or staff, may result in disciplinary action up to and including termination from County employment.

Upon completion of the investigation, the investigator will make a report and turn over the file and all investigative materials, including notes, to the HR Director, County Administrator, Chair of the BCC, or County Attorney, as appropriate.

Disciplinary Action

- As to complaints against a member of the Board of County Commission, the County Administrator, County Attorney or Director of Economic Development, if, based on the investigator's report, the Chairperson (or Vice Chairperson if applicable) finds no reasonable cause supporting the allegations in the complaint, the file shall clearly so indicate and all parties shall be advised. No additional entry may be made in that file.

If, based upon the investigator's report, the Chairperson (or Vice Chairperson if applicable) finds reasonable cause supporting the allegations in the complaint, in whole or in part, the Chairperson (or Vice Chairperson, if applicable) shall bring the matter to the Board of County Commissioners for action consistent with the requirements of law and County policy.

- As to complaints against Department Directors, if, based on the investigator's report, the County Administrator finds no reasonable cause supporting the allegations in the complaint, the file shall clearly so indicate and all parties shall be advised. No additional entry may be made in that file.

If, based upon the investigator's report, the County Administrator finds reasonable cause supporting the allegations in the complaint, in whole or in part, he or she may attempt to resolve the matter amicably between the charging and charged parties. Absent a mutually acceptable resolution, the County Administrator shall make a determination as to what disciplinary action, if any, shall be taken. All disciplinary action shall be reasonably calculated to ensure that the discrimination, harassment or offensive behavior ceases.

- As to all other employees, if, based on the investigator's report, the HR Director finds no reasonable cause supporting the allegations in the complaint, the file shall clearly so indicate and all parties shall be advised. No additional entry may be made in the file. If, based upon the investigator's report, the HR Director finds reasonable cause supporting the allegations in the complaint, in whole or in part, he or she may attempt to resolve the matter amicably between the charging and charged parties. Absent a mutually acceptable resolution, the HR Director, in conjunction with the County

Administrator, shall make a determination as to what disciplinary action, if any, shall be taken. All disciplinary action shall be reasonably calculated to ensure that the discrimination, harassment or offensive behavior ceases. If the decision is made to discipline any employee, other than a conversation confirmation, a copy of the notice of disciplinary action will be placed in the employee's personnel file in accordance with the County's usual procedure.

Employees (except those employed "at-will") who are disciplined as a result of a finding of discrimination, harassment or offensive behavior, or for filing an intentional bad faith claim of discrimination, harassment or offensive behavior, shall be entitled to file a grievance in accordance with applicable County Policy or any applicable Collective Bargaining Agreement.

In all cases, a record of the decision will be made and placed in a separate file which shall be maintained by the County Attorney and the parties will be made aware of the decision. Employee files shall be handled pursuant to Disciplinary guidelines. The investigation file will be maintained separately and is confidential except as is required by the Florida Public Records Act.

DEFINITIONS:

Adverse Action – Any act that has the effect of precluding a job applicant or employee from enjoying equal employment opportunities with respect to wages, hours and/or terms and conditions of employment, including but not limited to, actions involving hiring, promotion, demotion, discipline, discharge, performance evaluations, job assignments and access to benefits.

Discrimination – Any adverse action against a job applicant or employee which deprives the person of the equal opportunity to enjoy the benefits, terms and/or conditions of employment, on the basis of that person's protected class status.

Harassment – Any unwelcome act against an employee or class of employees that is sufficiently severe and/or pervasive as to alter the terms and conditions of employment, results in a tangible change in employment status or benefits, or creates a hostile work environment. The term "harassment" includes "sexual harassment".

Hostile Work Environment – Unwelcome comments or conduct, based on protected class, that unreasonably interfere with an employee's work performance or create an intimidating, hostile or offensive work environment. A hostile work environment may or may not result in tangible employment actions. A work environment that is perceived to be "hostile" based on reasons other than protected class is not technically a "hostile work environment", although it may be offensive. It is the responsibility of all employees to refrain from all hostile or offensive behavior.

Management – The employee's supervisor, manager; department director; any other supervisor, manager or dept. director; or any person in the HR department.

Offensive Behavior – Not all complained-of behavior rises to the level of unlawful discrimination or harassment. However, jokes, innuendos, insults, gestures, comments and other behaviors, as well as the display of posters, photographs, cartoons, magazines, graffiti and the like, based upon race, color, national origin, religion, sex, pregnancy, disability, marital

status, veterans' status or other status protected by federal, state or applicable local law, are clearly inappropriate in the workplace. The County's goal is to correct offensive behavior before it rises to the level of unlawful harassment or discrimination.

Protected Class – a job applicant or employee's race, color, national origin, sex/gender, age, pregnancy status, disability, marital status, veterans' status, genetic information, or other status protected by federal, state or applicable local law.

Retaliation – Adverse action or harassment against an employee because that employee has reported or complained, internally or externally, about discrimination, harassment or offensive behavior; because an employee has refused to participate in discrimination, harassment or offensive behavior; or because an employee has participated in an investigation, internal or external, of alleged discrimination, harassment or offensive behavior.

Sexual Harassment – Any unwelcome act against an employee or class of employees that is based on sex or on the employee's gender, and that is sufficiently severe and/or pervasive as to alter the terms and conditions of employment, results in a tangible change in employment status or benefits, or creates a hostile work environment. Sexual Harassment may occur in either or a combination of the following forms:

Quid Pro Quo Sexual Harassment – which occurs when an individual implicitly or explicitly abuses his or her position of authority in an attempt to obtain unwelcome sexual favors or liberties, or in response to an employee's refusal to provide sexual favors or liberties.

Hostile Work Environment Sexual Harassment – involves comments or conduct, such as intimidation, ridicule, pressure or insult based on, related to or because of sex or gender. It may be indicated by unwelcome, inappropriate, sexually explicit verbal, visual or other behavior such as jokes, innuendo or the display of sexually explicit material; unwelcome physically inappropriate behavior such as gestures or inappropriate touching; or unwelcome comments or actions that are not necessarily related to sexual activity, but which are demeaning because of an employee's gender, or which demonstrate gender animosity.

SCHEDULED REVIEW DATE:

Annually

AMENDED:

August 11, 2023

3.53 INVESTIGATIONS

ORIGINATING DEPARTMENT:
Human Resources

ADOPTED:
January 1, 2005

PURPOSE:

To ensure alleged violations of law or County policy are investigated in order to protect all parties.

POLICY:

County Management and designated staff members will conduct an investigation any time they have reason to believe a law or County policy has been violated. County staff members will resolve problems as quickly and accurately as possible, whether the problems relate to violent behavior, harassment, drug use, theft, or other wrongful activities or policy violations.

The County reserves the right to use any lawful method of investigation which, at its sole discretion, it deems reasonable and necessary to determine whether any employee has engaged in conduct warranting disciplinary action.

Any employee who has violated the law or County policy and procedures will be subject to disciplinary action, up to and including dismissal.

Failure to cooperate with an investigation, or failure to abide by the rule of confidentiality, will be grounds for disciplinary action, up to and including dismissal.

Retaliation against employees for reporting wrongful activity or assisting in the investigation of a complaint is prohibited and will be grounds for disciplinary action, up to and including dismissal.

PROCEDURE:

Employees are to report any suspected violation of law or County policy and procedures to the supervisor. The supervisor will review and forward a report to Human Resources. If the complaint concerns something other than harassment or workplace violence, Human Resources will assign the appropriate person to investigate the complaint. If the complaint concerns harassment or workplace violence then Human Resources will follow procedures specified in either the County's Discrimination, Harassment, or Offensive Behavior, or Workplace Behavior, Bullying, and Violence policies.

Employees will cooperate fully in any investigation which includes, but is not limited to, answering all questions honestly and fully. Except for people with authorized access to the investigation all information that is shared during the investigation will remain completely confidential and will not be discussed under any circumstances until the conclusion/outcome.

[NOTE: Once an investigation is closed, the documents become public record, pursuant to Chapter 119, of the Florida Statutes.]

The lead investigator will make a report of findings to Human Resources and communicate the results of the investigation only to those employees with the need to have access to it.

Human Resources will ensure that the appropriate supervisor, Manager, or Director takes appropriate corrective action based on the findings and will make all reasonable efforts to keep the information obtained in an investigation confidential as much as possible and to the extent permitted by Florida law. Reasonable efforts will be made to protect the privacy rights of employees interviewed in the course of an investigation.

[NOTE: Employees are not guaranteed confidentiality due to Florida public records law. However, the investigator will not divulge any information unnecessarily.]

Employees are to contact the Human Resources Department whenever there are questions regarding this policy or investigation procedures.

DEFINITIONS:

Retaliation – Includes, but is not limited to, such acts as refusing to recommend an employee for a benefit for which they qualify, spreading rumors about the employee, encouraging hostility from co-workers, or escalating a situation.

SCHEDULED REVIEW DATE:

Annually

AMENDED:

January 7, 2011, August 15, 2014

3.33 USAGE OF COUNTY VEHICLES, EQUIPMENT AND PROPERTY

ORIGINATING DEPARTMENT:
Human Resources

ADOPTED: July 22, 2008

PURPOSE:

To ensure that County vehicles, equipment, and property are used only when there is a demonstrated advantage to the County, and that usage is performed in the most efficient and effective manner to provide service to the citizens of Charlotte County, while maintaining a professional image for the County. Employees are reminded that use of County vehicles, equipment, and property is restricted to providing service to our citizens as public resources and not to be used for personal purposes.

POLICY/PROCEDURE:

Employees (defined as full-time, part-time, seasonal, temporary, and paid interns over the age of 18) may be assigned a County vehicle to meet work-related transportation needs or to fulfill an on-call assignment. County vehicles are not to be used by employees for any purpose other than County business.

*** Temporary employees provided to the County through a vendor, unpaid interns, and paid interns under the age of 18 shall not operate County vehicles at any time.*

Employees may not drive County vehicles without the prior approval of their supervisor. Before approval, the supervisor will ensure that each operator possesses a current Florida State Driver's License for the class of vehicle to be operated. Employees whose jobs require regular driving for the County as a condition of employment must be able to meet the driver approval standards at all times. In addition, employees holding those jobs must inform their supervisor of any changes that may affect their ability to meet the standards.

The Human Resources Department in conjunction with the Risk Manager (or designee) will annually obtain and review the driving record of each authorized vehicle operator and report any discrepancies to the appropriate department director.

Employees who drive a vehicle on County business must exercise due diligence to drive safely and follow all traffic laws, avoid distractions while driving, and maintain the security of the vehicle and its contents. Lock all vehicles when off site during any absence from the vehicle. Place any valuable items, County or personal property, in a secure place where they cannot be seen by an observer. If possible, do not leave valuable items in the vehicle during an absence. Employees are not permitted, under any circumstances, to operate a County vehicle or personal vehicle on County business when any physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of illness, medication, or intoxication.

Employees are responsible for any driving infractions or fines that result from their driving when driving a County vehicle or personal vehicle on County business and must report them to their supervisor.

Employees must report any accident, theft, damage, breakdown, or mechanical problem involving a County vehicle or a personal vehicle used on County business to their supervisor and the Risk Management Division, regardless of the extent of damage or lack of injuries. These reports must be made as soon as possible, but no later than 24 hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident. However, they should not make any statements other than in reply to questions of investigating officers.

All County vehicles are to remain within the established political boundaries of Charlotte County except for authorized travel. Out of County travel requires prior approval from the division manager, assistant director, or department director. County vehicles are not to be taken home overnight except for those classifications on a take-home-vehicles list approved by the County Administrator or his designee, or those with prior permission from the division manager, assistant director, or department director. In the event an employee is allowed to keep the vehicle overnight and that employee has reason or need to travel outside County boundaries, the assigned County vehicle must be left at a Charlotte County facility, or another reasonable and protected location in Charlotte County.

All passengers in the vehicle must be current County employees, with the exception: Non-County employee passengers will be permitted if needed to perform an inspection, tour a facility with a contractor, consultant, resident, or if part of the normal job function. Generally, if there is a valid public purpose for a non-county individual to be in a county vehicle, then they can be a passenger in the vehicle.

Safety and Maintenance Procedures

Drivers are responsible for performing safety procedures to ensure safety and that the vehicle is properly maintained. Operators may obtain a copy of Fleet Management's Operator Discrepancies and Maintenance Report for inspection and documentation purposes. Discrepancies are to be reported immediately for correction.

Daily inspections to be performed by operator:

- Safety belts
- Exhaust system
- Tire condition
- Brake system
- Lights
- Windshield wipers
- Mirrors and glass
- Turn signals
- Horn

Monthly inspections to be performed by operator:

Fleet Management will assist operator in performing these checks, if the operator cannot complete them alone. Assistance must be requested and accepted in writing.

- Automatic transmission fluid level
- Motor oil
- Windshield washer fluid
- Coolant level
- Tire Pressure

Vehicle operators will wash their vehicles when needed.

- Drive through automatic car washes may be used for sedans small trucks and vans.

- Vehicle interior will be vacuumed as needed.

Regular review of vehicle care and maintenance:

- Each division will inspect their assigned vehicles on a quarterly basis to ensure proper vehicle operator care and maintenance. Inspection documentation shall be maintained so that vehicle operators who maintain their vehicles in an outstanding manner may be recognized by their division during employee recognition programs.

Suspected abuse or misuse:

- During routine or unscheduled maintenance, inspection will be made for possible abuse or misuse, and if observed will be noted on the work order for management review.

Take-Home Vehicle Policy

Authorized individuals may be granted use of a County vehicle for transportation to and from their place of residence and their workplace, or in response to problems during other than normal work hours. The procedures established shall apply to all employees who are authorized to use County vehicles for this purpose. Only employees falling under this policy will be authorized or allowed to use a County vehicle for this purpose unless prior approval is given by the department director or division manager. It is the responsibility of the department director and division manager to ensure compliance with all procedures. The assignment of a take-home vehicle is contingent on agreement with the following conditions:

- The employee may be required to perform work functions prior to arriving at the office or after leaving the office if the required function is en route to their home or vehicle drop off point. These functions will be assigned as required by the supervisor.
- All persons who operate County vehicles will be employees of the County, possess, and maintain a valid Florida Driver's License as required by law. Any changes to your driver's license or status must be reported to your supervisor within 24 hours of the change.
- Employees shall not operate County vehicles for the purpose of conducting a private business or enterprise or for any other personal use. It is, however, recognized that a minimal amount of personal use of a County vehicle may be required for those employees that are assigned a take-home vehicle. This personal use shall be limited to:
 - Commuting to and from work
 - Performing small errands during the drive to and from work providing there is no deviation from the regular route taken by the employee.
 - Personal emergencies if no personal vehicle is available and the department director grants approval.
- All passengers in the vehicle must be current County employees, with the exception that a non-County passenger will be permitted if needed to perform an inspection, tour a facility with a contractor, consultant, resident or if part of the normal job function, or their presence in the vehicle is for a "valid public purpose".
- The vehicle must be parked in a reasonably secure area at the employee's residence or on County property when not in use for County business or en route to and from work.
- The vehicle must be parked at the administration building if the assigned employee is on scheduled leave of absence for longer than forty-eight hours.
- The following items must not be transported in an assigned vehicle:
 - Firearms or explosives
 - Alcohol
 - Banned or illegal substances
- The use of tobacco products is not permitted in the County vehicle at any time.
- Assignment of vehicles is at the sole discretion of the department director.

Failure to comply with any of these conditions could result in disciplinary action up to and including termination.

Use of personal vehicles for County business

When a County-owned vehicle is not available or assigned, an employee may periodically and irregularly use a personally owned vehicle to carry out duties and responsibilities. All County employees are eligible to use their personal vehicle in the conduct of official County business.

Employee requirements:

- Prior approval from the department director is required to use a personal vehicle in the conduct of County business.
- Employees must possess a current and valid motor vehicle operator's license issued by the State of Florida appropriate for the size and type of vehicle operated.
- The vehicle must be tagged and titled in the State of Florida
- The employee must be the owner of the vehicle, and operator for all mileage for which reimbursement is claimed.
- The employee must provide a copy of the Certificate of Insurance or Insurance Identification card to the Risk Management Division. At the time of renewal or change of policy, updated information must be provided.
- Employees who are not compensated for mileage by the County will not be permitted to use their automobiles on behalf of the County.
- Employees are not required to name the Charlotte County Board of County Commissioners as additional named insured on their automobile insurance policy.
- Upon authorization for use of a private vehicle, employees are required to document actual miles per month, and will be reimbursed at a rate established under Florida Statute 112.601. Mileage reimbursement claims are to be approved by the employee's department director and forwarded to be processed by the Clerk of the Circuit Court – Finance Division.
- If an employee is involved in an accident in a personal vehicle while on County business, a claim must be filed first with the employee's insurance carrier. Contact the Risk Management Division immediately.
- If there is litigation as a result of an accident, the County may represent the employee. In this situation, the Risk Management Division must be notified immediately in order to extend excess coverage, if available.
- If an employee's personal vehicle is damaged or burglarized while on County business a claim must be filed with the employee's insurance carrier. The County is not responsible for personal vehicles while parked on County property.

Reporting Vehicle Accidents

Operators involved in accidents that result in injuries and/or property damage of any type must observe the following protocol:

- Stop immediately and stay at the scene of the accident.
- Request help from 911. Obtain medical assistance for any injured parties. Do not move them or the vehicles involved unless lives are in danger.
- Warn motorists of any highway hazard.
- Notify local law enforcement.
- Obtain names, addresses, telephone numbers, and vehicle tag numbers from other drivers and witnesses.
- Notify the department supervisor and the Risk Management Division.
- Prepare Vehicle Accident Report.
- Obtain factual information using the accident report form in the vehicle as a guide.
- Obtain any case number or accident report numbers assigned by law enforcement.

- Stay at the scene of the accident until authorized to leave by law enforcement or the Risk Management Division.
- Do not offer any information or answer any questions except as directed by a law enforcement officer.
- Do not admit to liability, negligence, or fault.
- If vehicle cannot be driven from the scene, notify Fleet Management.

Use of County Equipment

It is the responsibility of every employee who utilizes County equipment, to safeguard the equipment against loss, damage, vandalism, or theft while the equipment is in their care, custody, or control. County property and equipment is not to be used for personal gain. County equipment is not to be loaned to or operated by any non-County agency or person without direct supervision of the equipment by the County employee responsible for the equipment.

Any County equipment that is lost, damaged, vandalized or stolen must be reported immediately to the respective supervisor and any vandalized or stolen equipment must also be reported to the appropriate law enforcement agency and a written report obtained. A copy of the law enforcement report along with the Charlotte County Supervisor's Incident/Accident Report will then be processed in accordance with the Charlotte County Claims Procedures.

Radio Division Repair Process

To cut repair and service costs in the county, radio division will evaluate requests for radio repairs, quotes, installation, and service. Forms for this process are posted on the County Forms page on Connect@Work.

Loaned Equipment

It is in the best interest of the County to promote cooperation between departments in the sharing of equipment and/or supplies. However, certain procedures should be observed to protect both the County property as well as reduce any threat of liability through injury by inexperienced operators.

Loaned equipment to County Departments or County employees, outside their respective departments, must have prior approval from the owning department's director.

- The lending department should request information on the individual that will be using their equipment to ensure they are qualified to use it. If the borrowing department does not have an individual that is experienced using the equipment, it should not be loaned.
- Personal injuries resulting from any borrowed equipment or supplies are the responsibility of the borrowing department.
- Liability for property damages to others will be assessed to the borrowing department.
- Damage to equipment is the responsibility of the borrowing department and any repair or replacement costs will be charged to the borrowing department

SCHEDULED REVIEW DATE: Annually

AMENDED: July 12, 2017, June 29, 2021

INFORMATION TECHNOLOGY APPROPRIATE USAGE

ORIGINATING DEPARTMENT:
Budget and Administrative Services/IT Division

ADOPTED: July 22, 2008

PURPOSE:

This policy addresses access to and the disclosure of information from the computer and communication systems Charlotte County ("County"). This policy also serves as notice to employees, contractors and others that there is no expectation of personal privacy in the use of the County's computer and communication systems. This policy covers the use of all information technology (IT) resources belonging to or provided by the County. All IT resources owned by the County are in place to enable the County to provide its services in a timely and efficient manner. This is the primary function of these resources and any activity or action that is inconsistent or interferes with this purpose is prohibited. Because technology systems are constantly evolving, the County requires its employees to use a common sense approach to the rules set forth below, complying not only with the letter, but also the spirit, of this policy.

This Policy applies to all County employees, contractors, volunteers, interns and others ("Users") who have access to the County's IT Network. The term "IT Network" means all equipment, software and services related to the County's information technology network or to communication services provided by the County, including, but not limited to: all computer systems of any size and function, associated peripheral devices, office telephones, cellular phones, pagers, faxes, voice mail systems, e-mail systems, network resources and Internet resources.

POLICY:

All technology resources and all information transmitted by, received from, or used for County business are the property of the County and as such, are subject to audit. The County reserves the right for County purposes to enter, review and monitor the information on all systems, including voice mail, electronic mail and information stored on computer systems, peripheral devices or media, without advance notice. This may include investigating theft, unauthorized disclosure of confidential business, personal abuse of the system or monitoring workflow and productivity.

PROCEDURE:

Permitted Use of IT Network:

The County's IT Network is intended to facilitate communication and assist Users in performing work for the County. While in the performance of work-related functions, while on the job, or while using publicly owned or publicly provided technology resources, Users are expected to use them responsibly, professionally, ethically and lawfully at all times. Users shall make no intentional use of these resources in an illegal, malicious, inappropriate or obscene manner, nor shall they use these resources to visit sites or conduct activity that is illegal, malicious, inappropriate, or obscene. The County reserves the right to monitor and review sites visited on the Internet should the need arise.

Personal use of County resources by a User neither expresses nor implies sponsorship or endorsement by the County. Occasional personal use of the IT Network is permitted if it does not interfere with the User's work or anyone else's work at the County, have a detrimental effect on the IT Network's performance, violate or infringe on the right of any other person or

entity, constitute a criminal offence or give rise to civil liability, violate a County policy or regulation, create an additional cost to the County or undermine the use of County resources for official County purposes. Any personal use of the IT Network that is deemed excessive may result in progressive disciplinary action, up to and including termination. Personal use may be deemed excessive even if there were no direct additional costs incurred by the County.

Some examples of **unacceptable** uses include:

- o Displaying or transmitting images, cartoons, jokes or other communications that violate the County's policy against harassment on the basis of race, color, sex, religion, national origin, age or disability;
- o Using the County's IT Network to operate a personal business or to send messages that violate the County's policy regarding solicitation and distribution;
- o Using the County's IT Network for political campaigning or political endorsements that violate County policy;
- o Placing the County's IT Network at risk of security breaches or;
- o Using the County's IT Network for any personal use that may be deemed excessive.

Conservation of Computer Resources:

Computer resources are not unlimited. Network bandwidth and storage capacity have finite limits, and all Users connected to the network have a responsibility to conserve these resources. The County does not permit acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to:

- o Sending or responding to mass mailings or chain letters;
- o Spending excessive amounts of time on the Internet for non-business reasons such as playing games, engaging in online chat groups or instant messaging, uploading or downloading large files, accessing streaming audio and/or video files, or otherwise creating unnecessary loads on network traffic associated with non-business-related uses of the Internet;
- o Advertising, notifying or announcing any personal item for sale or to give away. Only County-sponsored or authorized items or events may be announced via the County's email system. For example: The County's Wellness program may announce a County-sponsored golf tournament. On the other hand, an employee is not allowed to advertise a set of golf clubs for sale or to announce that they are available for free. (Charlotte's Web has an Employee Message Board for such needs).

Users who wish to send a large group e-mail message must get permission from their Department Head or his/her designee.

Illegal Copying:

The County prohibits illegal copying and the violation of software licenses and other copyrighted material. Users are responsible for complying with copyright law and all applicable licenses that may apply to software, files, graphics, documents, messages, and other material they wish to download or copy. Users shall not load any software from any source either external or internal without the prior approval of the County Information Technology Division. This includes shareware, freeware, personal software, browser "plug-ins" or other Internet-distributed programs. Users shall not make any copies of County-owned software without the permission of the County Information Technology Division since it may violate the software copyright.

Network Security:

All Users shall have an individual user profile (Username and password) to access resources on the County IT Network. These user passwords are not to be shared with any other person at any time. Each User is responsible for all actions taken while using his/her user password therefore; signing on for another person with your password is not permitted at any time. Passwords must not be written down and stored, posted anywhere, programmed into a macro or stored on the computer system in an unencrypted form.

Except as provided elsewhere in this policy, the examination, modification, copying, or deletion of files and/or data created by other employees without their prior consent is prohibited.

To enhance security and avoid the spread of viruses, Users accessing the Internet through the County's IT Network must do so through Information Technology's approved Internet firewall or other security device using approved software. Any attempt to bypass or alter the County's security measures would be considered inappropriate and will be subject to disciplinary action.

Some examples of bypassing security settings are as follows:

- o Changing web browser history settings
- o Installation of privacy filtering software
- o Altering personal firewall settings where applicable

Users should not leave a PC unattended without first logging off or locking the desktop.

Disclaimer:

The Internet is a worldwide network of computers that contains billions of pages of information. Please be aware that many of these pages include offensive, sexually explicit or inappropriate material. It is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. Additionally, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. That being the case, Users access the Internet at their own risk. The County will make every effort to ensure offensive, sexually explicit or other inappropriate material is not viewed via or downloaded using the County IT Network, however, the County is not responsible for material viewed or downloaded by Users or others from the Internet.

No Expectation of Privacy:

Users have no expectation of privacy regarding e-mail or anything else created, stored, sent or received using the County's IT Network. The IT Network is the property of County and all e-mail messages and attachments created or transmitted on the County's IT Network for the purpose of County business become the property of the County. The County reserves the right to access, review, copy and delete all materials created, stored, sent or received through the IT Network or any County Internet connection. The County further reserves the right to disclose such materials to any party (inside or outside the County), as the County deems appropriate. This Policy applies to personal messages and documents as well as work-related messages and documents. The fact that the County's IT Network may allow Users to designate messages as "confidential" or "private," or restrict access to documents with a password/access code, does not alter this Policy or confer upon Users any right to privacy regarding such messages or documents.

Monitoring of IT Network and Internet Usage:

The County may monitor and log any and all aspects of its IT Network without advance notice. This includes, among other things, monitoring Internet sites visited by Users, monitoring chat and newsgroups, monitoring file downloads, and reviewing e-mail and other communications sent and received by Users. County Administration has adopted guidelines for County staff involved in monitoring regarding the circumstances under which such monitoring will occur. These guidelines may change from time to time without notice.

Blocking Sites with Inappropriate Content:

The County reserves the right to utilize software to identify and block access to Internet sites and e-mail containing sexually explicit material or other material deemed inappropriate in the workplace.

No Waiver of Attorney-Client Privilege:

Nothing in this Policy is intended to preclude the County from asserting attorney-client privilege or work product protection with respect to any documents created, stored, sent or received using the County's IT Network.

Public Records:

Documents created, stored, sent or received using the County's IT Network may constitute public records. Florida law determines whether a document constitutes a public record. Nothing in this Policy shall be deemed to invalidate any exception to the public records laws, or to imply that all documents created, stored, sent or received using the County's IT Network constitute public records.

Violation of this Policy:

Violation of this Policy may result in suspension of access to the County's IT Network, in termination of employment or in some other form of progressive disciplinary action. It may also result in civil and/or criminal liability. For non-employees, violation of this Policy will result in suspension of access to the County's IT Network, constitute grounds for termination of contract by the County, and possible civil and/or criminal liability.

Changes to Policy:

This policy is not a contract. The County reserves the right to change it at any time.

SCHEDULED REVIEW DATE:
Annually

AMENDED:

INFORMATION TECHNOLOGY APPROPRIATE USAGE

ORIGINATING DEPARTMENT:
Budget and Administrative Services/IT Division

ADOPTED: July 22, 2008

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POLICY:

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To enhance security and avoid the spread of viruses, Users accessing the Internet through the County's IT Network must do so through Information Technology's approved Internet firewall or other security device using approved software. Any attempt to bypass or alter the County's security measures would be considered inappropriate and will be subject to disciplinary action.

Some examples of bypassing security settings are as follows:

- o Changing web browser history settings
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Changes to Policy:

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SCHEDULED REVIEW DATE:
Annually

AMENDED:

Knowlton, Janette

cell

From: Austria, Ceres
Sent: Thursday, May 29, 2025 11:12 AM
To: Knowlton, Janette
Subject: Investigation attorney

407-427-3489

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bifurcate
interview
transcript

Respectfully,

- need help w/ scheduling?
- transcripts? court rept.
- reviewing all photos or
just ones IT reviewed?



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CharlotteCountyFL.gov
Delivering Exceptional Service

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jackie

Constance

elected official
reimaged

lost all files on it

3rd p. tools - restore

inapprop. material

last Thurs. couldn't log into Chavez on surface
fell off domain 5x

missteps

- did he back up data?

reimaged surface
deletes everything

extremely upset - ?

ANTONY security mgr. to recover tools

14,000 files recovered

don't get deleted until overridden

thumbnail images (icons)

Tony saw ¹⁾ female in bra/panties bathroom
²⁾ neck down to hips naked

appear to be pictures of medical
procedures

privacy problem (HIPAA)

didn't appear
to be work

maybe
work

speeches, eval.
input lost pictures
evaluations

surface not yet returned
items restored to computer

investigation
offensive behavior / misuse of computer
return a surface w/ thumb drive

- report
- photos glean
- names
- policies

54
87 medical records

1-21 1-9

no intent
- offensive
- ~~HIPPA~~
- failure to cooperate

PR record course
IT

State v. Clearwater

Bean vs. Escambia County
Underhill

"personal"

made or received by an agency in connection with transaction
of official business which are used to
perpetuate, communicate or formalize knowledge
NOT a public record

once inv. open → becomes public record
when ~~IT~~ people make a record - less clear
part of their duty

~~HIPPA~~ exempt

unauth. disc. of protected health info.

Piracy Rule

Security Rule

Breach Rule

notification