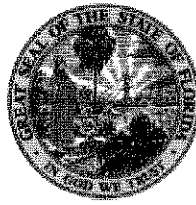


WILLIAM "BILL" EDDINS
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OFFICE OF
STATE ATTORNEY
FIRST JUDICIAL CIRCUIT OF FLORIDA

March 5, 2012

PRESS RELEASE

State Attorney Bill Eddins announced today that the Okaloosa County Grand Jury indicted Major Joseph E. Floyd, with the Crestview Police Department for Racketeering. A copy of the Indictment is attached.

The Okaloosa County Grand Jury also returned a Presentment regarding Major Joseph E. Floyd. A copy of the Presentment is attached.

In addition, the Grand Jury returned a sealed Presentment which must remain sealed for 15 days in order to allow the party the Presentment is directed to, the opportunity to object. No further information can be provided on the sealed Presentment.

The investigation was conducted by the Florida Department of Law Enforcement with the assistance of the Office of the State Attorney. For further information, please contact State Attorney Bill Eddins at 595-4761.

Joseph E. Floyd
RACE: W SEX: M DOB: ()
Agency #

Count 1: Conduct or Participation in an Enterprise through a Pattern of Racketeering Activity,
F. S. 895.03(3), (F - 1, L - 8)

IN THE CIRCUIT COURT FOR OKALOOSA COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff,

v.

JOSEPH E. FLOYD,
Defendant.

Case No.

Division:

2012 CF 000456 C
Div. 006

FILED
DON W. HOWARD
2012 MAR 5 AM 11 35
CIRCUIT COURT
OKALOOSA COUNTY
FT WALTER BEACH, FL

INDICTMENT

In the name and by the authority of the STATE of FLORIDA, the Grand Jurors of Okaloosa County, Florida, for the Winter Term, 2011, upon their oaths as Grand Jurors, do present that from on or about January 11, 2007, and continuing through on or about March 2, 2012, in Okaloosa County, Florida JOSEPH E. FLOYD, while employed by, or associated with, an enterprise as defined by section 895.02(3), Florida Statutes, that is, City of Crestview, Florida, Police Department, did conduct or participate, directly or indirectly, in this enterprise through a pattern of racketeering activity, as defined by section 895.02(1) and (4), that is, he did commit, attempt to commit, conspire to commit, or solicit, coerce, or intimidate another to commit, at least two incidents of crimes chargeable under section 837.06, Florida Statutes; section 784.03(1), Florida Statutes; section 784.011(1), Florida Statutes; section 838.022(1), Florida Statutes; section 838.015(1), Florida Statutes; section 914.22(1), Florida Statutes; and/or section 914.22(3), Florida Statutes; that had the same or similar intents, results, accomplices, methods of commission, or were interrelated by distinguishing characteristics and were not isolated incidents, the incidents being more particularly described, as follows:

a. knowingly making a false statement in writing regarding his education, background and/or his employment history, in connection with his application for

employment with the City of Crestview, Florida Police Department, with intent to mislead a public servant, that is, an officer or employee of the City of Crestview, Florida, or its Police Department, in the performance of the public servant's official duties, in violation of section 837.06, Florida Statutes;

b. intentionally striking or touching a person against his or her will, or intentionally causing bodily harm to a person, in violation of section 784.03(1), Florida Statutes;

c. intentionally and unlawfully threatening by word or act to do violence to the person of another, with the apparent ability to do so, and doing some act which creates a well founded fear in such other person that the violence is imminent, that is, telling a suspect that if he did not pose for a photograph he would shoot him with a dart stun gun or taser, or pointing a taser or dart stun gun, in violation of section 784.011(1), Florida Statutes;

d. falsifying, or causing another person to falsify, an official record or document, that is, police reports; and/or concealing, covering up, or altering, or causing other person to conceal, cover up or alter, an official record or document, that is, police reports, while being a public servant, that is, a police officer with the City of Crestview, Florida Police Department, with corrupt intent to obtain a benefit for any person or to cause harm to another, in violation of section 838.022(1), Florida Statutes;

e. requesting or soliciting from a person, for himself a benefit not authorized by law, that is, sexual acts, while being a public servant, that is, a police officer of the City of Crestview, Florida Police Department, with the intent or purpose of influencing the performance of an act that either the person believed to be, or he represented as being, within his official discretion, that is, employment in law enforcement with the City of Crestview, Florida Police Department or the Department of Corrections, assignment to Street Crimes Unit of the City of Crestview, Florida Police Department, or riding with law enforcement officers of the City of Crestview, Florida Police Department, in violation of section 838.015(1), Florida Statutes;

f. knowingly intimidating, or engaging in misleading conduct toward another person, a police officer of the City of Crestview, Florida Police Department, with intent to cause or induce the person to withhold testimony, or withhold a record, document, or other object, from an official investigation or official proceeding, in violation of section 914.22(1), Florida Statutes; and/or

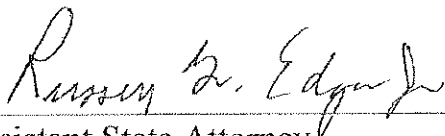
g. intentionally harassing a police officer of the City of Crestview, Florida Police Department, and thereby hindering, delaying, preventing or dissuading him or her from testifying in an official proceeding, cooperating in an official investigation and/or reporting to a law enforcement officer the possible commission of an offense, in violation of section 914.22(3), Florida Statutes;

in violation of section 895.03(3), Florida Statutes.



Foreperson

The undersigned Assistant State Attorney has advised the Grand Jury returning this Indictment as authorized by and required by law.



Assistant State Attorney

STATE OF FLORIDA
COUNTY OF WASHINGTON
J. Childres
CLERK



5 March 2012

IN THE CIRCUIT COURT FOR OKALOOSA COUNTY, FLORIDA

TO: THE JUDGES OF THE CIRCUIT COURT FOR OKALOOSA COUNTY,
FLORIDA

We, Grand Jurors of the State of Florida, lawfully selected, empaneled and sworn, inquiring for Okaloosa County, Florida, Winter Term, 2011, ("Grand Jury") do respectfully make this presentment.

INTRODUCTION

At the request of the State Attorney for the First Judicial Circuit, the Grand Jury investigated complaints of misconduct and criminal activity by the members of the Street Crimes Unit of the City of Crestview, Florida Police Department ("Crestview Police Department" or "Department"). These complaints included allegations of excessive use of force, falsifying reports and records, discriminatory behavior and sexual harassment, misuse of resources, and intimidation of officers and tampering with witnesses.

FINDINGS

The Grand Jury heard testimony from more than forty witnesses and reviewed documents from multiple sources over several weeks in reaching the following findings.

1. Major Floyd and Other Officers at his Direction Used Excessive Force

Officers in the Street Crimes Unit¹ ("Unit") used unlawful and excessive force, in violation of Florida law and Department rules and regulations. Beginning with the employment of Major Joseph Floyd, a pattern of using excessive use of force

¹The Street Crimes Unit investigates street crime such as drug sales, gang activity, and other vice crimes that involve undercover operations or sustained efforts. It consists of several police officers, including a sergeant and an officer in charge. In 2007, Joseph Floyd, formerly a deputy with the Sarasota County Sheriff's Office, was employed by the Crestview Police Department as a lieutenant and placed in charge of the Unit.

against citizens of the City of Crestview developed.

On multiple occasions, Major Joseph Floyd, or officers acting at his direction, used excessive force on persons who were not resisting and were in custody, posing no risk to him, other officers, or the public.

Incidents involving Major Floyd, included tasing suspects without cause, striking a suspect in the head with an assault rifle, elbowing suspects in the throat and neck, and kicking and beating a handcuffed suspect. One officer was ordered to tase a suspect without cause to initiate her into the Street Crimes Unit, even though Major Floyd knew, at the time, that she was not certified to use a taser.

In one incident, Major Floyd, while on surveillance during a drug investigation, drove his police vehicle into a truck leaving the scene of a drug sale, flipping it over and injuring the occupants. A passenger in the truck, who was not involved in the drug transaction, was pregnant and subsequently lost her baby. She has now filed a federal civil suit against the Department.

In that incident, Major Floyd was ostensibly attempting to stop the truck when he hit it broadside. But, according to the passenger in Major Floyd's vehicle, Floyd was driving his vehicle without his lights when he struck the truck. Major Floyd, however, told the Florida Highway Patrol, which investigated the accident, that he did not have a passenger in his vehicle, which was not true. The passenger would have been able to tell FHP that Floyd deliberately struck the truck.

The excessive and unlawful use of force exhibited by Major Floyd was part of a pattern of conduct that shows utter disregard for the constitutional rights and safety of others. Major Floyd bragged about his physical abuse of suspects and prisoners. Indeed Major Floyd stated to officers in profane language that he did not care about people's civil rights, that he had beaten a civil rights suit before, and if they wanted to keep their jobs they must do it his way.

2. Major Floyd and Officers at his Direction Made False Police Reports and Records

Major Floyd filed false police reports to conceal his misconduct and criminal activity. In one case, Floyd planted drugs so he could falsely report a suspect

possessed drugs. Major Floyd's actions and false report resulted in the arrest of the suspect for crack cocaine.

Major Floyd also directed officers to falsify their police reports or to conform their reports to his. He directed officers to assert falsely in police reports that suspects had resisted, when, in fact, they had not. In one incident, Major Floyd directed an officer to redact a video recording of a drug buy to remove sounds of suspect screaming while being repeatedly tased. In another incident, Major Floyd directed officers who witnessed him deliberately striking a vehicle broadside not to discuss the case with anyone and to wait until he wrote his report, so that they could "mirror" his.

3. Major Joseph Floyd Sexually Harassed Women and Made Racially Derogatory Remarks

Major Floyd frequently made derogatory comments to other officers about women and racial minorities. He tried to exclude a female officer from the SWAT team, asserting the team was only suitable for men, even though she was evidently more qualified than some of the male officers. He also used racial slurs when addressing an African-American police officer, in the presence of other officers.

On multiple occasions, Major Floyd solicited sexual acts, using graphic, crude, and vulgar language, from women, including female officers of the Department, and young women in the community whom he did not know. He offered employment, work assignments, or ride-along opportunities in exchange for sex acts.

Major Floyd introduced female officers as department sluts and department whores to other law enforcement agencies, and showed officers photos of his sexual acts with persons not associated with the Department that he stored on his Department telephone. He fondled a subordinate female officer against her will. In another incident, Major Floyd was accused of sexual battery, which the victim did not pursue out of fear of Major Floyd. To celebrate the case not being pursued, Major Floyd directed a female officer to purchase a Barbie doll and to duct tape the doll's mouth and hands behind her back. Major Floyd placed it in a dish on a buffet line at a city holiday dinner.

4. Major Floyd and the Street Crimes Unit Misused Department Resources

The Street Crimes Unit disproportionately, and sometimes inappropriately, used Department resources after Major Floyd joined the Department. In multiple drug investigations, officers of the Unit, which was led by Major Floyd, targeted persons who were not otherwise disposed to deal in drugs. In several of these instances, the officers used considerable police resources, including employing the SWAT team and arming themselves with assault rifles, to effect the purchase of small quantities of street drugs and arrest the offenders.

In another instance, Major Floyd contacted the media to observe a search and arrest in what was described as a major drug bust. It was, in fact, a minor case, in which it appeared that the Department targeted a political candidate for Mayor and his 15 year old son. The 15 year old had sold small quantities of marijuana (totaling less than one ounce) on three occasions to a police informant, who was acting at the direction of the Street Crimes Unit. The father, who was running for Mayor, had promised that if he won the election he would fire the Chief of Police, Brian Mitchell, and Major Floyd. Floyd arranged for the media to be present at the search and arrest.

Major Floyd also misused Department resources to direct unwarranted attention to himself. He called the media on multiple occasions and invited them to be present at crime scenes and interrogations of suspects. Photographs show that in one case, after a drug arrest, Floyd forcibly held a suspect's head up by the throat and hair to allow a publicity photo to be taken of the suspect and himself.

In other investigations, officers were assigned by Major Floyd to conduct covert operations, including photo surveillance, and undercover officers, to investigate public employees of other departments of the City of Crestview. In one operation, City police officers were assigned to watch city employees to determine if they were at work.

City police officers, however, used city time and funds to travel to and maintain a camper for their use at a campground in Holt, an area over which the officers had no jurisdiction. For months, the Department paid hundreds of dollars in rental fees and utilities for a camper that had no legitimate law enforcement purpose.

5. Major Floyd and Officers Loyal to Him Intimidated Officers and Tampered with Witnesses

Major Floyd's misconduct and criminal activities were accomplished, in part, by coercing other officers to falsify reports and conform their reports to Floyd's reports. If officers refused to follow Floyd's directives, they were threatened with termination, demotion, reassignment, and even isolation from other officers. Officers worked in constant fear of reprisal, loss of employment, and benefits. Major Floyd created an atmosphere of fear, suspicion, and mistrust in the Department that devolved into a work environment that was hostile for many employees.

Some officers succumbed to the threats and reported to Floyd about the activities of officers who were not loyal to Floyd. A number of experienced officers simply left the department in response to the threats. As a result, scores of officers left the Department between 2007 and 2012.

Floyd taunted those officers who did not succumb to his threats by bragging about his personal friendship with the Chief of Police. The message was clear that anyone who complained about Major Floyd would have a target on his or her back.

Major Floyd also intimidated and harassed other persons. In 2010, a local, small businessman sued Floyd, the Chief of Police, and the City of Crestview for violating his civil rights. The plaintiff brought the suit after multiple encounters with Major Floyd, who arrested him for resisting, when Floyd either instigated the incidents or aggravated them. In one incident, Floyd confronted the man on a public street and poked his finger in the man's chest because the man had accused Floyd of running a stop sign in his personal vehicle. When the man pushed Floyd's hand away, Floyd pointed his taser at him and then arrested him.

During pendency of the suit, the plaintiff deposed officers of the Department, who testified about multiple incidents of misconduct or excessive force by Floyd. The officers who testified in the civil suit about Floyd were, however, intimidated or harassed by Floyd or officers acting at his direction. One officer resigned from the Department, another was terminated, and the remaining two officers have been repeatedly harassed and slandered.

One of the two who remains is a K-9 officer. He was restricted to patrol in ten-hour shifts an area of only a few blocks which has no public facilities. Even though the K-9 officer has specialized training and experience in drug detection that should be used in other zones, he was the only officer with special training ever given such a limited, and inappropriate, area of assignment. The other officer who remains has been ostracized by Floyd and officers loyal to him. Fellow officers have been told not to talk to the officer who testified adversely to Floyd in the civil rights suit. The plaintiff's civil rights suit has now been dismissed.

The intimidation and harassment by Major Floyd or his surrogates continued, even during, and in connection with, this Grand Jury investigation. Witnesses summoned before the Grand Jury were fearful of losing their jobs, and the Grand Jury infers that material facts have been withheld from this Grand Jury.

A background investigation would have revealed that Floyd has demonstrated that he did not have the necessary character traits to be a good officer. Before becoming a law enforcement officer, Major Floyd had multiple arrests, including arrests for battery, disorderly conduct and resisting a law enforcement officer. After becoming a law enforcement officer, Floyd was employed at four law enforcement agencies in eight years – the Snead's Police Department, the Bay County Sheriff's Office, the Havana Police Department, and the Sarasota Sheriff's Office – before joining the Department. In those eight years, Floyd was terminated, pressured to resign, or left while under investigation for various acts of misconduct and criminal activity, including lying, insubordination, and falsifying records, at every agency except the Havana Police Department.

CONCLUSIONS

The above-described misconduct and criminal activity stems from the actions of only a few persons. The conduct, courage and dedication of most of the officers, who have endured hardship above and beyond what we would expect police officers, and their families, to endure was truly exemplary and heartening. The Grand Jury commends their fortitude and their devotion to duty in a hostile and dysfunctional work environment.

The Grand Jury endorses the recent actions of the Mayor of Crestview, who suspended Major Floyd. The Grand Jury finds that this is the first step to redress a

serious breach of public trust and to restore the Department to a law enforcement agency that promotes the health, safety, welfare and morals with integrity and respect for the rights of the people of Crestview, Florida.

Based on the findings of the Grand Jury in the instant matter, the Grand Jury makes the presentment herein and issues an Indictment charging Joseph Floyd with felony racketeering, in violation of section 895.03(3), Florida Statutes.

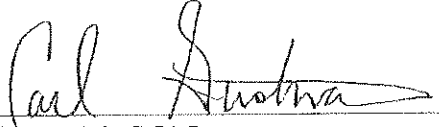
RECOMMENDATIONS

The Grand Jury recommends as follows:

1. That Major Joseph Floyd, be terminated from employment with the City of Crestview Police Department.
2. That Major Joseph Floyd, be referred to the Florida Criminal Justice Standards & Training Commission (CJSTC) for disciplinary action.
3. That the Florida Department of Law Enforcement and the Office of State Attorney continue to investigate this matter, including allegations of harassment and intimidation of witnesses to matters related to this investigation and prosecute any warranted criminal charges.


SO SAY WE ALL

This 5TH day of March, 2012.



FOREPERSON

CLERK

JOHN V. HOWARD
CLERK OF DISTRICT COURT

J. Childress
CLERK
5 March 2012