

**KEN JENNE  
SHERIFF  
BROWARD COUNTY  
P.O. BOX 9507  
FORT LAUDERDALE, FLORIDA 33310**

**DATE:** October 09, 2003

PC#03-420

**MEMO TO:** Martin Rahinsky  
Inspector General

**FROM:** Roy Vrchota, Assistant  
Inspector General



**SUBJECT:** PROFESSIONAL COMPLIANCE CASE [REDACTED]  
FINAL DISPOSITION RECOMMENDATION

On October 08, 2003, the Professional Standards Committee reviewed PC Case # 08-03-0584.

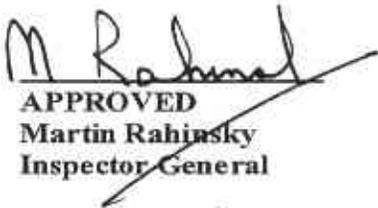
The Committee's recommendation is as follows:

**Subject Employee:** Deputy Jay H. Zager, CCN: 05512

**Allegation(s):** 2.2.48 Distraction From Duty

**Disposition:** Not Sustained

Upon your approval, we will make the necessary notifications regarding case disposition.

  
**APPROVED**  
Martin Rahinsky  
Inspector General

11-3-03  
DATE

**NOT APPROVED**  
Martin Rahinsky  
Inspector General

**RV:ls**

cc: Lt. Col. Tom Brennan, Countywide Services  
Major Tony Fantigrassi, Operations Management  
Captain Richard Scaff, Countywide Operations  
Deputy Jay Zager, Countywide Operations  
File

# BROWARD SHERIFF'S OFFICE PERSONNEL COMPLAINT CONTROL FORM

## COMPLAINANT INFORMATION

Last Name: PPM First Name:     Middle Initial:      
Race/Sex:   /   DOB:      
Address:      
Telephone Numbers: Business:     Home:     Other:    

## NATURE OF COMPLAINT

How Received: Other Location of Incident:      
Date of Incident: 08/05/2003 Time of Incident:    

Remarks:  
Over the past several weeks, Deputy Jay Zager, CCN 5512, has been inattentive to his assigned duties. He has been observed reporting to work late, at other locations other than his assigned area for long periods of time, and inattentive to his work duties due to recent personal financial issues. Furthermore, he has, or is, providing questionable testimony regarding DUI arrests.

## EMPLOYEE INVOLVED/ALLEGATIONS

CCN: 05512 Name: Jay H. Zager Race/Sex: White/Male DOB:             
DOE: 03/04/1988 Duty Status at time of incident: On Duty Dept: SS/DUI/BAT  
Charge(s): 2.2.48, Distraction From Duty

Person Receiving Complaint (Name/CCN): Sergeant Mary Guess/03038  
Followup Assigned To (Name/CCN): Sergeant Mary Guess/03038  
Assigned By: Lt. Julian Ulvang/7275 JU 0828 Date Assigned: 08/05/2003 Results Due By 10/04/2003

**SEND ORIGINAL TO PROFESSIONAL COMPLIANCE**

**BROWARD COUNTY SHERIFF'S OFFICE  
PROFESSIONAL COMPLIANCE INVESTIGATIVE  
REPORT**

**PC #:** 08-03-0584  
**DATE:** September 26, 2003

**INVESTIGATOR:** Sergeant Mary Guess, CCN 03038  
Office of Professional Compliance

**COMPLAINANT:** Policy and Procedure Manual

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**SUBJECT EMPLOYEE:** Jay Zager, CCN 05512

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**ALLEGATIONS:** PPM 2.2.48, Distraction from Duty

**COMMAND:** Department of Law Enforcement  
County Wide Operations-DUI Task Force

**DATE OF HIRE:** March 4, 1988 (Resigned September 5, 2003)

**RANK:** Deputy Sheriff.

**DATE OF MOST  
RECENT PROMOTION:** N/A

**PROBATION STATUS:** N/A

**SUBMITTED TO S.A.O:** N/A

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## SUMMARY:

On August 5, 2003, Lieutenant Julian Ulvang, of the Office of Professional Compliance received a complaint from Captain Richard Scheff, Commander of Countywide Operations, regarding Deputy Jay Zager, CCN 05512. Deputy Zager is currently assigned as the BAT-Video Unit deputy. Scheff reported that Zager has reported to work late, is absent from his work location for long periods of time, and may be conducting personal business within his assigned shift. Furthermore, Scheff advised that Zager has recently had his wages garnished for financial irresponsibility.

On August 20, 2003, I was assigned this investigation for follow-up.

I obtained and reviewed the BSO DUI/BAT Standard Operating Procedures for the DUI/BAT Unit. The following is verbatim:

The BAT-Video Unit evolved out of the BAT mobile program in the 1980's. Formerly known as the BAT-Video Room, it was established to assist the State Attorney's Office with the preparation of DUI cases for trial, maintain certification of breath testing instruments, and copy video evidence for legal proceedings.

This unit assists the State Attorney's Office (SAO) with "discovery" concerning the evidence given to defense attorneys and acts as a liaison between the DUI/BAT and the DUI section of the SAO. Specifically, the DUI/BAT-Video Deputy is tasked with maintaining and coordinating repairs of the intoxilyzers, performing inspections of the intoxilyzers, coordinating inspections with FDLE inspectors, maintaining required logs and records, acting as a liaison for the DUI section of the SAO, and acting as an officer-in-charge while the DUI/BAT supervisor is absent.

On August 20, 2003, Captain Scheff assigned Sergeant Anthony DeMarco, Supervisor of the BSO School Resource Unit to follow Deputy Zager in order to determine Zager's daily schedule. DeMarco was advised that Zager's work schedule is from 0800 to 1600 hours, Monday through Friday. He noted that Zager is assigned to the DUI Video Room, located at 200 SE 6 Street, Courthouse Square. DeMarco submitted a detailed memorandum regarding his assignment. The following is a synopsis of that memorandum:

Sergeant DeMarco wrote that on August 7, 2003, he drove to Deputy Zager's home, in Coral Springs, and located his assigned BSO vehicle. He observed Zager leaving his residence at 0825 hours, shortly thereafter, DeMarco lost sight of Zager. DeMarco immediately drove to Zager's assigned work location. DeMarco wrote that he arrived at the location at 0910 hours and checked the lot for Zager's unit with negative results. DeMarco reported these findings to Captain Scheff. He was told by Scheff to check the parking lot at lunchtime and at the end of his shift for Zager's vehicle. DeMarco wrote that at 1230 hours, Zager's unit was parked in his assigned space. DeMarco checked again at 1430 hours and found Zager's unit parked in the same spot. He reported his findings to Lieutenant John Nesteruk, his supervisor.

On August 21, 2003, Captain Scheff assigned Sergeant Kevin Granville, Central Supervisor of the

BSO School Resource Unit to follow Deputy Zager in order to determine Zager's daily schedule. Zager was scheduled to give a presentation at Collins Elementary School in Dania. He noted that Zager arrived at 0900 hours and left at 1012 hours. He followed Zager from the school to a car wash in the 400 block of North Federal Highway. Granville wrote that Zager then drove to the Broward County PBA Hall, where he parked at 1029 hours. Granville watched the parking lot until 1130 hours, when he noticed that Zager's vehicle was gone. Granville noted he had been instructed to respond to Zager's work location and check to see if he arrived. He noted that he checked Zager's assigned parking spot and parking lots in the immediate area, with negative results.

I obtained and reviewed Deputy Zager's daily activity logs for the week of August 4 through August 14, 2003. Zager's daily activity report for August 7, 2003, noted that his shift is 0800 to 1600 hours. However, he noted he was in-service at 0900 hours. Zager noted at 0900 hours, he was at Training, meeting with Lieutenant Shirley. He noted that at 0930 to 1100, he was out at a DMV (Division of Motor Vehicles) hearing. Zager wrote that he was at his office at 1300 hours and out of service at 1600 hours. On August 8, 2003, Zager wrote that his shift was from 0800 to 1600 hours. He noted that he arrived at Collins Elementary at 0900 hours and left at 1000 hours. He wrote that from 1100 to 1230 hours he was at the District 5 BAT, spot-checking the intoxilyzers and out of service at 1600 hours.

I obtained and reviewed the Intoxilyzer logs indicating that the machines were maintained and inspected in accordance with state statute and policy and procedure, by Deputy Zager and CSA Nanz.

**On August 26, 2003, I took a sworn taped employee witness statement from Pat Nanz, CCN 08495, at the Office of Professional Compliance. The following is synopsis of her statement:**

Ms. Nanz is assigned to the DUI/BAT-Video Room, as a community service aide and is a co-worker of Deputy Zager.

*Ms. Nanz stated that she works Tuesday through Friday from 0800 hours to 1800 hours. She stated that Deputy Zager has only arrived at work two times on time, since she began working in the video room (since 2000). She said that he usually left around 1530 hours and that recently he left closer to 1600 hours.*

I asked Ms. Nanz if she noticed if Deputy Zager appeared distracted or inattentive to his duties. She said that he never discussed personal matters with her. She stated that approximately two years ago he spent a lot of time on the telephone making arrangements for a home he had built. She said that court liaison would often call the office looking for Zager but that she was unaware of what he was doing or where he was. She said that he had two cell phones and would use both during his workday. Although she had no idea who he was talking to.

Ms. Nanz stated that several attorneys would visit Deputy Zager at the office. She said that Zager never spoke with her about starting a consulting business. However, she stated that she had heard rumors that he planned on doing some sort of private investigation work. She did not discuss this with Zager nor did he tell her this.

Ms. Nanz stated that she also does maintenance on the intoxilyzers. However, the State Attorney's Office would rather call on Deputy Zager as an "expert" witness. She stated that Zager was very friendly with the state attorney's office and that they rarely use her for testimony. She said that as far as she knew, the machines were maintained and inspected in accordance with state statute and policy and procedure.

**On August 26, 2003, I took a sworn taped employee witness statement from Lani Eckinger, CCN 04465, at the Office of Professional Compliance. The following is synopsis of her statement:**

Ms. Eckinger is assigned to the DUI/BAT-Video Room, as a community service aide and is a co-worker of Deputy Zager.

Ms. Eckinger stated that Deputy Zager was in charge of testing the intoxilyzer and ensuring that the machines were properly functioning. She stated that several instruments had malfunctioned over the past six months and that caused BSO to lose the cases in court. She further advised that the machines were being serviced once a month and that now they are examined twice a week. She said this is done so that if a machine malfunctions they only lose a few cases as opposed to a couple hundred cases. She said that Sergeant Mitch Kogod initiated this process.

Ms. Eckinger stated that Deputy Zager told her he did not feel that this procedure was necessary. She said that twice a week Zager and CSA Nanz would perform this task. She said that Zager would call her and Nanz on other days and report that he was checking the machines or testing them.

Ms. Eckinger stated that she works from 0600 hours to 1600 hours, Monday through Thursday. She said that Deputy Zager worked 0800 hours to 1600 hours, Monday through Friday. She said that Zager was "supposed to come in at 8:00, he might call me at 8:30, 9:00 o'clock and tell me he's somewhere. He was usually never in the office at 8:00 AM, never." She said that Zager was in and out of the office all day and that he usually ran errands in the afternoon. She said that Sergeant Linda Canada (now Lieutenant Canada) noticed Zager's absence from the office and made him start completing daily activity logs. She stated that Zager stayed around the office more when he had to write a daily report. She stated that when Sergeant Holly Green took over supervision of the unit, Zager began reverting back to "taking off and not being seen for a long time." She further stated that since Sergeant Kogod took over the unit she saw Zager even less. She said that Kogod began assigning Zager projects as well as daily activity logs, to determine what he was doing during his shift.

Ms. Eckinger stated that she noticed that Deputy Zager seemed more distant over the past several months. She said that he used to talk with her and the other CSA but that he was more quiet and kept to himself. She said that Zager would not help CSA Nanz or teach her the necessary things to complete the inspections of the intoxilyzers. She said that Zager was friendlier with the CSA that Nanz replaced.

Ms. Eckinger stated that Deputy Zager did not talk about his personal life or financial problems. She

did state that he often traveled and would speak about his trips. She said that he never discussed quitting BSO or going into business for himself. She said that she did feel he "was up to something because he was spending way too much time over with the intoxilyzers."

I asked Ms. Eckinger if Deputy Zager mentioned to her that he was planning on working for a defense attorney. She said that she had heard an attorney talk about how Zager could "cheat the intoxilyzer (and) he knows how to get somebody to pass the intoxilyzer." Although she said that she never heard Zager say he could this.

On August 22, 2003, Deputy Zager submitted a resignation/retirement form to Captain Scheff, effective for September 5, 2003.

On August 25, 2003, I faxed to Captain Scheff a memo commanding Deputy Zager to appear at the Office of Professional Compliance (OPC) on August 29, 2003 for his Garrity Statement. Scheff advised me that Zager had called in sick on this date, and that he would notify him. I spoke with Zager and arrangements were made for him to report to OPC on August 28, 2003.

**On August 27, 2003, I took a sworn taped employee witness statement from Sergeant Mitchell Kogod, CCN 07229, at the Office of Professional Compliance. The following is a synopsis of his statement:**

Sergeant Kogod is the supervisor of the DUI Task Force and the supervisor of Deputy Zager. Kogod works evening shift hours and does not physically see or observe Zager during his normal workweek.

Sergeant Kogod stated that due to several of the intoxilyzers malfunctioning several months ago, he began having Deputy Zager and CSA Nanz conduct twice weekly inspections of the machines.

Sergeant Kogod stated that while preparing to complete the 90-day pre-evaluation of Deputy Zager he noticed some deficiencies that concerned him. He said that he attended some DUI courses and was concerned that "there were some things occurring at the BAT Facility that may not have been up to the guidelines of FDLE." He said that FDLE required the machine to be stored in a secure facility, locked and only the BAT Technicians were to have access. He said that the intoxilyzers were being stored in the central supply cabinet of the BAT Facility and that all employees had access. He said he questioned Zager about this and that Zager could not provide an explanation. He said that since Zager was the "expert" on the intoxilyzer, he was concerned about Zager's lack of initiative. Kogod said that he discussed with Lieutenant Gary Bushong, his supervisor, his concerns regarding Zager. He said that he was instructed by Bushong to issue Zager assignments to complete with time constraints. Note, Kogod did not complete the evaluation as Zager resigned before his evaluation was due.

Sergeant Kogod stated that Deputy Zager did complete the assignments with in the time frames. He said that he felt that Zager wanted to do "what he wanted to," and enjoyed testifying in court and not doing the other tasks that came along with the job. He said that Zager appeared to have "his own agenda" he said that other members of his unit began discussing with him rumors that Zager was

planning on quitting BSO and going to work for defense attorneys as a consultant in DUI cases. Kogod stated that he spoke with Captain Scheff and Lieutenant Bushong about the rumors. He said that he was concerned with Zager being "off-site," and not under direct supervision and that if the rumors were true that could create some damage to future cases of the BSO.

Sergeant Kogod said that he called Deputy Zager several times to ask his location and was often told he was at the Service Center, court, or the BAT Facility. He said that he did not physically go to these locations to check on Zager due to their different work schedules. He said that Zager was always able to call him, no matter what time, to report any problems or to request schedule changes.

Sergeant Kogod stated that he was not happy with Deputy Zager's daily report logs, as there were large blocks of time, unaccounted for. He said he instructed Zager to keep a more detailed account of his day. He said as a result, Captain Scheff assigned two sergeants, from Countywide Operations to follow Zager to determine whether he was reporting to work and going to the locations he noted in his daily report log. He said Captain Scheff was concerned that Zager may have been conducting personal business during his on duty time. He said that Zager had no permission from him or any other supervisor to adjust his work hours on either day this surveillance occurred. He said he knew that Zager was observed leaving his house late one day and that both sergeants had lost Zager shortly into the surveillance. He said he did not talk to Zager about this because Scheff had instructed him not to, pending the ongoing investigation.

Sergeant Kogod stated that Deputy Zager never discussed personal issues, financial problems, or whether he had his own business. He said that Captain Scheff did advise him that Deputy Zager's wages were being garnished due to a judgment and that further concerned them about Zager's possible distraction from duty.

I asked Sergeant Kogod if he has personal knowledge that Deputy Zager was performing personal business on BSO time. He said that he did not. He did state that on August 26, 2003, CSA Carlos Canet was in a Division of Motor Vehicle Hearing and a defense attorney from Miami requested a continuance citing that he has new testimony from an expert witness, regarding BSO's questionable procedures in DUI cases. Canet told Kogod that the attorney told the hearing officer that he was calling Jay Zager to testify on behalf of the defense in this matter. Canet told Kogod the hearing officer granted the continuance. He did not know the date of the new hearing. He said that he requested copies of the hearing and provided a copy of the tape to me.

Sergeant Kogod stated that Deputy Zager was very concerned about retrieving records from his BSO computer before he had been reassigned to the Public Safety Building at the onset of this investigation. He said that he requested BIRM (Bureau of Information Resource Management) to take possession of Zager's computer for a forensic examination. BIRM Technician Patrick Giordano examined the computer and reported to me that there appeared to be several documents of a legal nature that he was unsure whether they were BSO related or not. Giordano delivered the computer to me for an examination. I conducted an examination of the questioned documents and made copies of them. The documents were related to the DUI unit, course data on the Intoxilyzer and research pertaining to DUI cases and the Intoxilyzers. There were copies of the personal judgment against

Zager and one personal memo in the file; however, the majority of the documents did pertain to BSO.

**On August 28, 2003, I took a sworn taped Garrity statement from Deputy Jay Zager, CCN 05512, at the Office of Professional Compliance. Also present is his attorney Edward McGee. The following is a synopsis of his statement:**

Deputy Zager is assigned to the DUI Task Force Video Unit.

Deputy Zager stated that his assignment includes the inspection of the intoxilyzers, courtroom testimony, training of DUI personnel, and community and school lecturing regarding DUI.

Deputy Zager stated that he was scheduled to work from 0800 to 1600 hours, Monday through Friday. He said that if he was not in the office at exactly 0800 hours, he called in to let the CSA's know his location. He denied reporting to work late and/or leaving work early.

I showed Deputy Zager the memorandums from Sergeant DeMarco and Granville regarding the surveillance on him. He said he was unaware he had been followed and that on August 7, 2003, he left his residence approximately 20 minutes late, to accommodate his meeting at the Public Safety Building. He said that since the PSB is on his way in to the DUI Video Office, he thought it made better sense to stop at Training before going to his office. He said that during those twenty minutes he worked on the notebook he provided Lieutenant Desiree Shirley as the handbook for a DUI class he was going to be teaching for BSO's Training Division. He admitted that his day was scheduled from 0800, but explained that he was conducting BSO business, even though he was still home. Zager stated that he left work at 1600 hours that date.

Deputy Zager stated that even though BSO does not authorize "flex" time, that in the past his supervisors allowed him to adjust his hours as long as he worked his eight hours. He further explained that if he came in at 0830 hours, he left at 1630 hours. Zager further noted that on August 19, 2003, he worked over one hour, conducting a presentation at a local school, and that he was not paid overtime and had not put in for the extra pay. He said that he is aware that BSO does not allow this however, it is "common practice." (Note, he did provide his daily activity log, which did confirm this).

Deputy Zager denied using a BSO computer to conduct personal business. He denied conducting personal business on BSO time. He denied planning on starting a consulting or private investigation business. He denied being hired by any defense attorney to provide courtroom testimony.

Deputy Zager stated that the times listed on his dailies were approximate times, as he was not dispatched to locations, so the exact minute was not recorded and that he used his watch to approximate time. He provided the following example, that if he had a 1030 hearing he may write 1000 hours, to accommodate travel time. Zager stated that he was told he was to complete daily reports to account for his work day and that he tried to keep track of his tasks as best he could.

Deputy Zager stated that his assigned duties often required him being out of the office and in court, giving presentations or inspecting equipment.

I asked Deputy Zager if he was aware that his co-workers felt he had become more distant and withdrawn from them in the recent months. He said that he stopped having conversations with them because there was an ongoing investigation, from a defense attorney who had filed a complaint against him, and that he was told not to talk to any witnesses in the case. He said that there has always been a certain amount of jealousy by the civilian employees over his position, because he had freedom to leave the office and had a vehicle to use. He said that his intentions were not to alienate them and he was unaware that he was "distant" towards them.

Deputy Zager denied providing any information to defense attorneys or telling them the intoxilyzer could be "beat." Zager said that the machines cannot be manipulated and that BSO follows the FDLE guidelines. He said that over the past several years, he has testified in numerous hearings and that if he were to change his testimony now that would impeach him, rendering his testimony useless. Zager stated that an intoxilyzer is a machine and that as such, machines can break down, and that must be anticipated.

I asked Deputy Zager about the Motor Vehicle Hearing on August 26, 2003, that CSA Canet attended. He said that he knew the attorney but that he had never been contacted to testify nor was he subpoenaed to do so.

Deputy Zager stated that his wife owned a business, in which he was listed as part owner that went bankrupt. He said as a result, they had sustained a couple of judgments and were in litigation. He said that this issue has never distracted him from his assignment at BSO. He said his prior evaluations show that his work performance was stellar and that he never abused his sick leave. He said that he does teach at the police academy and that other than that, he has no outside employment. He stated that defense attorneys have often asked him when he was opening his own business in consulting but that he has no current plans to do so.

Deputy Zager stated he was retiring from BSO, due to personal health concerns regarding some medical problems he was experiencing.

I contacted Lieutenant Desiree Shirley, from the BSO Training Division, to confirm whether Deputy Zager had met with her on August 7, 2003. She confirmed that Zager had met with her that day at 0900 hours and stayed until 0930 hours. She said that Zager was teaching the DUI course and they discussed the course and the required supplies and materials needed. She said that Zager provided the notebook so that Training could make-up notebooks for the students.

**SUBJECT EMPLOYEE:** Jay Zager, CCN 05512

**ALLEGATIONS:**

It is alleged that Deputy Jay Zager was inattentive and distracted from his assigned work duties.

**APPLICABLE POLICY AND PROCEDURES MANUAL VIOLATION:**

PPM 2.2.48, Distraction from Duty.

Employees will not engage in activities or personal business, which would cause them to neglect or be inattentive to duty.

**FINDINGS:**

1. On August 7, 2003, Deputy Zager was scheduled to work 0800 to 1600 hours and was observed leaving his residence at 0825 hours, by Sergeant Demarco. Captain Scheff assigned DeMarco, to follow Zager to determine what time he arrived at work and where he was going during his shift, as a result of complaints that Zager was never at work on time and disappeared frequently during his shift.

Ms. Nanz stated that Deputy Zager has only arrived at work two times on time, since she began working in the video room (since 2000). She said that he usually left around 1530 hours and that recently he left closer to 1600 hours.

Ms. Eckinger stated that Deputy Zager was "supposed to come in at 8:00, he might call me at 8:30, 9:00 o'clock and tell me he's somewhere. He usually never in the office at 8:00 AM, never." She said that Zager was in and out of the office all day and that he usually ran errands in the afternoon, so she did not know what time he left work.

Captain Scheff reported that Deputy Zager was frequently absent from his office and that no one seemed to know Zager's location or what he was doing. He stated that a recent judgment to garnish Zager's wages, coupled with his absences from his work location, caused some concern as to whether Zager was conducting personal business on BSO time.

Deputy Zager stated that on August 7, 2003, that his day was scheduled to start work at 0800. He admitted he left this residence at 0825 hours, but explained that he was conducting BSO business, even though he was still home. He stated he was getting a handbook ready to deliver to Lieutenant Shirley in BSO's Training for an upcoming class he was teaching. Zager stated that he left work at 1600 hours that date.

Deputy Zager stated that his assigned duties often required him being out of the office and in court, giving presentations or inspecting equipment.

2. Deputy Zager stated that even though BSO does not authorize "flex" time, that in the past his supervisors allowed him to adjust his hours as long as he worked his eight hours. He further explained that if he came in at 0830 hours, he left at 1630 hours. Zager further noted that on August 19, 2003, he worked over one hour, conducting a presentation a local school, and that he was not paid overtime and had not put in for the extra pay. He said that he is aware that BSO does not allow this however, it is "common practice."

Sergeant Kogod advised that he never authorized Deputy Zager to adjust or flex his work shift.

3. Sergeant Kogod stated that Deputy Zager wanted to do "what he wanted to," and enjoyed testifying in court and not doing the other tasks that came along with the job. He said that Zager appeared to have "his own agenda." He said that other members of his unit began discussing with him that they heard rumors that Zager was planning on quitting BSO and going to work for defense attorneys as a consultant in DUI cases.
4. Deputy Zager denied providing any information to defense attorneys or telling them the intoxilyzer could be "beat." Zager said that the machines cannot be manipulated and that BSO follows the FDLE guidelines. He said that over the past several years, he has testified in numerous hearings and that if he were to change his testimony now that would impeach him, rendering his testimony useless.
5. The logs for the Intoxilyzers indicate that the inspections and maintenance was performed in accordance with state statute and departmental policy and procedure.

**LIST OF WITNESSES:**

1. CSA Patricia Nanz, Countywide Operations, DUI Video Unit
2. CSA Lani Eckinger, Countywide Operations, DUI Video Unit
3. Sergeant Mitch Kogod, Countywide Operations, DUI Task Force
4. Lieutenant Shirley Desiree, Training Division

**LIST OF EXHIBITS:**

1. DUI Task Force Work schedule
2. Daily Activity Logs for Deputy Zager
3. Memorandum from Sergeant Demarco
4. Memorandum from Sergeant Granville
5. SOP for DUI Task Force Unit
6. PII 03-085 of Deputy Zager
7. Sworn Statement from CSA Nanz
8. Sworn Statement from CSA Eckinger
9. Sworn Statement from Sergeant Kogod
10. Sworn Statement from Deputy Zager
11. AutoTrack Information on Deputy Zager
12. Alcohol Testing Agency Inspection Reports
13. DMV Hearing Tape from August 26, 2003
14. Emails from Lieutenant Shirley
15. Hard copies from Deputy Zager's Computer
16. Last evaluation for Deputy Zager (2001-2002)

THE UNDERSIGNED INVESTIGATOR ACKNOWLEDGES THAT THE FOREGOING REPORT CONSISTING OF ELEVEN PAGES, EACH OF WHICH HAS BEEN INITIALED BY THIS INVESTIGATOR, IS A TRUE AND ACCURATE REPRESENTATION OF THE INVESTIGATION CONDUCTED.

Sergeant Mary Guess                      3038                      9/26/03  
SERGEANT MARY GUESS                      CCN                      DATE

THE FOREGOING REPORT HAS BEEN REVIEWED AND APPROVED BY:

P. Arndt                      5995                      9/26/03  
LIEUTENANT PAUL ARNDT                      CCN                      DATE

*mg*