

07/17/2017

To: David J. Shulkin
United States Secretary of Veteran's Affairs
810 Vermont Avenue NW
Room #1016
Washington, D.C. 20420

From: Charles W. Harrington Jr.
Police Officer
Department of Veterans Affairs
Bay Pines VA Police

Home- 5820 32nd Avenue Drive East
Palmetto, FL 34221
Charles.harrington2@va.gov
Charlesharrington31@yahoo.com
(703) 498-0911

Mr. Secretary,

I am a Police Officer for the Department Of Veterans Affairs. I serve the veterans, staff and visitors at the C.W. Bill Young Medical Center located in St. Petersburg Florida. I have served in the capacity of Police Officer at this particular location for four years. **For what I am to reveal, I invoke the Whistleblower Protection Act.**

During my service at this facility I have been made aware of and have investigated, numerous occurrences of a varying corrupt nature; which have become a part of what appears to be every day routine by members of Police management and facility Executive Administration. It is my strong suspicion there is the potential involvement of the Director of the Office of Security and Law Enforcement, **Mr. Fred Jackson**; and our facility Director **Susan Klinker** and former Assistant Director **Corey Price**.

Their probability of involvement, the enormity of size, the complexity of depth, compiled with the long expansive time period of "eight" or more years involved; has placed me in the peculiar position of not knowing exactly where to turn for assistance. Normally there is one agency a person could turn to, however due to the size and "interwoven" complexity; I'm afraid no one investigative

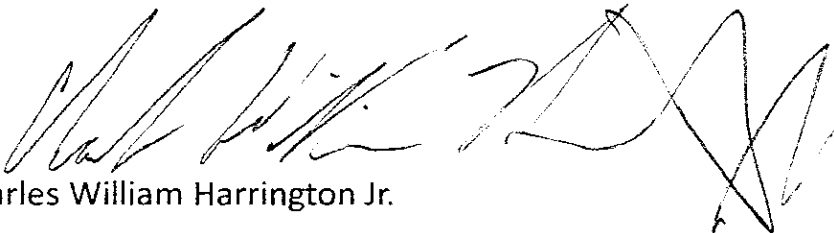
agency alone, could give what I have to share the assurance of accountability such concerns might require. It is for this reason I have decided to contact your office.

In addition to contacting you, you will observe I am carbon copying to **President Trump**, as currently and in the past he has shown a great willingness to see a renewed progress in the success of The Department of Veterans Affairs. Due to the employees of my facility having been burdened by these problems for so long, I thought it important to include as many members of authority as possible in seeking resolution; it is for this reason I have also included the other entities as designated at the end of this letter. Among the issues involved I have learned:

The perpetuation of a hostile work environment, retaliation for the filing of EEO complaints, violations of civil rights, **obstruction of justice**, continual violations of federal policies; collusion between management, Human Resources and Facility administration, and **retaliation for reporting threat/s against President Trump** to the Office of The Inspector General.

With your help it is my sincerest wish to see the exercise of accountability, Rule of Law; and the reestablishment of harmony in the lives and workplace of those patriotic federal employees, who serve our nation's veterans. Thank you for your time and consideration.

Sincerely,



Charles William Harrington Jr.

CC:

President Donald Trump
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

U.S. Senator Johnny Isakson
WASHINGTON D.C. OFFICE
131 Russell Senate Office Building
Washington, DC 20510

U.S. Representative David P. Roe
Chairman
United States House Committee on Veterans' Affairs
336 Cannon HOB
Washington, DC 20515

U.S. Senator Marco Rubio
284 Russell Senate Office Building
Washington, DC 20510

07/17/2017

To: Debi Bevins
Director of Client Relations
810 Vermont Avenue NW
Room #1016
Washington, D.C. 20420

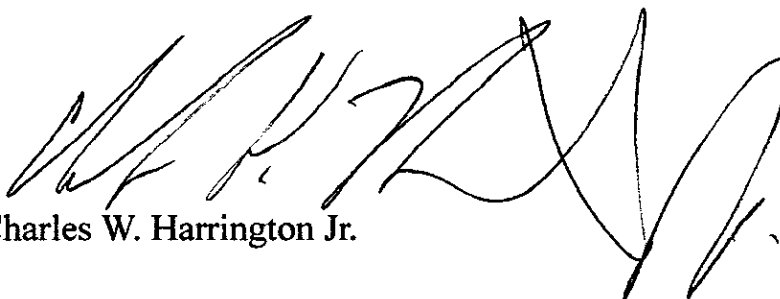
From: Charles W. Harrington Jr.
Police Officer
Department of Veterans Affairs
Bay Pines VA Police

Home- 5820 32nd Avenue Drive East
Palmetto, FL 34221
Charles.harrington2@va.gov
Charlesharrington31@yahoo.com
(703) 498-0911

Ms./Mrs. Bevins,

I've been told you are the person who can assure this case information will reach Secretary Shulkin. Out of respect, I will hold off from sending the other CC:'d individuals for a few days. This should allow a small amount of time for review of the information, and preparation for inquiries your office might receive from the other entities. If you or the Secretary have any questions, please feel free to contact me.

Sincerely,



Charles W. Harrington Jr.

07/20/2017

To: U.S. Representative David P. Roe
Chairman
United States House Committee on Veterans' Affairs
336 Cannon HOB
Washington, DC 20515

From: Charles W. Harrington Jr.
Police Officer
Department of Veterans Affairs
Bay Pines VA Police

Home- 5820 32nd Avenue Drive East
Palmetto, FL 34221
Charles.harrington2@va.gov
Charlesharrington31@yahoo.com
(703) 498-0911

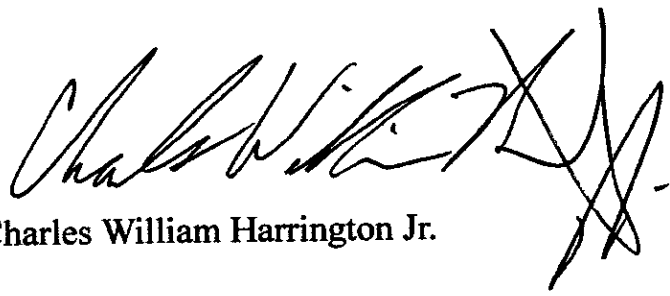
Dear Sir,

Please find enclosed a copy of a letter and casework sent to:

David J. Shulkin
United States Secretary of Veteran's Affairs
810 Vermont Avenue NW
Room #1016
Washington, D.C. 20420

Thank you for your time and consideration.

Sincerely,


Charles William Harrington Jr.

07/20/2017

To: U.S. Senator Johnny Isakson
Chairman
United States Senate Committee on Veterans' Affairs
131 Russell Senate Office Building
Washington, DC 20510

From: Charles W. Harrington Jr.
Police Officer
Department of Veterans Affairs
Bay Pines VA Police

Home- 5820 32nd Avenue Drive East
Palmetto, FL 34221
Charles.harrington2@va.gov
Charlesharrington31@yahoo.com
(703) 498-0911

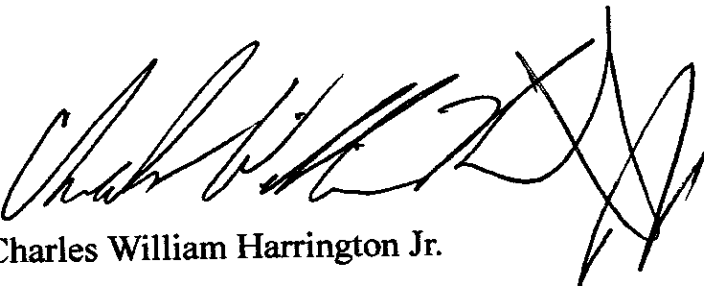
Dear Sir,

Please find enclosed a copy of a letter and casework sent to:

David J. Shulkin
United States Secretary of Veteran's Affairs
810 Vermont Avenue NW
Room #1016
Washington, D.C. 20420

Thank you for your time and consideration.

Sincerely,


Charles William Harrington Jr.

07/20/2017

To: U.S. Senator Maro Rubio
284 Russell Senate Office Building
Washington, DC 20510

From: Charles W. Harrington Jr.
Police Officer
Department of Veterans Affairs
Bay Pines VA Police

Home- 5820 32nd Avenue Drive East
Palmetto, FL 34221
Charles.harrington2@va.gov
Charlesharrington31@yahoo.com
(703) 498-0911

Dear Sir,

Please find enclosed a copy of a letter and casework sent to:

David J. Shulkin
United States Secretary of Veteran's Affairs
810 Vermont Avenue NW
Room #1016
Washington, D.C. 20420

Thank you for your time and consideration.

Sincerely,


Charles William Harrington Jr.

07/20/2017

To: President Donald Trump
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

From: Charles W. Harrington Jr.
Police Officer
Department of Veterans Affairs
Bay Pines VA Police

Home- 5820 32nd Avenue Drive East
Palmetto, FL 34221
Charles.harrington2@va.gov
Charlesharrington31@yahoo.com
(703) 498-0911

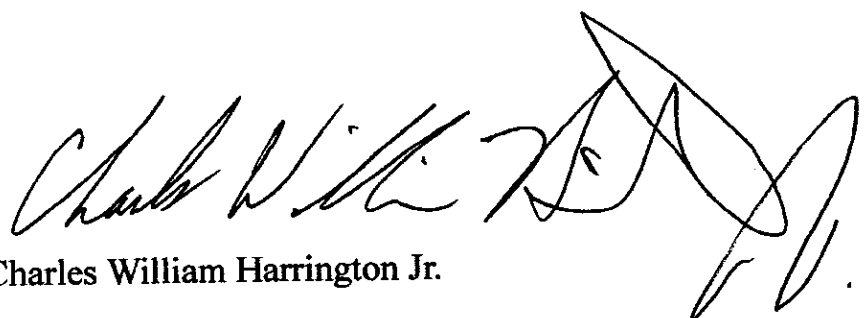
Dear Mr. President,

In the attempt to help you solve the problems within the Department of Veterans Affairs,
please find enclosed a copy of a letter and casework sent to:

David J. Shulkin
United States Secretary of Veteran's Affairs
810 Vermont Avenue NW
Room #1016
Washington, D.C. 20420

Thank you for your time and consideration.

Sincerely,


Charles William Harrington Jr.

ELLENTON
2605 72ND AVE E
ELLENTON
FL

34222-9998
1126250185

07/20/2017 (800)275-8777 1:43 PM

Product Description	Sale Qty	Final Price
---------------------	----------	-------------

PM 2-Day Med FR Box	1	\$13.60
------------------------	---	---------

(Domestic)
(WASHINGTON, DC 20500)
(Flat Rate)
(Expected Delivery Day)
(Saturday 07/22/2017)

Certified	1	\$3.35
((USPS Certified Mail #) (70160600000077136613)		

PM 2-Day Med FR Box	1	\$13.60
------------------------	---	---------

(Domestic)
(WASHINGTON, DC 20515)
(Flat Rate)
(Expected Delivery Day)
(Saturday 07/22/2017)

Certified	1	\$3.35
((USPS Certified Mail #) (70160600000077136590)		

PM 2-Day Med FR Box	1	\$13.60
------------------------	---	---------

(Domestic)
(WASHINGTON, DC 20510)
(Flat Rate)
(Expected Delivery Day)
(Saturday 07/22/2017)

Certified	1	\$3.35
((USPS Certified Mail #) (70160600000077136606)		

PM 2-Day Med FR Box	1	\$13.60
------------------------	---	---------

(Domestic)
(WASHINGTON, DC 20510)
(Flat Rate)
(Expected Delivery Day)
(Saturday 07/22/2017)

Certified	1	\$3.35
((USPS Certified Mail #) (70160600000077136620)		

Total	\$67.80
-------	---------

Cash	\$70.00
Change	(\$2.20)

Includes up to \$50 insurance

Text your tracking number to 28777
(2USPS) to get the latest status.
Standard Message and Data rates may

WH

Congressman
Roe

Isakson

Rubio

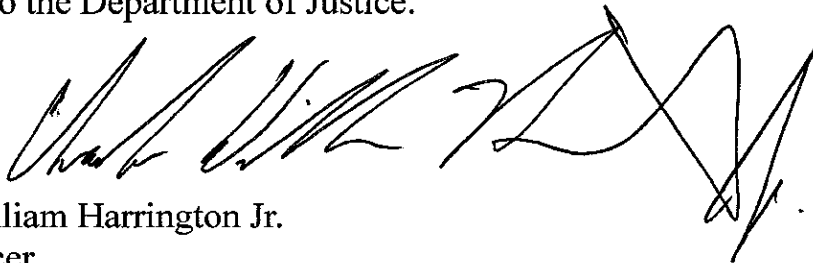
02/08/2017

The following documents are an internal investigation of procedural and criminal wrong doing within the Bay Pines VA Police Department, I conducted over the course of the summer and fall of 2016. The investigation was initiated as a mixed result of happenstance, curiosity, knowledge, suspicion; and self awareness of duty inherent in my position and commitment as a police officer. I was assisted during the course of my investigation by an unnamed informant who provided me information and documents I could not otherwise obtain without raising the suspicion of wrong doers; and was given assistance in the way of information by a handful of members of my department, who either had first or second hand knowledge of what transpired. One member of this group I used to verify my findings in general, in attempt to "vet" my own observations as to the wrong doing I have discovered.

(One or more of the documents contained herein, hold the name of the mentioned informant. Because of this I am only sharing these documents with a select few who have the authority and/or the necessity "to know". I would remind the receivers of this document it is their duty, obligation and automatic responsibility to safeguard and not disclose these documents, the name or identity of this person for the informant's own safety.)

A disclosure must be made regarding the approach of the complainant. After further consideration of Harrison approaching law enforcement. I admit I may have committed an error in asserting his Rights of Miranda and Fifth Amendment rights were violated, as at the time of his complaint he was not being held "in custody". However it has been the practice of most experienced Police Officers I am familiar with, to issue Miranda at admission of criminal confession as one never knows what will come from a complainant's mouth or exactly what their agenda is upon first contact.

I would also add, the content of the investigation has been kept in its' "original form". I did this because, it is the manner in which I presented it to the Sarasota Florida branch, of the Federal Bureau of Investigation on or about 12 October 2016. The complaint I made was to be forwarded to the Tampa office of the FBI. After 15 weeks of not receiving any meaningful feedback from the FBI in either Tampa or Sarasota, I filed a complaint with Congressman Vernon Buchanan's office; which I'm informed was forwarded to the Department of Justice.

A handwritten signature in black ink, appearing to read 'Charles W. Harrington Jr.', with a stylized, overlapping flourish at the end.

Charles William Harrington Jr.
Police Officer
Department of Veterans Affairs
Bay Pines VA Police

INVESTIGATIVE CASE OUTLINE

(Investigative Report#:2015-06-02-1236-6320)

(EXHIBIT D-1)

PAGE #1/PAGE #3 last sentence

Initial responsibility of case born on 06/02/2015 by responding **VA Police Officer James Bishop**. On same date Officer Bishop refers case to **VA Police Detective Fernando Olivas**. At no time within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report, does Detective Olivas contradict the occurrence of the case referral. Although the investigative report is unsigned for some reason by the initial investigating officer, you will notice next to the signature line on page 3 of the exhibit, that the Veterans Affairs Police Suite (V.A.P.S.) verifies and acknowledges Officer James Bishop generated the report as evidence of his name being printed there. Said report was submitted to the court in support of the Complaint/Arrest Affidavit submitted to the Circuit Court of Pinellas County Florida (Exhibits B-1 through C-2).

Initial complaint-Sales of narcotic medications by veteran, and payments with narcotic medications "in lieu" of cash by veteran.

Name of complainant established on 06/02/2015-**Raymond E. Harrison**

Name of suspect #1 identified on 06/02/2015-**Carl J. Giordano Jr.**

Name of suspect #2 identified on 07/09/2015-**Thomas D. Stewart**

(EXHIBIT D-1)

PAGE #3, PARA. #1

Officer Bishop states he began an interview with complainant, then asked Detective Olivas to join the interview and he asked questions also. At no time within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report, does Detective Olivas contradict this occurrence.

(EXHIBIT D-1)

PAGE #3, PARA. #1

During the interview the complainant voluntarily confesses buying hydrocodone (a prescription narcotic) from the suspect Giordano for which Harrison himself had no prescription for. He also volunteers receiving money from Giordano which he had knowledge, of being proceeds of illegal hydrocodone sales from the suspect.

****At no time within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report, did Officer Bishop nor Detective Olivas issue **“Rights of Miranda”** to the complainant's confession to committing either crime. Nor do either Officer Bishop or Detective Olivas include VA Form 1430 (Rights Advisement Card) as an attachment within the report, or within follow up statements pertaining to Harrison to signify it was done. Harrison's **Fifth Amendments rights against self-incrimination have just been violated.******

(EXHIBIT D-1)

PAGE #8, Date/Time: 07/20/2015, 9:19:23AM

VA Police Detective Fernando Olivas:

Complainant Harrison notified VA Police on 06/10/2015 he had communication with and received pills as a form of payment from, suspect Giordano. Harrison turned over five, fifty milligram (5, 50mg) tablets of Tramadol to Detective Olivas.

****At no time within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report, did Detective Olivas issue **“Rights of Miranda”** to the complainant for confessing to committing this crime. Nor did Detective Olivas include VA Form 1430 (Rights Advisement Card) as an attachment within the report, or within follow up statements pertaining to Harrison. If occurrence of this specific incident on this specific day was the result of a “controlled buy”; there is no specified

statements, **no probable cause**, no claim of witnesses either by civilian nor VA Police personnel, other than allegedly the complainant himself.
Harrison's Fifth Amendments rights against self-incrimination have again been violated. ****

(EXHIBIT D-1)

PAGE #4, Date/Time: 06/10/2015, 10:47:54AM

VA Police Officer Richard Larson:

Larson claims he was assigned to assist Detective Olivas during an investigation. Larson is handed five, 50mg tablets of Tramadol by Detective Olivas, and asked to enter it into evidence. Statement verified by Olivas in the report. Larson claims Olivas received the Tramadol from complainant Harrison. *****Chain of Custody and names/dates/times/case number upon evidence sheet is unverified*****

PAGE #4, Date/Time: 06/15/2015, 1:24:33PM

VA Police Officer Richard Larson:

Larson states on 06/11/2015 he was asked to “follow” Giordano while on VA property, during which Larson took it upon himself to make verbal contact and enter into discussions with the suspect. According to Larson while speaking with Giordano, Giordano volunteers personal medical information to Larson. Larson discloses this medical information within his date/time follow up for this investigative report.

******The medical information “is not” germane to the specifics of the offenses for which Giordano is suspected of committing, is in violation of The Health Insurance Portability and Accountability Act of 1996 (HIPAA); and there are no legal exceptions for circumstance with which this unprotected disclosure was made.******

(EXHIBIT D-1)

PAGE #5, PARA. #2 Date/Time: 07/10/2015, 12:20:49PM

VA Police Detective Fernando Olivas:

Olivas states on 07/09/2015 there was continual visual observation of suspect #2 (Stewart). Olivas states he stopped Stewart in the hallway, told him he was being detained for questioning and claimed having "probable cause" of a crime being committed involving Stewart.

****Olivas then states he left Stewart in the custody of a uniformed VA Police Officer. There is no record within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report, of there being a search conducted of Stewart's person when taken into physical custody; who conducted the search nor where or with "whom" the chain of custody begins or ends with, nor the point, time, location, or circumstance of incriminating physical evidence discovered within the control of the suspect for which he was charged. **There is no properly defined and documented probable cause within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report.** ****

(EXHIBIT D-1)

PAGE #5, PARA. #3 Date/Time: 07/10/2015, 12:20:49PM

VA Police Detective Fernando Olivas:

On 07/09/2015 after Olivas already having established in his mind he has achieved probable cause involving the suspect Giordano, he did remove by request or through guile, Giordano from the transit bus adjacent building #107.

**** Olivas proceeds into a line of questioning designed to illicit a self incriminating response from Giordano; "I then asked him about what he was doing at the bus stop and whether he gave the Stewart anything." **At no time**

prior to the line of questioning does Olivas issue Giordano his “Rights Of Miranda”. Giordano's Fifth Amendments rights against self-incrimination have just been violated.****

******In direct result of Olivas achieving what he believed to be a satisfactory result of a confession from Giordano, through what Olivas justified as an “excited utterance” by the suspect; Olivas states “After hearing this I instructed Sgt. Mahanic to place Giordano under arrest at 11:45 AM”. The arrest was predicated upon a statement which was illegally acquired and therefore did not substantiate probable cause. Giordano's Fourth Amendment rights against unreasonable search and seizure have just been violated.******

******Olivas states “Giordano was and his belongings were also searched incident to arrest”. The claimed justification of an excited utterance does not provide probable cause for a legal arrest, nor does it meet an acceptable exception to the requirement of obtaining a search warrant. Giordano's Fourth Amendment rights against unreasonable search and seizure have again been violated.******

******At no time within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report, was there a record of who conducted the search of Giordano incident to arrest; nor where or with “whom” the chain of custody begins or ends with, nor the point, time, location, or circumstance of incriminating physical evidence if ever discovered.******

******Detective Olivas states after the arrest, Giordano was taken to building #11. In Detective Olivas usage of specific terms utilized in specific ways to support the desired outcome of the arrest, Detective Olivas decided to “intentionally” unlawfully deprive Giordano of his liberty. 25 CFR 11.404 - False imprisonment.******

******Detective Olivas states in the last sentence of the paragraph that Giordano was taken back to building #11 so he could be questioned by**

Officer Harris. There is no record within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report, of the results of the line of questioning intended to be conducted by Officer Harris.****

(EXHIBIT D-1)

PAGE #5, PARA. #3, #5, #6 Date/Time: 07/10/2015, 12:20:49PM

****At no time within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report, are there any submissions by Sergeant Justin Mahanic supporting his involvement in the assist of an arrest nor his participation as a “co-interviewer” of Giordano; regarding what Sergeant Mahanic might have saw or heard.****

(EXHIBIT B-1)

COMPLAINT/ARREST AFFIDAVIT-CIRCUIT/COUNTY COURT-PINELLAS
COUNTY, FLORIDA

Docket#1644190, Court Case #15-07923-CF-2, Filed July 17, 2015:

Officer James Bishop:

Bishop states “Then and there unlawfully have in his possession, custody, or control a certain controlled substance, to-wit: 4 Tramadol 50mg

Incident to arrest search a small tin container was found in his book bag that contained four Tramadol 50mg that were round and white in color.. I identified the pills via www.drug.com. Mr. Giordano also said they were Tramadol.”

****At no time within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report, was there a record of who conducted the search of Giordano incident to arrest; nor where or with “whom” the chain of custody begins or ends with, nor the point, time,

location, or circumstance of incriminating physical evidence if ever discovered. Furthermore there is no specificity within said report and follow up submissions, that any Tramadol was discovered within Giordano's backpack. Based upon the contents of the affidavit, there is **“no” probable cause. Officer Bishop is in violation F.S. 92.525.** As a Federal Employee of the United States, Officer Bishop has falsely stated and falsely misrepresented a probable cause affidavit and is in **violation of 18 U.S.C. § 1001.******

(EXHIBITS B-2, B-3)

**COMPLAINT/ARREST AFFIDAVIT-CIRCUIT/COUNTY COURT-PINELLAS
COUNTY, FLORIDA**

Docket#1644190, Court Case #15-07923-CF-1, Filed July 17, 2015:
Amended July 23, 2015

Officer James Bishop:

Bishop states “Unlawfully have in his care, custody and control, a substance defined by Florida State Statute chapter 893, to wit: Hydrocodone 325mg, and did possess 44.09 of said substance. The defendant did intend to sell said substance by giving pills to pay a debt.

A presumptive test was positive.

While conducting surveillance Mr. Stewart took 16 pills from Giordano Jr. at the smoking pit at the Bay Pines VAMC. Officer Bishop watched both transactions happen at the smoke pit. Mr. Giordano took the pills out of his book bag (Exhibit B-2) back pack (Exhibit B-3) and gave to Mr. Stewart. Mr. Giordano said he gave Mr. Stewart 16 pills and took one for himself. The bottle that had just been filled and contained 103 out of 120 pills. Mr. Giordano said that Mr. Stewart said he owed him 4 pills for every \$20.00 owed. Mr. Giordano owed Mr. Stewart \$80.00 for a total of 16 pills.”

****At no time within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report, was there a record of who conducted the search of Giordano incident to arrest; nor where or with “whom” the chain of custody begins or ends with, nor the point, time, location, or circumstance of incriminating physical evidence if ever discovered. Based upon the contents of the affidavit, there is **“no” probable cause. Officer Bishop is in violation F.S. 92.525.** As a Federal Employee of the United States, Officer Bishop has falsely stated and falsely misrepresented a probable cause affidavit and is in **violation of 18 U.S.C. § 1001.******

(EXHIBIT D-1)

PAGE #7, PARA. #7, Date/Time: 07/10/2015, 1:20:54PM

Officer James Bishop:

Bishop states “Officer Harris started processing the evidence. Officer Beauchamp took the Hydrocodone over to the Pharmacy to get the weight of the tablets”.

****At no time within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report, was there a record of Officer Beauchamp entering a submission of information that he was in possession of and/or transported any evidence to and from the Pharmacy, nor were there any offering of such information within Officer Harris' follow up statement attached to the report.

There is no inclusion within the chain of custody **“VA POLICE PROPERTY HELD EVIDENCE RECORD”** for IR#2015-06-02-1236-6320 displaying the typed or printed name belonging to Officer Beauchamp. There is no voluntary witness statement or any other statements from pharmacy personnel, dictating an official identification and weighing of the evidence pertaining to this case.

On or about 22 August 2016 at approximately 6:25AM, I had an informal discussion with Officer Beauchamp. During this time Officer

Beauchamp told me he was very angry when he discovered he was mentioned within the case report as having transported the evidence to and from the department for identification and weighing. Beauchamp stated he had nothing to do with the medications. In discovery of these facts and as a Federal Employee of the United States, Officer Bishop has falsified his account within IR#2015-06-02-1236-6320 and is in **violation of 18 U.S.C. § 1001.******

(EXHIBIT F-1)

****Within the “**VA POLICE PROPERTY HELD EVIDENCE RECORD**” for IR#2015-06-02-1236-6320 the chain of custody begins with Giordano, followed by Officer Harris, and then Lt. Lingenfelter. Officer Harris was not at the scene during Giordano's arrest, and there is no record of Harris conducting the seizure of evidence at the location of Stewart's arrest. As a result the **chain of custody is officially compromised.******

(EXHIBIT C-1)

**COMPLAINT/ARREST AFFIDAVIT-CIRCUIT/COUNTY COURT-PINELLAS
COUNTY, FLORIDA**

Docket#1643347, Court Case #15-07630-CF-1, Filed July 10, 2015:

Officer James Bishop: Pursuant to F.S. 92.525 and under penalty of perjury.

Bishop claims Stewart “Unlawfully have in his actual or constructive possession, a substance defined by Florida State Statute chapter 893, to wit: Hydrocodone 325mg, without having lawfully obtaining said substance from a valid practitioner. The substance weighed .42g.

A presumptive test was positive.

Incident to arrest search found one Hydrocodone 325mg yellow in color that was loose in his backpack. Pill is consistent with pills given during transaction from Mr. Giordano.”

****At no time within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report, was there a record of who conducted the search of Stewart incident to arrest; nor where or with “whom” the chain of custody begins or ends with, nor the point, time, location, or circumstance of incriminating physical evidence if ever discovered. Furthermore there is no specificity within said report and follow up submissions, that any Hydrocodone was discovered within Stewart's backpack. **Based upon the contents of the affidavit, there is “no” probable cause.******

****Bishop states the substance weighed .42 grams, however a conversion of .42 grams to milligrams equals 420 milligrams. Considering this is a single pill and also includes 10 milligrams of another substance amounting to a total 335mg tablet, there still remains a difference of 85 milligrams. **Therefore the stated weight is false, and so is the validity of the probable cause stated within the affidavit.******

(EXHIBIT E-1)

PAGE #9, PARA. #3, Date/Time: 07/27/2015, 3:57:15PM

PAGE #9, PARA #3: Officer Harris claims “I also executed another search of Stewart's person subject to arrest which yielded some change and a Single Morphine tablet yellow in color” **“Officer Bishop is in violation F.S. 92.525.** As a Federal Employee of the United States, Officer Bishop has falsely stated and falsely misrepresented a probable cause affidavit and is in **violation of 18 U.S.C. § 1001.******

(EXHIBIT C-2)

COMPLAINT/ARREST AFFIDAVIT-CIRCUIT/COUNTY COURT-PINELLAS
COUNTY, FLORIDA

Docket#1643347, Court Case #15-07630-CF-2, Filed July 10, 2015:

Officer James Bishop:

Bishop claims Stewart “Then and there unlawfully have in his possession, custody, or control a certain controlled substance, to-wit: 16 tablets of Hydrocodone 325mg

While conducting surveillance Mr. Stewart took 16 pills from Mr. Giordano Jr. at the smoking pit. Mr. Giordano took the pills out of his book bag and gave to Mr. Stewart. Mr. Giordano said he gave Mr. Stewart 16 pills and took one for himself. The bottle that had just been filled and contained 103 out of 120 pills. Mr. Giordano said that Mr. Stewart said he owed him 4 pills for every \$20.00 owed. Mr. Giordano owed Mr. Stewart \$80.00 for a total of 16 pills.”

****At no time within IR#2015-06-02-1236-6320, nor within known subsequent follow up statements attached to the report, was there a record of who conducted the search of Stewart upon physical custody; nor where or with “whom” the chain of custody begins or ends with, nor the point, time, location, or circumstance of incriminating physical evidence if ever discovered. **Officer Bishop is in violation F.S. 92.525.** As a Federal Employee of the United States, Officer Bishop has falsely stated and falsely misrepresented a probable cause affidavit and is **in violation of 18 U.S.C. § 1001.******

(EXHIBIT E-1)

PAGE #9, PARA. #2, last two lines, Date/Time: 07/27/2015, 3:57:15PM

Officer Ronald Harris:

Harris states “ After only putting his name on the sworn statement Stewart said he can't commit himself to this without talking to someone. I asked Stewart to clarify his last statement and he said “I can't do this without a lawyer”.”

Detective Fernando Olivas:

****Under "Attachments", Olivas includes VA Form 0024 Voluntary statement claiming it was "completed" by Stewart when Harris's statement contradicts. Within his follow up statement of IR#2015-06-02-1236-6320 Detective Olivas falsely stated information is **in violation of 18 U.S.C. § 1001.******

(EXHIBIT D-1)

PAGE #5, PARA #4, Date/Time: 07/10/2015, 12:20:49PM

Detective Fernando Olivas:

****In the course of his duties and as a representative of the The Department Of Veterans Affairs Police, it has been a routine practice and known obligation, for Detective Fernando Olivas to understand when to exercise his responsibility to inform a suspect of their rights under the United States Constitution. This knowledge and practice was demonstrated by his reporting of having and ensuring suspects in this case, to initial and sign VA Form 1430.

While purposely avoiding giving Giordano his "Rights Of Miranda" upon placing him under arrest, and also allowing Giordano's 4th Amendment Rights to be violated, he failed to give notice to the prosecution and defense; the existence of "**Brady Material**" that the exclusionary rule applied to all physical evidence taken from Giordano upon the illegal seizure of his person, and narcotic medications found within his control as a result of the seizure of his person.****

****Officer James Bishop filed four complaint/arrest affidavits with the Circuit Court of the County Of Pinellas Florida. None of the four affidavits were supported by probable cause within the investigative report of which his name was affixed and was drafted by him in the course of his official duties

as a Department Of Veterans Affairs Police Officer. As a result of these affidavits the Circuit Court convicted two subjects with second and third degree felonies, the subjects were forced to serve jail time and pay fines. Officer James Bishop is in **violation of Title 18 U.S.C. Section 242, Deprivation Of Rights Under Color Of Law.******

****Detective Fernando Olivas was instrumental in the arrest of two suspects. In the course of conducting his official duties as a Police Detective for the Department Of Veterans Affairs, he ignored the Rules Of Evidence and violated the Constitutional Rights of the accused. As a result of his actions, the Circuit Court convicted two subjects with second and third degree felonies, the subjects were forced to serve jail time and pay fines.

Detective Olivas was officially referred this case by Officer Bishop. Detective Olivas was allowed complete and unfettered operational control of the investigation, it's course, evidential oversight with no requirement for someone to monitor and supervise him and the other officers as the events regarding this case unfolded.

He took upon himself the supervisory role, responsibility of executing the operation as well as determining the roles assisting officers would play, as events unfolded and there results. In effect there was no proper "command & control" of the case or its operational activities. At any time and on many occasions prior to the adjudication of the suspects; Detective Olivas could have taken it upon himself to intervene in what was a cacophony of rights violations, improper police procedures, mishandling of evidence and falsified probable cause statements. Instead despite having the knowledge of that which is required by his position, having first and second hand knowledge of the events as described; Detective failed to act in the appropriate, legal and ethical manner which was expected of him and as was his obligation. Detective Fernando Olivas is in **violation of Title 18 U.S.C. Section 242, Deprivation Of Rights Under Color Of Law.******

(EXHIBIT D-1)

PAGE #6, PARA. #1 & 2, Date/Time: 07/10/2015, 12:20:49PM

Detective Fernando Olivas:

Olivas states Giordano was in a temporary interview room and allowed access to "his personal backpack" which had pills in it.

Before stating exactly what happened, Detective Olivas sets up justification for the unfortunate events which are to follow by starting with "Due to manning levels an officer was watching the prisoner in the detention cell and Giordano at the same time. This required the officer to walk away from where Giordano was located."

We do not know who this officer is, but it was allegedly "required" because according to Olivas there is an issue with manning levels. It is my understanding this temporary interview room as described, is the conference room located in the front of building #11. The detention cell is located near the other end of the building, with many feet of separation apart.

While the unknown officer was away, Giordano swallowed a purported amount of thirty (30) pills which were left in his possession.

An ambulance was called and Giordano was taken to the Emergency Department at the C.W. Bill Young VA Medical Center for treatment. He was Baker Acted, and after being cleared and released by doctors on 07/16/2015, Giordano was taken to jail. Olivas descriptions are vague, ambiguous and leave many questions unanswered.

As a result of my further inquiries I learned as a result of Giordano swallowing the pills left in his possession while he was unsupervised, he lay comatose in an intensive care unit on the second floor of C.W. Bill Young VA Medical Center for three or four days.

(EXHIBIT G-1)

Furthermore I was told by Officer Beauchamp, there was a distinct possibility Giordano may have ingested the pills with a quantity of alcohol.

****Early on the morning of Friday, 10 July 2015, Lt. Robert Oneill sent an email through the chain of command stating he had found backpacks (property of the suspects) on the floor of the hallway the previous evening. At least one of the bags contained alcohol.****

(EXHIBIT D-1)

PAGE #6, PARA. #1 & 2, Date/Time: 07/10/2015, 12:20:49PM

During investigation through arrest, Detective Olivas' account of what occurred was quite specific. However once the issue of being required to discuss the fact Giordano swallowed pills due to the failures of a member/members of the department to properly secure the evidence and safeguard their prisoner came in to play, it becomes apparent there was one or more specific reasons why Olivas became vague with details.

****One or more members of the Bay Pines VA Police were reckless with the custody of Giordano, and in accordance with the **Assimilative Crimes Act (ACA), 18 U.S.C.A. § 13, has violated Florida Statute 784.05 for Culpable Negligence.******

(EXHIBIT E-1)

PAGE #8, last paragraph Date/Time: 07/22/2015, 12:04:25PM

Detective Fernando Olivas:

Olivas states "This follow up is in reference to the disposition of the medication ingested by suspect Giordano. The original container label identified the quantity as 90 pills of baclofen. The count after the actions taken by Giordano yeilded a count of 60 pills remaining. The remaining pills of Baclofen were transported to the Emergency Department where they were

turned over to nursing staff for informational purposes. The remaining pills were then for the patient by nursing staff after receiving written consent from the patient to do so. The medication was turned over to nursing staff on 07/09/2015 when patient was transported to Emergency Department for further treatment and observation.”

****The pills are evidence of the Culpable Negligence. Olivas states the staff received the pills after Giordano gave a “written consent” for this to occur. However according to Giordano's physical condition after taking thirty pills, he was at some point medically comatose and therefore would have been unable to consciously complete the act of giving his written consent.

According to (Exhibit H-1) a FOIA request was filed on 07/09/2016 asking for a copy of the signed written consent by Giordano. According to (Exhibit I-1) there was an official reply on 09/02/2016, stating a reasonable search for the written consent was conducted and no record of the requested document could be found. Since Detective Olivas failed to identify who transported the medication and gave it away to the nursing staff, and in addition there is no record of written consent he describes, Olivas is in **violation of 18 U.S. Code § 1519 for tampering/destroying evidence** directly related to the commission of Culpable Negligence, and within his follow up report as to his **false statement of its disposition and the facts surrounding giving said medications to staff, is in violation of 18 U.S.C. § 1001.******

Any serious incident involving the Bay Pines VA Police as can be verified by “any” patrol officer of the department, is required to be officially documented by an “Investigative Report” within V.A.P.S. (Veteran's Affairs Police Suite). I have confirmation from a reliable source, an investigative report was not initiated nor completed. As a matter of routine, any officer having been involved in such a serious incident as this, would be mandated to submit an investigative report.

In the past there have been many officers who have committed mistakes or administrative offenses of much less concern, who have been treated in severe manner by the chain of command. However upon my informal inquiry

regarding this case roughly a year after it occurred, I noticed there were “no” individuals who were disciplined in any way as a direct result of what had happened.

The following individuals: **Chief Of Police Service (Robert Shogren), Assistant Chief Of Police (Manuel Morales), Assistant Chief Of Police (“Bo” Barella), Police Captain (Dennis Morin)**, were in command during the existence of this case and none were known to be on a leave of absence for any and/or all of this time period. Due to the routine roles each member of this command fills, the oversight and review they are known to be responsible for and do exercise on a regular basis; there is no sound basis logically conceived for their not being either partially involved or at least fully aware of what had taken place. In fact there is an almost certainty they were aware, of the complete circumstances beyond what was described in the initial investigative report and follow up submissions.

In the capacity of which they serve and authority they hold within the hierarchy of the Police Service, the responsibility they hold under the laws of the United States in protection and support of the constitution; the a fore mentioned members of the chain of command were required to prevent any wrong doing, as soon as they became aware of the kinds of things which were taking place. Each individual of said group, also had a “duty” to report wrongdoing to an appropriate authority of whom could make an objective determination regarding the circumstances of potential violations of constitutional rights; official wrong doing by members of the Police Service, and any violations of police procedures and or agency policies.

An action taken to ensure the proper oversight by an objective entity duly authorized to make such determinations, would have allowed light to be shed on the invalidity of the case and prevention of what appears to have been tainted convictions of Giordano and Stewart. With these points thus stated, elements are met for Robert Shogren, Manuel Morales, Bo Barella, and Dennis Morin so as to be considered as an **Accessory After the Fact 18 U.S.C. § 3**, to any and all criminal offenses previously described within this document. In addition, said individuals by lack of action to prevent further harm or report of wrongdoing, intended for said circumstances to be ignored and covered up from any law enforcement entities having authority to investigate and have them charged.