

**CITY OF LAKE CITY
COMPLAINT PROCESSING**

TO BE COMPLETED BY EMPLOYEE

STEP I

EMPLOYEE

Burnsed, Gregory L

DEPARTMENT Police

(LAST, FIRST, M.I.)

JOB TITLE Police Officer/Accreditation Manager/PIO

IMMEDIATE SUPERVISOR'S NAME Sgt. Jason Byrd

PERSONNEL POLICY/SECTION/ ARTICLE VIOLATED 3.03 Policy against Harassment

DATE August 25, 2021

STATEMENT OF COMPLAINT (The action or situation about which you have a dispute or difference. Be specific! Give names, dates, locations, etc.)

~~See attached:~~

YOUR SUGGESTED SOLUTION

EMPLOYEE'S SIGNATURE



DATE COMPLAINT PRESENTED/RECEIVED BY SUPERVISOR

August 25, 2021

WAS THIS PROBLEM DISCUSSED WITH IMMEDIATE SUPERVISOR PRIOR TO FILING THIS FORMAL COMPLAINT FORM? YES ___ NO DATE ___

NOTE TO EMPLOYEE: Submit all material you feel supports your complaint for consideration by the supervisor. Keep a copy of this form and all documents for your personal record.

COMPLAINT FORM (October 2010)

OPR: Human Resources

APPENDIX 17-1 September 2014

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TO BE COMPLETED BY IMMEDIATE SUPERVISOR

RECEIVING SUPERVISOR'S SIGNATURE Sgt. Jason Bond
DATE Complaint received August 22, 2011

RECEIVED AND RECORDED IN THE HUMAN RESOURCES OFFICE:
Date/Time Complaint Received: Calvin Sreed By: 3:05 pm

Did you review this complaint with the above employee? () YES (X) NO
Immediate Supervisor's Response Employee involved works for
other department within city.

Employee's Signature Acknowledging Response [Signature] 348

DATE Employee Received Response _____

Complaint is settled _____ DATE _____
(Employee's Signature)

Complaint is unsettled and I wish to appeal to STEP II.

Employee's Signature [Signature] 348 DATE 8-26-11 by 8/26/11

TO BE COMPLETED BY DEPARTMENT DIRECTOR

STEP II

RECEIVING DEPARTMENT DIRECTOR'S SIGNATURE Chris D. Ginnore

DATE Complaint Received 8/24/11 DATE of Step II Conference N/A

DATE Employee Advised of Conference _____

Department Director's Response
N/A

Department Director's Signature [Signature]
DATE _____

Employee's Signature Acknowledging
Response _____

DATE Employee Received Answer _____

Complaint is settled _____ DATE _____
(Employee's Signature)

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Complaint is unsettled and I wish to appeal to STEP III.

DATE _____

(Employee's Signature)

STEP III

TO BE COMPLETED BY CITY MANAGER

DATE complaint received _____
DATE complaint reviewed _____
Employee granted meeting with City Manager? (YES) (NO) If yes, DATE _____
DATE Employee advised of meeting _____ (if applicable)
Employee granted Ad Hoc Committee review? (YES) (NO) If yes, DATE _____
DATE Employee advised of Committee meeting _____ (if applicable)

STEP IV

**TO BE COMPLETED BY AD HOC COMMITTEE
RECOMMENDATION:**

COMMITTEE SIGNATURE _____ DATE _____

CITY MANAGER'S SIGNATURE: _____ DATE: _____

RECEIVED BY EMPLOYEE _____ DATE _____
(Employee's Signature)

In October of 2020, the Lake City Police Department began the process of upgrading from Uniform Crime Reporting (UCR) to Florida Incident Based Reporting System (FIBRS) as required by the Federal Bureau of Investigations (FBI) to track crime rates for Lake City.

During the upgrade, SmartCOP, our provider for Records Management Software, had trainers on-site to train officers and other users on these changes. During the training event I attended, along with Assistant Chief Butler and several other officers and supervisors, the trainer, Vicki Floyd, Project Manager/Training Specialist for SmartCOP, asked several questions concerning the configuration of the software. Justin Tesh with the City of Lake City Information Technology (IT) was also present and could not answer the questions asked. Assistant Chief Butler asked me if I knew the answers. My answer for most of the questions was the same, "IT will not allow the agency to configure the software to best suit the agency's needs." In several instances, IT had made the decision not to use certain available options in the software without ever consulting anyone within the police department. It was also discovered by Ms. Floyd that when archiving former officers, IT was not returning those officers' issued numbers causing issues with internal audits for citation tracking as well as with the Department of Highway Safety and Motor Vehicles who issue all traffic citation numbers for the state.

During my prior work at other law enforcement agencies, I was the network administrator for the Baker County Sheriff's Office for over 10 years. I have been associated with SmartCOP and considered an agency power user and trainer since 1998. I have also been named a Subject Matter Expert for Computers and Software in Law Enforcement by Florida Department of Law Enforcement (FDLE) and assisted the Criminal Justice Standards and Training Commission with the writing and implementation of a Career Development Course on the subject. I have assisted many agencies in Northeast Florida with the implementation and configuration of SmartCOP as well as the training of users including the Clay, Bradford, Union, and Hamilton County Sheriff's Offices and the Florida Highway Patrol.

After the training class in October, Assistant Chief Butler asked what access would be needed for me to configure SmartCOP for the needs of the agency. I advised Assistant Chief Butler that a power user role is always established and can be named whatever you choose. IT had created this role and named it "Administrator". Assistant Chief Butler instructed IT, via a Helpdesk ticket, to change my role in SmartCOP to the aforementioned Administrator role. Assistant Chief Butler then tasked me with evaluating the current configuration of SmartCOP and make recommendations for changes and the reason why.

After the Helpdesk ticket was submitted requesting the role change, Preston O'Steen, Information Technology System Specialist, attempted to limit my access by creating a new role. His reasoning was that, having the access given by the administrator role, I had access to every user account and personnel information and I should not have access to such information. The Local Agency Security Officer (LASO) for the Lake City Police Department is tasked by a User Agreement with FDLE with protecting and limiting access to Criminal Justice Information within the department and upon our computer networks including the approval for adding and removing of all users. The Accreditation Manager for the Lake City Police Department is tasked by policy to maintain Emergency Contact information for all sworn officers of the department. I have been the LASO and Accreditation Manager for the agency since 2019.

Before making any configuration changes in SmartCOP, the changes were discussed with Assistant Chief Butler. I would explain the reason for the needed change and what the effects of the change would be on the system and for the end user. After the first few changes, it was determined that the changes

were not happening on the officer's laptop computers in their cars. The officer's laptops reach the SmartCOP server via remote access and are not constantly connected to the SmartCOP Server. After research and testing by myself and SmartCOP engineers, we determined the software application used to push updates that are made to the SmartCOP server to the remote laptops had been turned off. SmartCOP requires the update application to run twice each day to ensure that changes made to the SmartCOP server are pushed to the officer's laptops. When I asked IT why the application had been turned off, the response was "they felt it only needed to be run monthly or when they had time." The application was configured, per SmartCOP's recommendation, and doing so solved many of the issues officers were having when attempting to complete reports on the laptops.

In December of 2020, I began to configure some of the applications the agency had been paying for many years but had not been configured by IT nor discussed the possible use of with anyone at the police department. One of the applications that was not configured or being used was the Activity Log for officers. After setting the configuration and testing it for several hours, I found no issues with the application. Only after speaking with a dispatcher did I discover that it had caused an unknown issue with the dispatcher being able to show an officer on duty and available for calls when coming on duty. The dispatchers I had been working with earlier in the day had gone home and a new shift had taken over, and they were unaware of my testing applications in SmartCOP. When they discovered the issue, they contacted the on-call IT person, Preston O'Steen, who was unable to recognize the simple fix and forwarded the issue to SmartCOP's helpdesk. Preston O'Steen sent an email to Mandy Rand, IT Director, and Assistant Chief Butler describing my actions as "breaking the system". The system was fully functional. When placing an officer on duty it only required the dispatcher to answer a separate question that they had not been made aware of. Preston O'Steen's lack of experience within the application forced him to contact SmartCOP for the solution when he should have consulted with me.

I have had many discussions with Justin Tesh over different SmartCOP issues and his not understanding the hierarchy of law enforcement, or that some of the things we do are statutorily mandated to be done in specific ways in specific order, especially when dealing with property and evidence chain of custody. During the majority of these discussions Justin Tesh becomes visibly upset and escalates the conversation to a confrontation.

Many times, during the year 2021, SmartCOP has called me for clarity of problems forwarded to the SmartCOP helpdesk because the IT personnel submitting the problem could not properly describe the issue. This was due to their lack of understanding the application and what law enforcement task the officer was trying to accomplish. During one conversation when I was speaking with Juan Fraga, Director of Profession Services for SmartCOP, he requested Justin Tesh not be the contact for the Lake City Police Department based on his lack of understanding of SmartCOP software and needs of a police officer. Juan Fraga also had this conversation with Assistant Chief Butler and requested I be the only liaison between SmartCOP and the agency.

During this year, Justin Tesh and Preston O'Steen have made accusations against me stating I was changing configuration files or deleting data that in turn was causing the SmartCOP system to crash. Each time, Assistant Chief Butler has investigated these allegations by contacting SmartCOP and asking them to explain what caused the system crash or issue. Each time it was determined to be IT personnel who had caused the outage by changes they had made or by their lack of action in applying updates to the server and/or operating system in a timely manner. SmartCOP would apply an update to the

agency's SmartCOP software based on the assumption that all server and operating systems' recommended updates had been applied by the Network Administrators, IT, only to have the system crash because the updates had not been applied by IT.

On July 20, 2021, Preston O'Steen changed my SmartCOP role from administrator to Accreditation Manager. Doing so has restricted my ability to do my assigned tasks. I made Assistant Chief Butler aware of the change along with Chief of Police, Argatha Gilmore. Chief Gilmore requested that my role in SmartCOP be changed back to administrator to allow me to continue my assigned tasks and to conform to the Criminal Justice Information User Agreement between the Lake City Police Department (LCPD) and FDLE. Preston O'Steen's change of my role occurred on his last day of work for the City of Lake City as he had resigned. I feel the act was done as a personal attack on me. Justin Tesh refused Chief Gilmore's request and forwarded it to Interim City Manager Fields. Interim City Manager Fields upheld the refusal stating "There has been so many compromising issues with the activation of Burnsed's access to SmartCOP previously." When asked what the compromising issues were, City Manager Fields refused to elaborate. I feel she is basing her decision on IT's opinion that I had jeopardized Lake City's network by making unapproved changes and deleting data.

Over the last several weeks, phone conversations have occurred and emails have been exchanged between myself and members of FDLE who are tasked with CJIS and keeping agencies in compliance with the required Memorandums of Understanding (MOU) and User Agreements. On Friday, August 20, 2021, one such phone conference was conducted, with myself present in the room, between Chief Gilmore and Assistant Chief Butler on the phone was Susan Bortzfield, CJIS Northeast Service Area Manager, Harry Laine, CJIS Technology Auditor, Lewis Sloan, CJIS Compliance Supervisor, Danielle Terrell, Executive Director of the Commission for Florida Law Enforcement Accreditation (FCA) and Fred Koberlein, City Attorney for Lake City. The conversation focused on who should have control of software used by law enforcement agencies in Florida. Mr. Sloan stated the CJIS containing software is solely the responsibility of the law enforcement agency to manage. The network the software is shared on is the responsibility of IT for security and maintenance. IT should add and delete users to the network at the direction of the agency LASO who is tasked with insuring that all user abides by CJIS User Agreement and all MOUs. It is not required for the LASO to have administrative access to the network, only to have control of users by direction to IT. After the phone conference, City Attorney Koberlein sent an email to all involved parties that it was his legal opinion that my access to SmartCOP should be restored. Interim City Manager Fields still refused to change her decision. At no time have I been questioned by anyone from IT or Interim City Manager Fields concerning any of the allegations levied against me.

Based on the actions and accusations of Preston O'Steen and Justin Tesh, my reputation as a law enforcement officer has suffered irreversible damage among my peers, supervisors, and Interim City Manager Fields. This situation is placing me in a hostile work environment that has caused me undo stress and an increase in medical issues.

Addendum to my original Employee Complaint dated August 25, 2021

After being advised numerous times by the Chief of Police of the false accusations levied against me by IT staff, Interim City Manager Fields has taken no action to investigate the accusations herself. Interim City Manager Fields' action is prohibiting me from completing my assigned duties as a police officer, and as the Local Agency Security Officer for the Lake City Police Department. Interim City Manager Fields' lack of action has allowed further damage to my reputation and has placed me in a hostile work environment which is causing me undo stress and an increase in medical issues.

Greg Burnsed