



Rick Staly, Sheriff

## FLAGLER COUNTY SHERIFF'S OFFICE

*"An honor to serve, a duty to protect."*

# NEWS RELEASE

**Date:** July 31, 2019

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**Release #:** 173

## **Arbitrator Requires Deputy to be Reinstated**

The Flagler County Sheriff's Office (FCSO) terminated Deputy Robert Finn over a year ago following a failure to immediately take action to a vehicle traveling the wrong way on the Interstate 95 off-ramp at Palm Coast Parkway on April 16, 2018. The vehicle was soon after involved in a deadly vehicle crash on I-95.

Deputy Robert Finn appealed his termination and the case was sent to arbitration so the positions by both the FCSO and the Coastal Florida Police Benevolent Association could be heard and decided by an arbitrator as required by the union's collective bargaining contract. The hearings were held at the Flagler County Court House in Bunnell on March 20, 2019. The arbitrator's decision was received by the FCSO on July 31, 2019.

The FCSO expects Deputy Sheriffs to take immediate action and to always act with the safety of the public as their number one concern. The arbitrator found that Deputy Robert Finn "erred several times and disobeyed rules and regulations of the Flagler County Sheriff's Office." Nonetheless, the arbitrator has ruled that FCSO must reinstate Deputy Robert Finn as an employee without back pay or missed benefits and his decision is binding and not appealable.

"Although we disagree with the decision of the arbitrator, the discipline he imposed is still substantial and we will abide by that decision as it is a collective bargaining agreement requirement and we believe in the process of law," said FCSO's Chief of Staff Mark Strobridge.

Deputy Robert Finn will return to work at the FCSO as a Deputy Sheriff in the Community Policing Division. He will receive additional training to aid in his performance. He will be expected to perform his duties up to the standards of an FCSO Deputy Sheriff.

**Original News Release below:**

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**Date:** Monday, July 9, 2018

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## **FCSO Deputy Terminated After Failure to Take Action to Prevent Fatal Crash**

Flagler County Sheriff's Deputy Robert Finn was served his notice of intent to discipline with termination on Monday afternoon following an Internal Affairs investigation into his actions on April 16, 2018 involving a traffic crash on I-95.

At 2:04 a.m., FCSO Communications Center dispatched a deputy to a medical call on Carlson Lane in Palm Coast. Deputy Robert Finn also acknowledged the call as a back-up unit but failed to immediately respond. According to GPS records, Deputy R. Finn's response was delayed 4 minutes after he acknowledged the call. While responding to the medical call and exiting I-95 at Palm Coast Parkway Deputy R. Finn encountered a wrong-way driver traveling north on the southbound exit ramp and had to take evasive action to avoid a collision. Deputy R. Finn failed to take any action to stop the errant driver and continued to the medical call despite the fact that another deputy and medical units had already arrived to the medical call. At 2:13 a.m., FCSO Communications received a call of a head-on collision on I-95. Deputy R. Finn continued to respond to the medical call and arrived at 2:14 a.m. At 2:17 a.m., Deputy R. Finn leaves the medical call to respond to the traffic crash on I-95.

Deputy R. Finn was on scene at the crash for approximately 15 minutes when a witness advised him that he saw a vehicle traveling the wrong way (north) on the southbound exit ramp to Palm Coast Pkwy and pass "a cop" who was traveling with his lights and sirens activated on the off ramp. During the Internal Investigation, Deputy R. Finn stated that he had to swerve to avoid the vehicle but he thought he saw the vehicle turn at the end of the ramp and correct its course of travel so he did not initiate a traffic stop.

During the crash investigation it was determined the vehicle driving the wrong-way on I-95 was the same vehicle that had passed Deputy R. Finn on the exit ramp just minutes before. The crash on I-95 resulted in the death of Wendell Parker, the driver of the vehicle traveling in the wrong direction, and serious injuries to the driver of the vehicle that was struck head-on.

"This is a tragic case where Deputy R. Finn witnessed a vehicle traveling in the wrong direction and failed to take immediate action," Undersheriff Jack Bisland said. "While we will never know with certainty if Deputy R. Finn could have changed the sequence of events and prevented this crash by attempting to stop the vehicle, we do know that as a law enforcement officer it was his duty to take immediate action and he failed to do so."

Deputy R. Finn had been reassigned to the Communications Center handling calls on the phone during the internal investigation. He has ten days to appeal his disciplinary termination. He has been employed with the FCSO since June 15, 2011.

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