

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 12-30

(Executive Order of Suspension)

WHEREAS, Malcom Thompson is currently serving as the Osceola County Clerk of Court;
and

WHEREAS, on January 27, 2012, the State Attorney for the Ninth Judicial Circuit filed an information charging Malcom Thompson with one count of battery, a violation of section 784.03, Florida Statutes, and one count of assault, a violation of section 784.011, Florida Statutes; and

WHEREAS, the battery count of the information alleges that Malcom Thompson battered an employee of the Osceola County Clerk of Court's office, and the accompanying sworn investigative summary prepared by the Florida Department of Law Enforcement indicates that the battery occurred during the course of a business day at the office of the Clerk of Court; and

WHEREAS, the assault count of the information alleges that Malcom Thompson assaulted an employee of the Osceola County Clerk of Court's office, and the investigative summary indicates that the assault occurred during the course of a business day at the office of the Clerk of Court; and

WHEREAS, Article IV, Section 7, Florida Constitution, provides that the Governor may suspend from office any county officer for malfeasance; and

WHEREAS, the acts set forth in the information and investigative summary constitute malfeasance under Article IV, Section 7, Florida Constitution ; and

WHEREAS, it is in the best interests of the residents of Osceola County, and the citizens of the State of Florida, that Malcom Thompson be immediately suspended from the public office he now holds, upon the grounds set forth in this executive order.

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7, Florida Constitution, Florida Statutes, find as follows:

- A. Malcom Thompson is the Clerk of Court of Osceola County.
- B. The office of Clerk of Court of Osceola County is within the purview of the suspension power of the Governor, pursuant to Article IV, Section 7, Florida Constitution.
- C. The attached information and investigative summary alleges that Malcom Thompson committed offenses in violation of the laws of the State of Florida, which acts constitute malfeasance.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective today:

Section 1. Malcom Thomson is suspended from the public office that he now holds, to wit: Clerk of Court of Osceola County.

Section 2. Malcom Thompson is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order is issued, or as otherwise provided by law.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 30th day of January, 2012.



GOVERNOR

ATTEST:

SECRETARY OF STATE

FILED
2012 JAN 30 PM 3:47
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

IN THE COUNTY COURT OF OSCEOLA COUNTY, STATE OF FLORIDA

THE STATE OF FLORIDA

DIRECT
INFORMATION # 2012MM328

VS.

DIVISION -

MALCOM THOMPSON

1. BATTERY (M1)
2. ASSAULT (M2)

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA:

LAWSON LAMAR, State Attorney of the Ninth Judicial Circuit prosecuting for the State of Florida in Osceola County, OR LAWSON LAMAR, State Attorney of the Ninth Judicial Circuit prosecuting for the State of Florida in Osceola County, by and through the undersigned Designated Assistant State Attorney, under oath, CHARGES that MALCOM THOMPSON, on the 29th day of December, 2011, in said County and State, did, in violation of Florida Statute 784.03, commit a battery upon LATIFA RAMDANI, and in furtherance of said battery, the said Defendant did actually and intentionally touch or strike the said LATIFA RAMDANI, against the will of the victim or did intentionally cause bodily harm to LATIFA RAMDANI.



2012 DEC 27 0 16 19

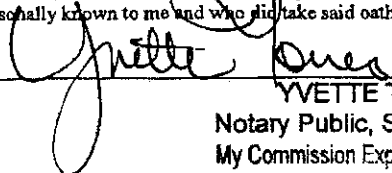
COUNT TWO

LAWSON LAMAR, State Attorney of the Ninth Judicial Circuit prosecuting for the State of Florida in Osceola County, OR LAWSON LAMAR, State Attorney of the Ninth Judicial Circuit prosecuting for the State of Florida in Osceola County, by and through the undersigned Designated Assistant State Attorney, under oath, CHARGES that MALCOM THOMPSON, on the 10th day of January, 2012, in said County and State, did, in violation of Florida Statute 784.011, assault KIMBERLEE ZANDER, by intentionally and unlawfully threatening by word or act to do violence to the person of KIMBERLEE ZANDER, at a time when the said MALCOM THOMPSON had an apparent ability to do so, and by doing some act which created in KIMBERLEE ZANDER a well-founded fear that such violence was imminent.

STATE OF FLORIDA
COUNTY OF OSCEOLA

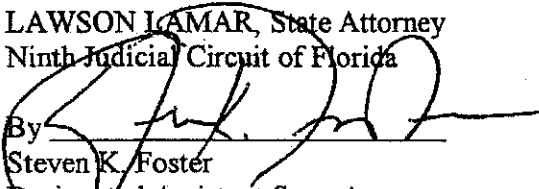
Personally appeared before me Steven K. Foster, Assistant State Attorney of the Ninth Judicial Circuit of Florida, who being first duly sworn, says that the allegations set forth in the foregoing INFORMATION are based upon facts that have been sworn to as true, and which if true, would constitute the offense therein charged, and that he/she institutes this prosecution in good faith.

The foregoing instrument was acknowledged before me this 10th day of January, 2012 by the aforementioned Assistant State Attorney who is personally known to me and who did take said oath.



YVETTE TORRES
Notary Public, State of Florida
My Commission Expires April 18, 2013
Commission No. DD 864726

LAWSON LAMAR, State Attorney
Ninth Judicial Circuit of Florida

By 

Steven K. Foster
Designated Assistant State Attorney
Florida Bar No. 371645

SF/SF

**DIRECT
MEMORANDUM**

CASE NO. 2012 MM 328

Charge(s): Ct. 1. BATTERY (M1)
Statute No.(s) 784.03
JIT No. 784.03-7
Ct. 2. ASSAULT (M2)
Statute No.(s) 784.011
JIT No. 784.011-1

SUMMONS

IN CUSTODY:

CASE NO:

DEFENDANT: MALCOM THOMPSON

ADDRESS/PHONE: PO BOX 421896, Kissimmee, FL 34742

SEX: Male RACE: White DOB: 12/31/1949

HEIGHT: Unknown WEIGHT: Unknown HAIR: Unknown EYES: Unknown

SS#: Unknown DL#: Unknown ID#:

BUSINESS/PHONE: CLERK OF THE COURT/OSCEOLA COUNTY, 2 Courthouse Square,
Kissimmee, FL 34742

ADDITIONAL ID:

2012 JUN 27 PM 4:19

INVESTIGATION OFFICER: Christopher Woehr, FDLE OR-04-0007

Arrest Date:

REMARKS:

Florida Department of Law Enforcement

Case Number: OR-04-0007

Ninth Judicial Circuit of Florida



Investigative Summary:

Battery
Assault

Incident Date: December 29, 2011-
January 11, 2012

Case Agent:
Special Agent Christopher Woehr

SUBJECTS:

Malcom Thompson
P.O Box 421896
Kissimmee, FL 34742
White/Male
DOB: 12/31/1949
[REDACTED]

INCIDENT LOCATION:

2 Courthouse Square
Kissimmee, FL 34742

2012 JAN 27 PM 4:19

INVESTIGATIVE SUMMARY

I. FDLE Case Opening

(IR-1, IR-6)

On January 05, 2012, Special Agent Supervisor (SAS) Tony Rodriguez provided Special Agent (SA) Christopher Woehr with information regarding a possible battery occurring in Osceola County. The request for the Florida Department of Law Enforcement (FDLE) to investigate was made by Osceola County Sheriff Robert Hansell. According to the complaint, Latifa Ramdani was battered by Malcom Thompson. Malcom Thomson is the current Clerk of the Court in and for Osceola County. Ramdani, at the time of the incident, was employed by the Clerk of the Court in the capacity of Administrative Assistant. The incident allegedly occurred during the course of a business day at the Office of the Clerk of the Court.

On January 12, 2011, SA Woehr received information from Kimberlee Zander, Human Resources Director at the Clerk of the Court's office, that she was the victim of an assault by Malcom Thompson. The assault allegedly occurred on January 10, 2012 during a meeting at the Clerk's Office.

II. Information Provided from Kimberlee Zander

(IR-2)

On January 06, 2011, Special Agent (SA) Christopher Woehr made telephonic contact with Kimberlee Zander, who identified herself as the Human Resource Director for the Osceola Clerk of Court. Zander provided the following information regarding the battery incident that occurred with Ramdani:

Ramdani was working as Thompson's Administrative Assistant when Ramdani and Thompson began discussing Christmas cards Ramdani had displayed in the office. Thompson wanted Ramdani to remove the Christmas cards and Ramdani wanted to display them longer. The argument became heated and Thompson struck Ramdani with an open palm to Ramdani's left shoulder then her right shoulder.

Zander advised that she initiated an investigation and documented various conversations she had with employees. Zander identified Peggy Lay, another Administrative Assistant, as an eye witness to the incident. Zander discussed the incident with Thompson and he admitted to striking Ramdani but stated it was in jest. Zander added that Ramdani did not wish to cooperate and/or make a statement due to the embarrassment it would bring to her family and because she was scared of Thompson, physically. Ramdani has been reassigned to a different location in the building where she is not working directly for Thompson. Ramdani is in the same position (Administrative Assistant) and her rate of pay has not changed.

III. Initial Interview with Latifa Ramdani

(IR-4)

On Monday, January 9, 2012, at approximately 1545 hours, Special Agent Supervisor (SAS) Tony Rodriguez and Special Agent (SA) Julie Bressin of the Florida Department of Law Enforcement responded to the office of the Clerk of the Court office, located at 2 Courthouse Square, Kissimmee, Florida. The purpose of the response was to meet and

Speak with the alleged victim, Latifa Ramdani, and obtain a statement. Also present were Human Resource Director Kimberlee Zander, Deputy Chief Kim Henneey and Administrative Aide Peggy Lay.

During an interview with only Ramdani, she advised that on December 29, 2011, she was in her work area at the office of the Clerk of the Court which is located on the second floor and just outside of Thompson's office. On this date at approximately 1100 hours, Thompson directed Ramdani to take down her Christmas cards which were displayed on Thompson's office door. Ramdani advised Thompson that it was not yet the 1st of the year and that she would take the cards down then. Thompson became very angry and began to yell at Ramdani. Thompson subsequently pushed Ramdani on both front, upper shoulders. Ramdani advised that she was left with a red mark on her right upper shoulder as a result of the incident.

When asked if Ramdani would provide a sworn, audio recorded statement, Ramdani asked if the incident would be made public; if so she did not wish to provide the statement. The reason Ramdani provided for not electing to provide the sworn statement was that she was Muslim and that if the news of this complaint was made public, she would be disgraced by other Muslims and her family would be shamed. Ramdani further advised that if she moved forward with the complaint, this would cause serious marital problems between her and her husband.

SAS Rodriguez and SA Bressin also spoke with Peggy Lay who advised she was a witness to the December 29, 2011 incident. Lay advised that contrary to what Thompson said about only pushing Ramdani in a playing manner, Thompson was angry struck Ramdani because he was angry. In light of Ramdani requesting not to be asked to provide a sworn statement, the two interviews were not sworn or audio recorded.

IV. Sworn Statement from Kimberlee Zander

(IR-6)

On January 13, 2012, Special Agent (SA) Christopher Woehr made contact with Kimberlee Zander for the purpose of obtaining a sworn, digitally recorded statement. The following is a summary of the statement:

On January 10, 2012, Zander, Melissa Benoit and Lisa Cubero went to the sixth floor after they learned Malcom Thompson was speaking with Latifa Ramdani who had previously reported being the victim of a battery at the hands of Thompson. Zander felt she might need to intervene. As they approached, they noticed that Thompson was upset. Thompson then instructed them to sit down and verbally confronted Zander, asking "What have you done? What gives you the right?" Thompson then got up, loomed over Zander, telling her not to raise her voice. Zander advised that she was not raising her voice. Thompson was angry and flush and attempting to control his anger. Thompson approached Zander within 2 feet and put his finger in Zander's face. Thompson repeated the action a second time. Because of Thompson's actions, she became fearful that Thompson was going to strike her. According to Zander, Ramdani began telling Thompson to "put his hands in his pockets" because it was apparent that Thompson was going to strike Zander. Zander's fear was caused, in part, because of Thompson's actions, his proximity, his martial arts background and the previous battery that occurred between Thompson and Ramdani.

A few hours after the meeting, Thompson called Zander back to his office and apologized for "looming" at her. Thompson told Zander that he only did it because

Zander loomed at him first. Zander denies looming at Thompson but stated that it was possible she shifted in her seat when he approached her.

Since the incident, Zander has suffered from not being able to sleep, being on edge while in the office, trouble breathing and chest pains.

Zander stated that although she prefers not to press criminal charges, she will do so to ensure her safety in the office.

V. Sworn Statement from Peggy Lay

(IR-9)

On January 13, 2012, at approximately 1126 hours, SA Julie Bressin obtained a sworn, audio recorded witness statement from Osceola County Courthouse Human Resource Administrative Aide Peggy Lay in reference to assault and battery allegations against Osceola County Clerk of the Court Malcom Thompson. The following is a summary of the interview.

On December 29, 2011, Lay sat at her desk just outside Thompson's office while he and another Administrative Aide, Latifa Ramdani, were standing at the doorway of Thompson's office "chatting." Thompson asked Ramdani to remove the greeting cards hanging on his door because Christmas was over. Ramdani suggested they wait until after the New Year. Ramdani was standing about a foot from the doorway when Thompson went toward her and "pushed her in the shoulder" (on her right shoulder with the palm of his hand) and said, "I told you to take those cards down." Ramdani held her right shoulder and said, "You hurt me, you hurt me to the bone." After Thompson pushed Ramdani, he used his pointer finger and "poked" (or made a poking "gesture") toward Ramdani's other shoulder. Thompson denied that he hurt Ramdani and he suggested that his actions were just a joke. Ramdani did not believe that Thompson's actions were a joke and she told Thompson, "don't touch my body, you can never touch my body, and I told you before, don't touch my body." Subsequently, Thompson left the office and approximately thirty (30) minutes later, Ramdani showed Lay the injury, described as a red in color, half dollar (coin) size injury to Ramdani's right shoulder. Ramdani declined to allow Lay to photograph the injury because according to Ramdani, "it doesn't make any difference, he always wins, he's the elephant and we're ants, no matter what we say, no one will believe us." Approximately three (3) hours later, Lay observed Ramdani's injury for the second time and it appeared to be the same shade of red. According to Lay, when Thompson pushed Ramdani, it looked "very painful."

On January 10, 2012, Thompson came into the office "very visibly upset" (he was supposed to be off that day) and Ramdani walked in behind him. Ramdani refused to talk with Thompson alone, so they talked in the open area near Lay's desk. Thompson wanted to know how the information had been leaked to the public that "the clerk had pushed his secretary." Additionally, Lay and Ramdani both told Thompson that they talked to FDLE the day before, and Thompson was furious that things were kept behind his back.

A few minutes later, the human resource staff (Kimberlee Zander, Lisa Cubero, and Melissa Benoit) came into the office to look for Ramdani. Thompson asked them all to sit down and a meeting ensued. Thompson claimed he "walked into a hornets nest" and he wanted to know what was going on. Zander started to speak, "very calmly and rationally" and she simultaneously made a slight movement in her chair. As soon as she did that, "the clerk [Thompson] just came right out of his chair" and put his hand toward

Zander, "within inches of her face," and said, "don't raise your voice to me." Ramdani ordered Thompson to keep his hands in his pockets and he backed up from that point.

In total, Thompson was mad for about fifteen (15) minutes prior to the meeting and about a half hour into the meeting, totaling forty-five (45) minutes; however, Thompson continually spoke ("in a discipline manner") with a raised voice for quite some time after that. According to Lay, "all of us were afraid" during the meeting and it was Thompson who showed enough of his anger to make them fearful. Lay explained that she had never been more afraid than she was in the meeting and she had not felt comfortable since, because she was afraid it would happen again. During the meeting, Thompson did not make any direct or retaliation type of threats.

VI. Sworn Statement from Melissa Benoit

(IR-7)

On January 13, 2012, Special Agent (SA) Christopher Woehr made contact with Melissa Benoit for the purposes of obtaining a sworn, digitally recorded statement. The following is a summary of the statement:

On January 10, 2012, Benoit, Kimberlee Zander and Lisa Cubero went to the area of Lay's work station (Ramdani's previous work station) because they were worried about Ramdani's safety (they discovered that Ramdani was there). Thompson, Lay and Ramdani were already there when Benoit arrived. Upon arriving, Thompson was agitated and upset and in a curt, strained voice instructed everyone to sit down. Thompson was physically upset and his face was flush.

Once the ladies took their seats, Thompson looked at Zander and yelled, "What have you done?" When Zander attempted to answer, Thompson got up, yelled again, approached Zander, towered over her and extended his arm in Zander's direction. Thompson's face was very red and his jaw was clenched. Benoit felt that Thompson was going to strike Zander at that moment. Thompson's hand came within inches of Zander's face. Ramdani began telling Thompson to sit down and put his hands in his pockets. Benoit interpreted Ramdani's request as an attempt to prevent Thompson from striking Zander. Benoit was in fear that Thompson was going to strike Zander, herself and everyone else who participated in the meeting.

Since the incidents, Benoit has suffered stomach and chest pains, from worrying about what Thompson is going to do.

VII. Sworn Statement from Lisa Cubero

(IR-8)

On January 13, 2012, at approximately 1000 hours, SA Julie Bressin obtained a sworn, audio recorded witness statement from Osceola County Courthouse Human Resource Administrative Aide Lisa Renee Cubero in reference to assault allegations against Osceola County Clerk of the Court Malcom Thompson. The following is a summary of the statement.

According to Cubero, prior to the morning of January 10, 2012, Thompson learned that information about him "hitting his secretary" was leaked to a campaign opponent; therefore, Cubero and the human resource staff were afraid of Thompson's reaction when they arrived at the office that morning.

Cubero arrived at the human resource department and unlocked the front door. Upon entering the reception area, Cubero was frightened by Thompson, who was standing there in the darkness. Thompson abruptly asked, "Where is Kim?" Cubero continued to her office and shut the door. Ramdani arrived shortly thereafter and Thompson talked to her in the reception area briefly before they both went upstairs (to another office area). As soon as Kimberlee Zander arrived in the office, they went to notify Captain Tooney (Osceola County Sheriff's Office) before heading upstairs to check on Ramdani.

Cubero, Zander, and Benoit found Ramdani, Peggy Lay and Thompson talking near Lay's desk. Thompson told Cubero, Zander and Benoit to grab a chair and have a seat with them. Thompson asked Zander, "What are you doing, what, what's going on?" Zander started to answer Thompson and he abruptly jumped up from his chair and said, "Who gives you the right, who gave you the authority, who do you think you are?" Thompson was standing over Zander "with his finger in her face." At the same time, Cubero started crying and she felt the onset of an anxiety attack. Zander attempted to respond, "Sir, its HR's (Human Resources) responsibility to protect their staff and document..." Thompson asked, "Who's documenting?" When Zander tried to respond, Thompson told her to "shut up!" Thompson continued "going off" on Zander and berating her. Thompson tried to explain how the incident (battery against Ramdani) was "playful" and the whole situation was blown out of proportion. Furthermore, Thompson defended his actions (battery against Ramdani) and said that this was "a bump in the road" amongst family. When asked if the incident (between Thompson and Ramdani) was playful, Peggy Lay agreed that it may have started out that way, but she reiterated, "you really hurt her, you pushed her, and she moved back toward the wall." Thompson claimed, "We just need to stop this."

Subsequently, Cubero was crying and Thompson asked, "Why are you so afraid of me?" Thompson denied that he would ever hurt anyone. Cubero claimed that Thompson's behavior was irrational and that he scared her earlier that morning when he stood in the human resource department reception area in the darkness.

According to Cubero, Thompson's finger was about a foot away from Zander, and "he was right there in her face." At the time, Thompson was "very angry," his face was red, he was really tense, and he was standing over Zander, pointing down at her. Thompson said, "HR has blown this way out of proportion" and he told Zander, "You shouldn't have done this."

VII. Interview with Malcom Thompson

(IR-10)

On January 13, 2012, Special Agent (SA) Christopher Woehr and SA Julie Bressin made contact with Malcom Thompson in his office. Thompson invited SA Woehr and SA Bressin into his office. SA Woehr introduced both agents and asked Thompson if he knew why the Agents were there. Thompson advised that he knew what the FDLE was there for (investigating a battery).

SA Woehr gave Thompson the opportunity to provide his side of the story and gave him the opportunity to consult with an attorney first. Thompson stated that there could not be an investigation without a formal complaint. SA Woehr advised Thompson that there was a formal complaint and Thompson asked who made the formal complaint, to which SA Woehr stated that he was not going to divulge the specifics of the investigation at this point. Thompson then stated that if SA Woehr wasn't going to tell him that he was not going to make a statement. SA Woehr told Thompson, "You are well within your rights

by not making a statement". Thompson then voluntarily stated, "But I will tell you this"....and started spontaneously making the following statements:

Thompson stated that he was embarrassed and humiliated for himself and his family. Thompson stated that he had known Ramdani for a long time. According to Thompson, the problems arose because Ramdani is experiencing the "the change that happens in a woman when she reaches a certain age".

Thompson then stated "Stupid Malcom, I asked her to take the cards down, I didn't think about the fact that she is Muslim. What I said or did was offensive to her religion". "I pushed her on the shoulder, when I brushed past her". Thompson advised "the whole thing was a joke". Thompson suggested the incident "struck a nerve because of what her husband did to her" and stated "just because your husband hits you and he goes to jail."

Thompson stated that he apologized to Ramdani several times and suggested he was ashamed and embarrassed by what he did. Thompson then stated that he "even apologized to the deputies downstairs" because they have "been dragged into it".

Thompson then recounted his history in law enforcement and told how he was shot in the line of duty and forced to kill his assailant. After recounting the story, Thompson suggested the women in the office are intimidated by him because they know his past and know that he is capable of killing a person. Thompson also theorized that the women in the office are intimidated because he is "big and loud". In response to Ramdani being relocated away from Thompson, Thompson told Kimberlee Zander that if Ramdani was going to be moved to human resources that Ramdani wouldn't be allowed to have as much freedom and talk on the phone as much as she does working for him.

Thompson denied assaulting Zander, while reciting the elements of the statute, literally reciting each of the elements of the statute of assault.

Thompson asked if the FDLE could delay the investigation until after the election, stating he was angry the allegations had surfaced during an election year. Thompson hypothesized that Zander was providing information to people outside the office to damage his re-election campaign. Thompson admitted to being under stress (due to the re-election).

Thompson then called his attorney, Stewart Cohen, and consulted with him. At one point, Cohen requested Thompson let him speak with SA Woehr, and that occurred. Cohen stated that he didn't want Thompson interviewed outside of his presence. Subsequently, Cohen contacted SA Woehr, telephonically and advised that Thompson would not be making a formal statement.

Thompson advised SA Woehr and SA Bressin that he felt the FDLE was being aggressive by coming into his office. Thompson later, while SA Bressin was interviewing Peggy Lay, told SA Woehr that he thought it was inappropriate that FDLE agents came into his office unannounced without calling him first.

I. Written Statement from Chief Deputy Kim Hennecy (IR-11)

On January 13, 2012, Special Agent (SA) Christopher Woehr received a written statement from Clerk of the Court Chief Deputy Kim Hennecy, summarizing her knowledge of the events.

The following is a summary of the statement provided by Hennecy:

Upon returning to work on January 04, 2012, Hennecy was made aware of the incident involving Ramdani and Thompson by Peggy Lay. Hennecy then discussed the incident with Ramdani. Ramdani's account was consistent with what Lay had advised. Ramdani advised that Thompson had apologized and stated that he was only joking. Ramdani told Thompson that it was not a joke. Ramdani did not wish to discuss the incident with Human Resources personnel because she thought they would take no action.

Hennecy then reported the incident to Human Resources personnel. Hennecy and Human Resources Director Kimberlee Zander agreed to relocate Ramdani, so she wouldn't be working directly for Thompson.

Hennecy then discussed the incident with Thompson and asked him if he had pushed Ramdani, to which he replied, "yes".

The next day, Thompson confronted Hennecy and didn't want Ramdani relocated downstairs. Hennecy approached Ramdani to see if she wanted to be moved and Thompson followed her. When asked if she wanted to move downstairs, Ramdani wouldn't answer in Thompson's presence. Thompson then stated that they were joking around, to which Ramdani stated to Thompson that he wasn't joking and that he was mad. Ramdani then began holding her chest, stating that her blood pressure was high and she hoped she didn't have a seizure. Hennecy then told Thompson that he needed to stop talking, to which he replied by shaking his finger at Hennecy stating, "You need to shut up". Hennecy then escorted Ramdani downstairs.

II. Public Records Request

(IR-5)

On January 10, 2011, Special Agent (SA) Christopher Woehr made a public records request to Kimberlee Zander, Human Resources Director at the Osceola County Clerk's Office. The request was for:

"Any and all notes and/or documents created or maintained by the Osceola Clerk's Office pertaining to an internal investigation or documentation of an alleged incident involving the battery of Latifa Ramdani on or about December 29, 2011."

On January 11, 2011, SA Woehr received, via email, an eight (8) page memorandum outlining the events as they were documented by Zander. The memorandum consisted of ten (10) separate entries by Zander, a witness statement signed by Peggy Lay and a victim statement, presumably signed by Ramdani. However, the statement was redacted to exclude her name and signature.

The ten (10) entries documented how and when Zander was made aware of the incident and her response, which included reassigning the victim, providing the victim with flyers pertaining to victimization, obtaining an explanation from Thompson (Thompson admitted to pushing the victim but stated that it was "done in fun") and reporting the incident to law enforcement.

The witness statement provided by Lay was consistent with what she provided in her telephonic conversation with SA Woehr on January 6, 2012. It should be noted the written statement was redacted to exclude any instance of the victim's name being used.

The victim's statement alleged that Thompson "angrily pushed my right shoulder which caused me to fall back near the doorway". The area where the victim was struck "was painful" and she "saw a red mark" that was visible for at least three (3) hours.

III. FDLE Conclusion

The FDLE is providing the results of the investigation to the Office of the State Attorney for the Ninth Judicial Circuit for review. SA Woehr believes that all of the above information provides probable cause for the violation of the following Florida State Statutes:

Battery: F.S.S. 784.03(1)(a)
Assault: F.S.S. 784.011(1)

The above conclusion was based in part on the consistency of information gathered during the investigation, such as agency documentation of the incident, statements made by the victims, several witnesses and spontaneous utterances by the suspect.

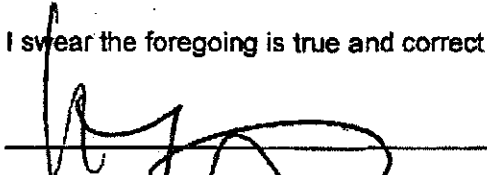
The evidence obtained reveals that Thompson actually or intentionally touched or struck Ramdani against her will. While her injuries were minor, injuries did occur. In addition, the touching, in context, was offensive to Ramdani and would be offensive to a reasonable person.

There is also information presented to believe that Thompson, by his act of approaching Kimberlee Zander in a threatening manner and coming in close proximity to her face (which is supported by several witnesses) with his hand, had an apparent ability to do violence to Zander and placed her in fear of being struck and that she reasonably feared that harm.

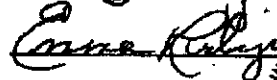
Thompson's own statements provided that he pushed Ramdani in jest. Thompson described the battery as in jest as opposed to an "accident", indicating that the touching was intentional. Consequently, Thompson's actions equate to probable cause that the Florida Statutes enumerated above have been violated.

IV. Notarizations

I swear the foregoing is true and correct


Special Agent Christopher Woehr
Florida Department of Law Enforcement
500 West Robinson Street
Orlando, FL 32801

SWORN to and SUBSCRIBED
This 18th day of January 2012


(Notary Public or LE) 