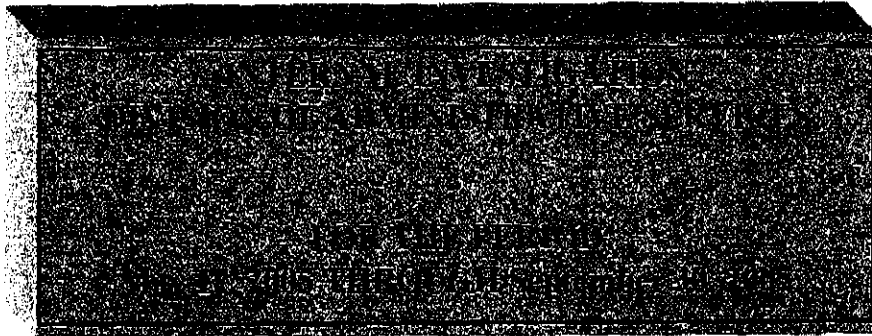


**Florida**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**OFFICE OF INSPECTOR GENERAL**



**Internal Investigations Section**  
**2600 Blair Stone Road, Mail Station 51**  
**Tallahassee, Florida 32399-2400**



**Investigations Report No. II-01-02-2005-018**

**October 5, 2005**

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF INSPECTOR GENERAL**

**October 5, 2005**

**Investigations Report No. II-01-02-2005-018**

**SUBJECT**

**UNKNOWN**

**INTRODUCTION**

On May 17, 2005, Pinky G. Hall, Inspector General, Florida Department of Environmental Protection, Office of Inspector General initiated an investigation due to Florida's Director of PEER, Jerry Phillips' discovery of a political contribution printout in a former DEP employee's personnel file. Phillips wrote to State Attorney Willie Meggs, Tallahassee and State Attorney Bill Eddins, Pensacola requesting an investigation of this matter. Phillips forwarded his letter to the Office of Inspector General on May 3, 2005.

The political contribution printout was found in the personnel file of Henry Hernandez, the former Branch Manager of the Panama City Branch Office (PCB), DEP Northwest District. Phillips faxed a letter to Hall on May 3, 2005 requesting that the DEP Office of Inspector General also investigate this matter.

Major Roy C. Dickey, DEP Office of Inspector General, assigned the case to Captain Percy Griffin (Griffin) and Captain Amy Schmidt (Schmidt) on May 17, 2005.

**REPORT OF INVESTIGATION**

In the May 3, 2005 article written by PEER, they alleged that Hernandez was selected to serve as the Branch Manager of the PCB because of his political campaign contributions as documented in his personnel file. PEER also alleged that Hernandez was directed by his DEP supervisor to interview with a prominent Republican Panama City attorney, William Harrison as a part of his selection process to be Branch Manager. The PEER article also had attached to it a copy of the political contribution printout found in Hernandez's DEP personnel file.

(See Exhibit #1 - Copy of PEER press release dated May 3, 2005.)

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The political contribution printout attached to the PEER article was as follows:



Florida Department of State  
Division of Elections

**Contributions Query Results**

*This information is being provided as a convenience to the public, has been processed by the Division of Elections and should be cross referenced with the original report on file with the Division of Elections in case of questions.*

[About the Campaign Finance Data Base.](#)

**Search Criteria:**

Detail of Candidates/Committees  
Election Year: 2002 General Election  
With Payee Last Name Starts With: Hernandez

| Candidate/Committee                         | Date       | Amount          | Typ | C |
|---|------------|-----------------|-----|---|
| Realtors PAC - Florida (CCF)                |            | 10.50           | X   | H |
| Realtors Political Activity Committee (CCF) |            | 30.00           | X   | H |
| Gonzales, Rainier 'Ray' (REP) (SR)          | 05/21/2002 | 500.00          | CHE | H |
| Realtors Political Action Committee (PAC)   |            | 3.50            | Z   | H |
| Anesthesiology PAC (CCF)                    | 05/13/2002 | 500.00          | CHE | H |
| Anesthesiology PAC (CCF)                    | 03/23/2001 | 500.00          | CHE | H |
| <b>TOTAL:</b>                               |            | <b>1,544.00</b> |     |   |

6 Contribution(s) Selected

[Query the Campaign Finance Data Base](#)

[Department of State | Division of Elections | Elections Online](#)

Note that according to the document, the search criterion was for "Hernandez" and the "2002 General Election". The lower right side of the document shows this search was printed on February 12, 2003.

On May 3, 2005, the DEP Office of Inspector General (OIG) requested a copy of Hernandez's personnel file from the DEP Division of Administrative Services, Bureau of Personnel Services. Immediately following the request, a copy of Hernandez's application for the position of Branch Manager and all attached documents were received by the OIG.

The information from DEP's Bureau of Personnel Services included documents from Hernandez's electronic personnel file. Specifically, the packet contained:

- Hernandez's State of Florida employment application for the position of Environmental Administrator (Branch Manager, PCB), signed and dated January 15, 2003.
- Hernandez's cover letter and resume signed and dated January 15, 2003.
- Hernandez's DEP Employment Verification form completed by former Director of the Northwest District, Mary Jean Yon, signed and dated February 10, 2003.
- Printout from the Florida Department of State, Division of Elections, Contributions Query Results for the 2002 General Election, search name "Hernandez", dated February 13, 2003.

*(Note this was the page PEER published with their May 3, 2005 press release)*

- Printout from the Florida Department of State, Division of Elections, Contributions Query Results for the 2003 Special Election - Senate 26 & House 30, search name "Hernandez, Fountain, FL", dated February 13, 2003.

*(Note this search page showed query results as "0 Contribution(s) Selected Total 0.00")*

- Printout from the Florida Department of State, Division of Elections, Contributions Query Results for the 2002 General Election, search name "Hernandez, Fountain, FL", dated February 13, 2003.

*(Note this search page showed query results as "0 Contribution(s) Selected Total 0.00")*

(See Exhibit #2 - Copy of documents received from the DEP Division of Administrative Services, Bureau of Personnel Services from Hernandez's electronic personnel file.)

Schmidt conducted subsequent query searches at the Florida Department of State, Division of Elections, and Campaign Contributions database (website: <http://election.dos.state.fl.us/campfin/contrib.asp#both>). The searches conducted were as follows:

1. "2002 General Election" for "Henry Hernandez"  
**Search Results:** 9 contributions, *none* of which matched for DEP employee Henry Hernandez from Fountain, Florida.
2. "2002 General Election" for "Enrique Hernandez" (DEP employee Hernandez's legal name)  
**Search Results:** 3 contributions, *none* of which matched for DEP employee Henry (Enrique) Hernandez from Fountain, Florida.

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The above two searches brought up all of the contributors listed on the printout PEER published with their May 3, 2005 press release; which was the same printout provided by the DEP Bureau of Personnel Services. Note that none of the contributor names contained on that document matched DEP employee Henry Hernandez; DEP employee Henry Hernandez did not make a political contribution in the 2002 General Election.

(See Exhibit #3 – Copies of Florida Department of State, Division of Elections, Campaign Contributions database query search for 2002 Elections conducted by Schmidt on May 3, 2005.)

**Interview of Henry Hernandez (Hernandez)**

**Private Citizen**

**13521 Thorp Lane**

**Fountain, Florida 32438**

**850.227.6773**

**Witness**

On May 12 2005, Schmidt and Griffin met with Hernandez to obtain a statement from him. Hernandez was administered an oath and his statement was recorded. The following is a synopsis of Hernandez's sworn and recorded statement:

Hernandez stated he was currently employed as a Project Manager and Senior Ecologist for Biological Research Associates, a private company in Port St. Joe, Florida (325 Reed Avenue, Port St. Joe, Florida 32456, 850-227-1820).

Hernandez stated that prior to leaving DEP he was assigned as the Environmental Administrator (Branch Manager) for the DEP Northwest District Panama City Branch Office (PCB). Hernandez stated he served in that position from December 2002 until April 29, 2005. Hernandez stated he had worked for DEP for a total of fifteen years. Hernandez stated his entire tenure at DEP was in positions within the Northwest District Office except for a short time from September 1990 to March 1991 when he worked within the DEP Division of Waste Management in Tallahassee.

Hernandez advised he was contacted by the Director of PEER, Jerry Phillips (Phillips) approximately 1½ - 2 months ago and was told they had requested a public records request for Hernandez's DEP personnel file; which Hernandez stated he knew because DEP had notified him that PEER had requested to view his personnel file. Hernandez stated PEER had requested to see his personnel file because of the past PEER white paper involving Big Wheel Recycling and Hernandez's lunch with William Harrison. Hernandez stated he was glad to hear that PEER was looking into his personnel file because that would have allowed them to see that he got promoted to Branch Manager because of his extensive background and fifteen years of work experience within DEP's various programs.

Hernandez stated Phillips advised him they had found a printout of a political campaign contribution search through the Florida Department of State, Division of Elections website in his personnel file. Hernandez stated Phillips advised him that it was illegal for that type of paperwork to be attached with his personnel file; to which Hernandez advised he replied, "Yeah, so what; Big

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*deal.* Hernandez stated Phillips advised him that if he wanted to sue DEP, PEER would represent him with their lawyers. Hernandez stated he told Phillips that he did not care about the political contribution search paperwork and that he didn't even remember whether he had even made a political contribution. Hernandez stated Phillips advised him the paperwork did not show he had made a contribution because the search only went back to 2002. Hernandez stated he had made a political contribution of \$125.00 to Jeb Bush back in 1997 which was an election Jeb Bush lost.

Hernandez stated Phillips asked him if he could talk about the political contribution paperwork he found in his personnel file; to which Hernandez told Phillips he could talk about it, that he did not care, but to *"just leave me out of it."* Hernandez stated *"Well he (Phillips) talked about it. He didn't leave me out of it. I got about fourteen calls in one day on my answering machine from TV, news media, the newspapers... (for interviews)"* Hernandez was asked how he felt about what PEER did and he responded *"It made me really angry...I felt that...and I wrote him (Phillips) actually an email telling him that, that PEER touting itself to be protecting public employees does a really crappy job when they throw a public employee's name out there and allow it to be used the way it was...and because I told him, you've got that thing with William Harrison and my having lunch with him from that rag paper...that they printed years ago about that, and you knew that was a lie because I even spoke to him (Phillips) about it one time... Here's exactly what happened, nobody in DEP told me to go talk to this guy...this thing about, he was told to interview with William Harrison and...in the paper it said, William Harrison told Hernandez he had nine...applicants that he needed to interview and he needed to make a decision by Friday. I said Jerry (Phillips) that was all a pack of lies. The only thing true about that article was that he came here and spoke to me. Other than that he could have just walked away because he made it all up. I said, William Harrison called me after I had already gone to my interview, apparently after Mary Jean (Yon) had signed, because she'd signed (authorizing Hernandez for the Branch Manager position) in February 13<sup>th</sup> (2003), I think it was like in March or April (2003) that he (Harrison) spoke to me. He called me and he said, this is William Harrison, as I understand it, you applied for the Branch Office managers position, I said yeah, everybody knew that, and he said well, I've seen your name come across my desk a lot of times in representing clients and I've seen letters that you've written, and I said yeah, I've seen your firm's name on some of the things we've done here...and he said yeah...and I just want to put the name with a face...is it okay if we have lunch one of these days and I said sure, fine..."* Hernandez stated he met with Harrison for lunch shortly after the phone call. Hernandez stated he was nervous about the lunch because of who he was in the community, but that Harrison was very nice and cordial. Hernandez stated Harrison asked him how long he had been with DEP and then began to carry on a simple conversation back and forth about their families; kids, church activities and such. Hernandez stated he attempted to bring up a discussion about the Panama City Airport and was stopped by Harrison. Hernandez advised Harrison then stated he did not want to talk business and that the purpose of their lunch was for the two of them to get to know each other. Hernandez stated that when lunch ended, Hernandez put ten dollars on the table to cover his lunch; he thanked Harrison for lunch and left.

Hernandez stated that as far as he knew, William Harrison had nothing to do with his promotion to Branch Manager. Hernandez added that *"No one in this agency (DEP) told me to go talk to him."* Hernandez stated that at a lunch he had with Yon while interviews were being conducted for the Branch Manager position, Yon mentioned that she had met with William Harrison to discuss the

Panama City Branch Office and maintaining stability in the office. Hernandez stated Yon did not ask him to meet with Harrison.

Hernandez stated he did not put the political contribution paperwork in his personnel file and didn't know how it came to be in his personnel file. Hernandez added "What do I care" that the information was in his personnel file and "they gave me the job, if they went by how much money I gave I wouldn't have gotten the job. And if I had given a hundred thousands of dollars and they gave me the job, then they (PEER) could say...because he gave a hundred thousand dollars they gave him the job, but I didn't give anything, so they gave me the job anyways, so apparently they (DEP) didn't care. And actually, whoever ran that was not all that intelligent...to run a search on Hernandez in the state of Florida trying to pin down one person is ridiculous. You can do a search on Hernandez...if I go to Miami I can pick up the phone book and the Hernandez' take a good fifteen, twenty pages in the phone book...it's such a common name..."

Hernandez stated he was more concerned with his personnel file having a reprimand or something like that than political contribution paperwork. Hernandez stated that during his tenure at DEP he had not received any written reprimands.

**End of Statement**

Schmidt conducted a search of the Florida Department of State, Division of Elections, Campaign Contributions database and found that Hernandez was listed as contributing \$125.00 to Jeb Bush on 9/22/1997.

(See Exhibit #4 - Copy of printout from Florida Department of State, Division of Elections, Campaign Contributions database query search showing 1997 contribution made by Henry Hernandez.)

**Interview of Valerie Huegel (Huegel)  
Program Administrator  
Administration and Technical Services  
Florida Department of Environmental Protection  
Northwest District Office  
850-595-8300 ext. 1138  
Subject**

On June 30th, 2005, Captain Griffin and Captain Andrew McClenahan met with Valerie Huegel (Huegel) to obtain a statement from her. Huegel was administered an oath and her statement was recorded. The following is a synopsis of Huegel's sworn and recorded statement:

Huegel stated she was currently assigned as the Program Administrator for Technical Services in the Northwest District Office (NWD) and has been with DEP since 1985. Huegel stated her position is responsible for personnel, budget, information technology and a data center within the NWD. Huegel stated she currently supervises eight people (Barbara Reganti, Terry Wheat, Michelle GoldSmith, Deborah Walker, Ben Wilson, Jerry Riles, Liz Parrinot and Harland Hubbard) and has been in a management position for the past 19 years.

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Huegel stated her responsibilities include maintaining the unofficial personnel files (health insurance, their life insurance, beneficiary policies, evaluations, emergency data, awards etc.) for the NWD. Huegel added that the official files are maintained in Tallahassee with the DEP Bureau of Personnel Services.

Huegel was asked if she ran a search of Henry Hernandez's political contributions in February of 2003; Huegel replied no. Huegel was asked if she had ever run any political contributions on the Internet or looked on the website; Huegel replied no and *"I wouldn't even know how to find it...I shouldn't say that, I might be able to find it if I really wanted to, but, no, I have not."*

Huegel was asked how the contribution printout ended up scanned into Henry Hernandez's personnel file. Huegel stated she did not know and *"As a matter of fact I think I read about that in the article that was in either the Tallahassee Democrat or the St. Pete Times that somebody gave me a copy of. That was one of the questions, how would that have gotten in there. I said, it didn't come to us, because we typically don't send that many things over to Tallahassee. So I don't know. I asked Terry Wheat, who also sends things over and she never saw it either. So I do not know who put that in there."* Huegel added *"Again, that is something if I had ever seen one, which I don't recall ever having seen one, I would not have sent it to Tallahassee and I wouldn't have put it in our file cabinet either."*

Huegel stated the current administrator of admin technical services was responsible for the NWD personnel files and that besides herself, Terry Wheat and the other program administrators and section supervisors have access to the files. Huegel added that the files are all public records, but that they don't get many requests to look in the files, mostly supervisors looking at previous performance evaluations of their staff members.

Huegel was asked if she questioned her eight subordinates about how Hernandez's political contribution printout ended up in his personnel file. Huegel stated *"Just Terry Wheat, because the file cabinets are in Terry's office; they're locked after hours. They are open and closed during the working hours. She is in her office for the most part, so I asked her because typically she is the only one that goes into the files to retrieve files that somebody else has asked for. We don't just allow people to go into the files. So I did ask her, yes. She said, Val, I don't know, I certainly never sent anything like that over. She was very adamant."*

Huegel was asked if she recalled who scanned Hernandez's application for Branch Manager in 2003 into the personnel system and sent it to Tallahassee. Huegel replied *"I think all he submitted was a résumé if my memory serves me right, but I may be wrong. Again, that would come through me, that would come through Terry Wheat and we would send things over to the Bureau of Personnel Services after the person was chosen for the position."* Huegel stated she looked at Hernandez's application and did not see the political contribution printout attached with the application. Huegel stated she also spoke with Terry Wheat about the political contribution printout and she too did not recall seeing it with Hernandez's application packet.

Huegel was asked if she knew who scanned in Mary Jean Yon's employment verification form for Hernandez's promotion to branch manager in 2003. Huegel stated *"Again, it would have come through our office if one was done."* And *"I have never seen it and we typically keep copies of*

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*things that we send over. So I can tell you that Terry can probably find what we sent over...To verify if you want to see whether or not it was attached. If that was attached to that and we sent it over and did not see it, I would think that Terry would have a copy of that with that package and we can certainly take a look at that if Terry can find that particular recruitment." Huegel stated she would be happy to look for the copy of the packet "because it is a quandary to me how it got in there as well, because I am sure that we didn't send it unless as you mentioned perhaps it was in there and we didn't even recognize what it was...But I don't believe that is the case."*

Huegel stated she had not checked Hernandez's personnel file since hearing about the political contribution paperwork because she didn't think anything of it and "Well, I didn't realize that something like that in a personnel file would not be allowed in the file. People can send things to whatever they want to have in their personnel file in Tallahassee, you know, and then they can choose over there whether or not to put it in."

Huegel stated that when requested, Terry Wheat gives a personnel file out and does not watch the person go through the file. Huegel stated that if they are supervisors, they could take the file to their office to review. Huegel stated that when a private citizen requests a file, they are referred to Tallahassee to see the official file.

**End of Statement**

### **Steps in the Recruitment Process**

Captain Griffin requested and received a detailed list from Huegel showing the typical steps in a position's recruitment process, as well as what deviations, if any, were taken in the recruitment for the Panama City Branch Manager position. The following information was taken from Huegel's July 8, 2005 electronic mail message to Griffin:

Here are the steps for forwarding information to the Bureau of Personnel Services for input into an individual's personnel file and/or to continue the recruitment process:

1. Individual employee completes paperwork (new hire information such health insurance, W4, I9 etc., beneficiary updates)
2. Submits paperwork to Terry Wheat
3. Terry makes a copy for our "unofficial file" for individual employee, which is maintained in Pensacola
4. Terry pens an interoffice mailing envelope with the name of individual, bureau and Mail station number the paperwork is to be routed to and puts the original paperwork into the interoffice mailing envelope
5. Terry puts the interoffice mailing envelope into the mail envelope addressed to the Carr Building (Bureau of Personnel Services located in Carr Bldg)
6. Jeremy Riles places postage on envelope at approximately 3:30pm and takes it to the Chappie James Mail routing area in our building
7. Mailman picks it up

### **Recruitment Steps**

1. Advertise for vacancy
2. Receive Applications
3. Route applications to recruiting supervisor
4. Make appointments for interviews

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5. Interviews take place
6. Selection made and paperwork brought to Terry Wheat
7. Terry puts recruitment paperwork together (recruitment report/PACN form)
8. Terry gets required signatures
9. Terry Wheat gives recruitment paperwork to Valerie K. Huegel for review
10. Valerie K. Huegel reviews and takes to DDM
11. DDM either approves or disapproves
12. If approves, gives back to Valerie K. Huegel
13. Valerie K. Huegel gives back to Terry Wheat
14. Sec steps 3 through 7 above

**For the Branch Manager's position, minor differences are:**

1. Recruitment Steps 1 - 5 remain the same
2. Mary Jean Yon makes selection and gives selection name and applications back to Valerie K. Huegel
3. Valerie K. Huegel gives applications to Terry Wheat and tells Terry Wheat who the top selection is
4. Terry Wheat puts recruitment paperwork together (recruitment report/PACN form)
5. Terry Wheat takes to Mary Jean Yon to get required signature on recruitment report and PACN form  
(Terry could have taken to me and I obtained MJ's signature)
6. Terry makes copy of top selection paperwork for our recruitment files
7. Terry pens an interoffice mailing envelope to the Secretary's Office – Sherry Severance, Cameron Cooper and Allan Bedwell – and puts the original paperwork into the interoffice mailing envelope
8. Terry puts the interoffice mailing envelope into the mail envelope addressed to the Douglas Building
9. Jeremy Riles puts postage on envelope at approximately 3:30pm and takes it to the Chappie James Mail routing area in our building
10. Mailman picks it up
11. When received by the Secretary's Office and approved, package is routed to the Bureau of Personnel by Sherry Severance, Cameron Cooper or Allan Bedwell.
12. When Henry was hired, Linda Dickey in the Bureau of Personnel Services processed our recruitments

**Interview of Terry A. Wheat (Wheat)  
Personnel Technician III  
Department of Environmental Protection  
Northwest District Office  
160 Governmental Center  
Pensacola, Florida, 32302  
Phone: (850) 595-8300  
Witness**

On July 21, 2005, Captain Percy Griffin and Captain Andrew McClenahan conducted an investigative interview of Personnel Technician III, Terry Wheat (Wheat) The interview was conducted at 160 Governmental Center, Pensacola, Florida. The following is a synopsis of Wheat's sworn and recorded statement:

Wheat stated that she was aware that a print out of Hernandez's political contributions was found in his personnel file. Wheat stated that NWDO employees' personnel records are housed in her office in the Pensacola Branch office. Wheat stated that she is Huegel's assistant and processes all personnel functions from insurance to new hires. Wheat stated that she never saw the contribution print out in Hernandez's promotion packet. Wheat stated that she had no idea that the print out was even in the packet nor was she aware if anyone else in the NWDO was aware of its existence. Wheat stated that she only received a cover sheet letter from Yon for the Hernandez

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promotion packet. Wheat stated that she sends all SES paperwork with regard to promotions over to personnel in Tallahassee, Florida. Wheat stated that she is the person that actually compiled the promotion packet and she did not see the contribution printout nor did she forward the printout to personnel in Tallahassee, Florida.

Wheat stated that her theory is that someone from the Panama, City Branch office may have sent the printout over but it would not have been in the promotion packet because she is responsible for it (the promotion packet). Wheat stated that it could have been sent over by the Panama City Branch office at a later time because she is sure that it was not in the packet she compiled. Wheat stated that when she saw the article referencing the contribution printout she assured Huegel that it was not in the packet when she forwarded it. Wheat stated that Huegel agreed with her. Wheat stated that she has never seen a political contribution printout in a file before. Wheat stated had she discovered such a document she would have advised her supervisor.

Wheat stated that her counterpart at the Panama City Branch office also processes the same information she does. Wheat stated she actually forwards the promotion packet to the Secretary's Office for approval and they forward the packet onto the Bureau of Personnel Services. Wheat stated that Huegel did not ask her to look at all the other personnel files housed in her office to ascertain whether or not there were any other printouts. Wheat stated that the last person to sign the packet prior to going to the Secretary's Office would have been Yon. Wheat stated that the recruitment packet could have been forwarded the same day Yon signed it, but if not, surely it would have gone out the next day. Wheat stated that she was unaware that an individual's political contributions could be obtained and she added that she has never seen one. Wheat stated that she has never checked a person's political contribution information.

#### **End of Statement Summary**

**Interview of Mary Jean Yon (Yon)**  
**Director of Waste Management**  
**2600 Blair Stone Road**  
**Tallahassee, Florida 32399**  
**850.245.8705**  
**Subject**

On July 22, 2005, Captain Percy Griffin and Captain Andrew McClenahan conducted an investigative interview of Director Mary Jean Yon (Yon). The following is a synopsis of her sworn and recorded statement:

Griffin asked Yon about Hernandez's political contribution printout that was found in his personnel jacket. Griffin asked Yon if she had any idea how it got there. Yon stated no and she wasn't at all involved in that. Griffin asked Yon if she ran or checked Hernandez's political contributions. Yon stated no and she denied ever going on the internet to do so. Griffin asked Yon if she didn't, did she have any idea who would want to do that or who did it. Yon stated that it was truly not her. Yon stated that she knew as one goes up the chain and gets approval from the Governor's Office they look at things like that. Yon stated that she did not know how it got there, so it was above and beyond her. Yon stated that to her it makes no difference what

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political affiliation you are or what campaign contributions you've done. Yon stated that is not why she hired Hernandez or promoted him.

Yon denied that she instructed Hernandez to meet with William Harrison prior his promotion and she had no idea where that allegation came from. With regard to the promotion, Yon stated that she was very clear with Hernandez, "We're gonna try this but if it doesn't work, it's a risk, Henry."

Griffin asked Yon who was responsible for the NWDO's personnel files. Yon stated that Huegel was probably responsible for the NDWO'S personnel files. Griffin asked Yon how long after she signed Hernandez's promotion paperwork, was it sent to Tallahassee by Terry Wheat. Yon stated that she was not sure but they always tried to be prompt. Griffin and McClenahan went over the cover sheet on Hernandez's promotion packet with Yon. Yon did not know how long the promotional packet sat prior to it being forwarded for additional signatures. McClenahan asked Yon if there was a couple days delay before the folks would have signed that, and who else would have signed off on Hernandez's promotional packet. Yon stated that they always had to send things to Cameron Cooper. Yon stated that Cooper worked with Sherry Severance on getting the needed clearances through the Governor's Office and then they would go on to Personnel. **End of Statement Summary**

**Interview of Allan Bedwell (Bedwell)**  
**Deputy Secretary of Regulatory Programs**  
**Office of the Secretary**  
**Department of Environmental Protection**  
**Tallahassee, Florida**  
**850-245-2036**  
**Witness**

During a review of the promotional packet that was completed on Henry Hernandez, it was noted that one of the parties who initialed the packet after their review was Deputy Secretary Allan Bedwell. He was subsequently interviewed by Major Roy C. Dickey regarding his familiarity with the packet. This interview was via telephone and was neither sworn nor recorded.

Bedwell advised that he did recall reviewing the recruitment packet prior to Henry Hernandez's promotion to Panama City Branch Manager. He stated that he had only met Hernandez once and that was during the selection process for the District Director position in the NWD. He had taken the opportunity to meet Hernandez then, because he was an applicant for the Director's position at that time. Bedwell was asked specifically about his review of the promotion packet. He stated that he did not see any documents that he recognized as a printout of political contributions. He stated he did not know anything about any such document being in the file until after the article ran in the paper. He did not know who might have been responsible for placing the item in the file and he could only speculate that someone had slipped it into the file after the selection process.

Bedwell was asked if he was familiar with the practice of an individual's political contribution history being considered during a promotional process at this level. He stated that he was not aware of it ever being used and this was the first time he has ever heard of the contribution check

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being placed in a personnel file. The file was not in Hernandez's file, but he was confident it had not been in the file during his review and had no bearing on the selection process.

**Interview of Cameron Cooper (Cooper)**  
**Former Program Administrator for the Secretary of Regulatory Programs**  
**Department of Environmental Protection**  
**Tallahassee, Florida**  
**850-245-2036**  
**Witness**

Cameron Cooper was one of the administrators who signed off on the promotion package of Henry Hernandez when he was being considered for the Panama City Branch Manager position. Cooper was interviewed after he left the Department. This telephonic interview was conducted by Major Roy C. Dickey. The interview was neither sworn nor recorded.

Cooper advised that the first knowledge he had of the campaign contribution documents being in the file of Henry Hernandez was when he read about them in the newspaper. He stated that he has now seen the documents (or copies of them) because he went to the personnel section in the Carr Building in Tallahassee to review the files and see specifically what the article referenced. He said this was the first time he had seen the campaign contribution document and that he had not seen it in the promotional packet he reviewed earlier, prior to the promotion.

Cooper was asked if it was normal for campaign contribution histories to be checked during promotional processes. He stated that it was not and that he found it most unusual that this type of material was found in Hernandez's file. He stated that from the document he saw when he reviewed the file, it did not appear to be conclusive of anything and would have been of little use. He had not studied the document that is copied in the file closely enough to be aware that it did not even refer to the correct person. Cooper had no information regarding how the document might have gotten into the personnel file and stated that he knew of no way it could have influenced the decision to promote Hernandez. He gave his assurance that the use of such political contribution histories was not a routine part of selection and promotional processes in his experience. He did not know how or when the documents came to be a part of the file, but he was confident that it was after it left his office. Cooper is not sure by whom it was transmitted, but he thought that the file had gone directly to the Bureau of Personnel Services after his and Deputy Secretary Bedwell's review. **End of Statement**

An inquiry was made of Operations Management Consultant II, Mona Strickland, who is responsible for the staff who receives the files into the Bureau of Personnel Services (BPS) and scan them into digital format. This conversation was neither sworn nor taped. Ms. Strickland stated that the BPS did not have any one assigned a quality control role who might have reviewed the files for content. Because of this the staff members who handled the file are not familiar with specific documents that may or may not be in the files as they are received. Ms. Strickland was relatively sure that the documents that were scanned into the personnel records had to have been in the file prior to its receipt in the BPS.

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An inquiry was made of Sherry Severance who is no longer a DEP employee. This was a telephonic conversation and was neither sworn nor recorded. Severance was formerly the Senior Executive Assistant to the former Deputy Secretary for Planning and Management, Lisa Edgar. This conversation was neither sworn nor taped. Ms. Severance stated that, during her assignment as assistant to the Deputy Secretary, she was never asked to obtain a Department of State ~~did she recall ever having seen one in a promotional package~~

contribution history on anyone; nor did she recall ever having seen the file. Severance stated that she would have been responsible for securing the Deputy Secretary's signature on the file. She reported that as a part of normal protocol the application would have gone through the Deputy Secretary's office. Severance stated that she did not see this document (the contribution history) nor did she hear of anyone else having seen it in the promotional package prior to her taking it to the Bureau of Personnel Services.

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He had no information about the document that was found in



**ALLEGATIONS AND FINDINGS**

**1. DEP 435 8. (6) Violation of law or agency rules. – COMPLETED**

A thorough review of the documentary evidence in the personnel file of Henry Hernandez shows that a document relating to an inquiry into the Secretary of State's political contribution database was scanned into the personnel files of Henry Hernandez. Examination of the document in the file and testimonial evidence from those parties who are known to have handled the promotional packet or participated in the selection process revealed no information that explains how the item became a part of the file. A review of the specific document did reveal that it does not relate to the former DEP employee Henry Hernandez who was being considered for promotion at the time. The contributions query results in the file does not show a political campaign contribution by former DEP employee Hernandez.

There is no evidence to show how the document got into the file. The interviewees questioned the appropriateness of the inquiry being placed in this (or any) personnel file. There is also no evidence to indicate that the document was considered or had any bearing on the final decision to promote Henry Hernandez to the position of Branch Manager over the Panama City Branch Office. This case is closed.

**Investigation Conducted by:**

  
Captain Percy E. Griffin, III


**Investigation Conducted by:**

  
Captain Amy M. Schmidt

**Investigation Conducted by:**

  
Captain Andrew McClenahan

**Approved by:**

  
Major Roy C. Dickey  
Director of Investigations

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**FACSIMILE**

TO: PEER  
ATTN: Jeff Ruch  
FAX NUMBER: 202-265-4192  
FROM: Jerry  
DATE: 10-20-05  
TIME: 2:35  
SUBJECT: FDEP-IG Investigation

Jeff, take a look @ the last 2 PPs  
of this article & compare with what  
Hernandez told the IG.

NUMBER OF PAGES (Including Cover Page): 5







Phillips, however, questioned whether the Livingstons are being protected because of their high-level political connections. William Harrison, a Panama City lawyer who served on transition teams for both President Bush and Gov. Bush, joined the Big Wheel board of directors Jan. 9, 2003, according to documents filed with the secretary of state's office.

Another prominent Bay County Republican, Randall McElheney, joined the Big Wheel board the same day as Harrison. McElheney also served on Gov. Bush's transition team.

Both men were on the landfill board with Dwight Faulk, a former director of Big Wheel Recycling of Alabama. Faulk is in prison on the federal fraud and money laundering charges.

Harrison and McElheney resigned from the landfill board July 10.

McElheney did not return a phone call for comment.

Harrison, in an interview last month, said he and Livingston are friends and attend the same church. Harrison said he co-signed a loan with Livingston to help with his business.

"He thought it would be a way to honor me, to put me on as an officer of the corporation. I was never a shareholder," Harrison said. "All those debts have been paid off."

Harrison said he never has spoken to DEP officials about the landfill.



In December 2002, a month before he joined the Big Wheel board, Harrison met with Henry Hernandez, the acting manager of the DEP's Panama City branch. Hernandez was bucking to be named permanent branch manager. He told a Bay County magazine, the Emerald Coast Insider, that he was told by higher-ups to interview with Harrison, who held no government position. Hernandez got the job.

Hernandez referred requests by The Tampa Tribune for an interview to DEP spokeswoman Sally Cooley. Cooley said the conversation between Harrison and Hernandez was not an interview.

"Mr. Harrison came into the office, and they did talk," Cooley said. "But that's not unusual for an individual in the community to come in and schedule appointments with our administrator. ... We're a public service organization."

Harrison was out of town Monday and could not be reached.

Reporter Mike Salinero can be reached at (850) 222-8382.

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