

**FLORIDA DEPARTMENT of  
CORRECTIONS**

Governor  
**JEB BUSH**

Secretary  
**MICHAEL W. MOORE**

An Affirmative Action/Equal Opportunity Employer

2739 Gall Boulevard, Zephyrhills, Florida 33541-9701

www.dc.state.fl.us

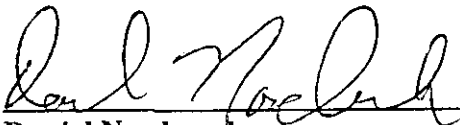
**DATE:** March 25, 1999  
**FROM:** R. Edwards, Colonel  
**TO:** Daniel Nordmark  
Correctional Officer  
**RE:** COUNSELING MEMORANDUM


**REASON FOR COUNSELING:**

On February 7, 1999, you were an occupant in a subject vehicle to which the Tarpon Springs Police Department responded. Upon the arrival of the officers there was a heavy smell of marijuana coming from within the vehicle and upon a search of the vehicle, several articles of drug paraphernalia and open containers of alcohol were found. Even though you were not arrested, as was the driver of the vehicle, your presence where illegal actions are taking place is not condoned.

As a certified officer and a public employee you must conduct yourself both on-the-job and off-the-job as a correctional professional. You must be cognizant of the conduct and actions of those you socialize with, as their actions will reflect on you.

**FOLLOW-UP COUNSELING:** On-going

 3-30-99  
Daniel Nordmark date

 3/30/99  
R. Edwards, Colonel date

cc: R. L. Holmes, Superintendent  
Investigation #99-50333  
Personnel File

3/25/99mjj

*Note: This record of counseling will be considered invalid(sealed), at the request of the employee, if the employee is not counseled for the same issue during the succeeding 12-months.*

INVESTIGATION  
OFFICE OF THE INSPECTOR GENERAL  
DEPARTMENT OF CORRECTIONS

INVESTIGATION #99-50333

CORRECTIONAL INVESTIGATOR: Donald R. DeWitt, Jr.  
DATE OF REPORT: February 26, 1999  
DATE OF INCIDENT: February 7, 1999  
CLASSIFICATION OF COMPLAINT/INCIDENT: Improper Conduct  
LOCATION: Zephyrhills Correctional Institution  
COMPLAINANT: Mark Reynolds, Correctional Officer Sergeant, W/M, D.O.B. 12-6-63  
VICTIM(S): State of Florida  
SUBJECT(S): Daniel Nordmark, Correctional Officer, W/M, D.O.B. 5-13-76  
WITNESS(ES): J. H. Eaton, Patrolman, Tarpon Springs Police Department  
E. C. Miller, Patrolman, Tarpon Springs Police Department

SYNOPSIS:

In an incident report dated 2-7-99, Sergeant Reynolds reported he received a telephone call at approximately 6:15am from Officer Eaton of the Tarpon Springs Police Department. Officer Eaton indicated Correctional Officer Daniel Nordmark was an occupant in a subject vehicle which Officer Eaton had responded to, whereby another occupant in the same vehicle was in possession of drugs.

There was a heavy odor of marijuana coming from within the vehicle and upon a search of the vehicle, several articles of drug paraphernalia and open containers of alcohol were found.

Officer Nordmark was not arrested and indicated he did not smoke any marijuana, nor was he aware or observed the other two occupants smoking marijuana. Officer Nordmark also indicated there were no open containers of alcohol in the vehicle he was aware of.

**ALLEGATION:**

Officer Nordmark was an occupant of a vehicle which police officers indicate numerous items of drug paraphernalia, open containers of alcohol and strong odors of burnt marijuana were discovered.

**FINDING(S):**

The Offense Incident Report, authored by Officer Eaton, reflects he responded to a call from a confidential informant who alleged a vehicle was parked near their house with the dome light on. The vehicle was occupied by three white males who appeared to be smoking something, passing the item amongst each other which may be dope.

Officer Eaton parked his patrol car in behind the subject vehicle and exited his patrol car. He immediately could smell the odor of burning cannabis. As Officer Eaton approached the driver's door of the vehicle, he observed the window was down approximately 3 inches. Officer Eaton then asked all three occupants to exit the vehicle. As Officer Eaton was obtaining identification from the three occupants, Officer Miller arrived on the scene.

During the incident, Officer Miller advised Officer Eaton of the drug paraphernalia clearly visible inside the vehicle. Officer Eaton then requested permission from the operator of the vehicle to search the vehicle and permission from all three individuals to submit to a search of their person.

A pat down search of each individual failed to produce any contraband. However, the driver had a hard square object in his pants at the top of his fly. The individual was confronted and asked to produce the drugs at which time he removed a white folded envelope and handed it to Officer Eaton. The individual was issued a notice to appear. All three occupants had been drinking alcohol.

(Exhibit A-1)

The supplemental report authored by Officer Miller reflects he responded as backup to Officer Eaton. Upon arrival he spoke with Officer Eaton then walked by the van where he could smell the aroma of marijuana. Officer Miller also observed, in plain view, several items inside the vehicle commonly used to smoke marijuana. Officer Miller searched the vehicle and retrieved the drug paraphernalia along with three large bottles of open alcohol. (Exhibit A-1)

In his sworn, tape recorded statement of 2-24-99, Officer Nordmark stated as follows:

Officer Nordmark indicated he left work at midnight, drove to his home in Tarpon Springs, then went to a local bar by the name of the British Pub Bar. He drank a couple of beers and

Investigative Report #99-50333

Page 3

met two guys he had known for about one year. They told Officer Nordmark they were going to meet some girls in the neighborhood and asked him if he wanted to go with them. All three individuals left the bar in a Dodge Caravan and drove to a neighborhood in Tarpon Springs located on Klosterman Road across from the St. Pete J.C. College Campus. They drove into a subdivision, which Officer Nordmark was not sure of the name of the entrance road, and parked on the opposite side of the road from the houses, next to the forest.

Officer Nordmark indicated he was seated in the passenger seat directly behind the driver and passenger front seats. They waited in the van 10 to 15 minutes with nothing going on. One individual was smoking a cigarette and Officer Nordmark was smoking a cigar. Officer Nordmark indicated they were not smoking marijuana as the cops pulled up and the police officer must be mistaken that he smelled the aroma of marijuana. They were just talking and waiting for the girls to arrive.

Officer Nordmark also indicated there were no open containers of alcohol or soft drinks in the vehicle. He was not aware of the drug paraphernalia in the vehicle or that one of the other individuals was in possession of marijuana. Officer Nordmark did not know the other 2 guys used any type of drugs. Officer Nordmark indicated he did see one alcohol container and advised the driver.

Officer Nordmark indicated he had not seen the guys since the date of the incident. There were no arrests made at the time of the incident and the other two guys called their parents to come and get them. Officer Nordmark indicated he advised the police officers he was a correctional officer. After the incident, one of the police officers took him home.

(Exhibit B-2)


Officer Nordmark submitted to a drug test based on probable cause. Test results revealed no signs of drugs within the designated testing limits.

Signature:

  
Correctional Officer Inspector

2-26-99  
Date

Reviewed By:

  
Regional Inspector Supervisor

3-4-99  
Date

DISTRIBUTION APPROVED  
Chief Inspector

3-12-99  
Date