

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 17-273 (Executive Order of Suspension)

WHEREAS, Kirk Reams is currently serving as the Clerk of Court of Jefferson County, Florida; and

WHEREAS, an investigation by the Florida Department of Law Enforcement (“FDLE”) has revealed Kirk Reams improperly used his official position to gain access to a government facility after business hours in February 2013 for the purpose of engaging in inappropriate conduct with a paramour therein; and

WHEREAS, the FDLE investigation further revealed Kirk Reams misappropriated the resources of his public office between January 2013 and February 2014 by providing the paramour with unauthorized access to, and personal use of, a government laptop computer purchased and owned by the Jefferson County Commission; and

WHEREAS, Article IV, Section 7, Florida Constitution, provides that the Governor may suspend from office any county officer for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform official duties, or commission of a felony; and

WHEREAS, it is in the best interests of the residents of Jefferson County, and the citizens of the State of Florida, that Kirk Reams 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. Kirk Reams is, and at all times material hereto was, serving as the Clerk of Court of Jefferson County, Florida.

B. The office of Clerk of Court of Jefferson County, Florida, is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, of the Florida Constitution.

C. An investigation by the Florida Department of Law Enforcement revealed Kirk Reams committed malfeasance and/or misfeasance in the abuse of his position of public trust through the improper acts described above, as evidenced by the Affidavit in Support of Arrest Warrant attached hereto, which is incorporated as if fully set forth in this Executive Order.

D. Kirk Reams has been arrested and charged with one count of Petit Theft (\$100 or more), a first-degree misdemeanor in violation of section 812.014(2)(e), Florida Statutes, as evidenced by the Warrant attached hereto, which is incorporated as if fully set forth in this Executive Order.

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 immediately:

Section 1. Kirk Reams is suspended from the public office that he now holds, to wit: Clerk of Court of Jefferson County, Florida.

Section 2. Kirk Reams 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 18th day of October, 2017.

RICK SCOTT, GOVERNOR

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
2017 OCT 18 PM 4:53

FILED

ATTEST:

SECRETARY OF STATE

Affidavit In Support of Arrest Warrant

DEFENDANT: Kirk Bradley Reams

CHARGES: One (1) Count Petit Theft, First Degree Misdemeanor – F.S.S. §812.014 (2)(e)

SUMMARY OF OFFENSE AND PROBABLE CAUSE

Before me, the undersigned authority, Your Affiant, Inspector Troy K. Cope, who, being first duly sworn stated that beginning in January of 2013 through February of 2014, in Jefferson County, Florida, the aforementioned defendant did commit one count of the offense of Petit Theft, a 1st degree misdemeanor in violation of Florida State Statutes.

On November 29, 2016, members of the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI), Public Corruption Unit met with Jefferson County Sheriff David Hobbs regarding allegations against Jefferson County Clerk of the Court (JCCC) Kirk Reams. Sheriff Hobbs indicated that the former girlfriend of JCCC Reams, Brittany McClellan, claimed that JCCC Reams took nude photographs of her inside the Jefferson County Courthouse. Sheriff Hobbs requested assistance from FDLE to evaluate the allegations made by McClellan, and determine if there were any criminal violations.

On December 6, 2016, OEI Inspectors conducted a sworn recorded statement of McClellan. McClellan detailed her romantic relationship with JCCC Reams from the summer of 2012 through the summer of 2013. McClellan's primary allegation related to nude photographs JCCC Reams took of her within the chambers of the Circuit Judge at the Jefferson County Courthouse after hours in February of 2013. The existence of the photographs were confirmed, but the investigation found that the circumstances surrounding how they were obtained did not constitute a crime.

During the interview McClellan provided additional allegations against JCCC Reams to include that he gave her a laptop for personal use that was the property of the JCCC on a date prior to April of 2013. JCCC Reams provided her a laptop that was the property of the JCCC. According to McClellan, JCCC Reams indicated to her that it was an extra laptop from the courthouse that was not currently in use. McClellan stated that she utilized the laptop for personal use, to shop for items from Mary Kay, and to order supplies for her hair salon, located at 247 North Jefferson Street in Monticello, Florida.

McClellan stated that in June or July of 2014 (June 17, 2014), she was involved in an altercation with JCCC Reams at her residence, located at 64 Briar Road in Monticello, Florida. The altercation resulted in her arrest by the Jefferson County Sheriff's Office (JCSO Case #14002085). Upon returning to the residence after being released from jail, McClellan found that the laptop was missing from her residence, and assumed that JCCC Reams had taken the laptop from the residence. Although their relationship ended, JCCC Reams had access to the residence, as he was paying the rent, according to McClellan.

McClellan provided details of her laptop usage to include her use of the laptop at her salon. McClellan further advised that she used the laptop to access the internet through the wireless router at Vintage Treasures, located at 235 North Jefferson Street in Monticello, Florida (business adjacent to McClellan's salon). This location was the only place she recalled accessing the internet from, as she did not have internet service of her own at the salon or at her residence.

On January 31, 2017, OEI Inspectors met with Pam Willis at Vintage Treasures. Willis confirmed that McClellan used to have a salon next door, and that she provided McClellan with the wireless router password to access the internet. Willis indicated that the time frame that this occurred was in 2013 / 2014. With Willis' authorization, OEI Inspectors accessed the Modem Configuration to obtain information about devices that have connected to Willis' wireless router.

Upon inspection of the router, OEI Inspectors located a list of records with the following information: Device Name; Media Access Control (MAC) Address; and IP Address. The MAC Address identifies the hardware component of the laptop that connects to the

internet through a router, which can be a wired or wireless connection. OEI Inspectors reviewed some of the Device Names with Willis, who confirmed that they appeared to be that of individuals she had allowed to connect to the wireless router by providing them the password. A Device Name of interest was located, "COMMISSIONLT3," with the associated MAC Address of "00-26-82-DB-69-C4," which was not familiar to Willis.

On February 13, 2017, OEI Inspectors served a subpoena to Chief Deputy Clerk for the JCCC, Tyler McNeill, seeking identifying information related to all laptops under the control of the JCCC from 2010 to the present, and specifically anything related to a laptop identified as "COMMISSIONLT3." McNeill identified six laptops maintained by the JCCC, for both the JCCC and the Jefferson County Commission. McNeill believed "COMMISSIONLT3" was a laptop for the Jefferson County Commission. It was determined that a manual search of the laptops would identify if any of the six laptops under the control of the JCCC had the identified MAC Address.

On March 8, 2017, OEI Inspectors conducted a manual search of the laptops with McNeill at the Jefferson County Courthouse. McNeill provided access to the six laptops that he found related to the aforementioned subpoena. The MAC Address of "00-26-82-DB-69-C4" was located on a HP model 625 laptop that was under the control of the JCCC. McNeill provided an invoice from HP, dated November 14, 2010, related to the purchase of six HP 625 laptops. Per the invoice, the purchase price of each laptop was \$535.00. Additionally, HP service plans were purchased for each laptop for \$234.00. A stamp on the invoice indicated that it was purchased by the "Board of County Commissioners Jefferson County, Florida General Fund."

On March 20, 2017, OEI Inspectors served a search warrant at the Jefferson County Courthouse and seized the laptop for forensic examination by the FDLE Tallahassee Regional Operations Center Crime Laboratory Digital Evidence Section. A physical examination of the laptop by OEI Inspectors located the Product # (XT961UT#ABA), and Serial # (CNU045323N), which corresponded to one of the HP laptops purchased by the Jefferson County Board of County Commissioners on November 14, 2010, listed on the invoice.

OEI Inspectors reviewed the recovered information from the forensic analysis completed by the Digital Evidence Section. The review confirmed the laptop's MAC Address was "00-26-82-DB-69-C4." A network profile was located, named "vintagetreasures," which the laptop first connected to on December 22, 2013, and last connected to on February 26, 2014.

OEI Inspectors reviewed the recovered information to determine if the activity on the laptop corroborated McClellan's statement. Information recovered from the Firefox Form History in January 2013, contained saved information related to McClellan's clients, to include JCCC Reams. Additionally, marykay.com appeared to have been accessed to order cosmetics. Email addresses located in the recovered information included brittany.mcclellan850@gmail.com and brittanysbeautyhut@gmail.com.

The information recovered from the forensic analysis supported McClellan's statements that she was in possession of the laptop and used it for her business from approximately January of 2013 through February of 2014. It should be noted that the reviewed information from the period which McClellan stated she had possession of the laptop did not reveal information that would indicate the laptop was used for business related to the Jefferson County Commission, and/or JCCC Reams.

The information recovered from the forensic analysis of the laptop also suggested that other individuals were in possession of the laptop during the aforementioned time frame. Multiple Skype calls and Chat Messages were identified between user profiles of a Shoshanna Mast and Autumn Mauran. Additionally, Facebook.com was utilized under the users Shoshanna Mast and Tona Mast during the same time frame.

On May 18, 2017, OEI Inspectors obtained a sworn recorded statement from Tona Mast in relation to her use of the laptop. Tona Mast indicated that she became acquainted with McClellan when McClellan opened her salon in Monticello sometime in 2011 or 2012. Tona Mast stated that her daughter, Shoshanna Mast, was friends with McClellan, and also assisted McClellan at the salon. Tona Mast indicated that she had internet service at her residence (635 South Mulberry Street in Monticello, Florida), and had a wireless router that she allowed McClellan to access with the laptop. Tona Mast stated that Shoshanna Mast also used the laptop to check McClellan's email related to

her salon while at the residence. Tona Mast confirmed that searches located on the laptop related to the Abeka curriculum were done by her. Tona Mast recalled that that she had searched for some material she needed, that she utilized the Abeka curriculum for her children which she homeschooled.

As for how McClellan obtained the laptop, Tona Mast was advised by McClellan that, JCCC Reams retrieved the laptop from his office and gave it to McClellan to use. The laptop was given to McClellan by JCCC Reams for McClellan's business, according to Tona Mast. Tona Mast knew that JCCC Reams was an elected official in Jefferson County at the time McClellan obtained the laptop.

On May 19, 2017, OEI Inspectors obtained a sworn recorded statement from Shoshanna Mast in relation to her use of the laptop. Shoshanna Mast became acquainted with McClellan sometime during 2012. Shoshanna Mast stated that she babysat for McClellan at her salon, located next to the Post Office (275 North Jefferson Street) in downtown Monticello. Shoshanna Mast indicated that at this time she was interested in Cosmetology, so McClellan began to teach her about various techniques and Shoshanna Mast assisted her with other aspects of McClellan's business.

Shoshanna Mast assisted McClellan at various times with moving the location of her salon, painting, ordering items from Mary Kay, and setting up email accounts for McClellan's salon. Shoshanna Mast indicated that McClellan was in possession of a laptop that was given to her by her boyfriend at the time, JCCC Reams. McClellan advised Shoshanna Mast that the laptop was "from the courthouse," which Shoshanna Mast believed was a "business laptop," from JCCC Reams' office.

Shoshanna Mast stated that McClellan allowed her to take the laptop to her residence (685 South Mulberry Street in Monticello, Florida), where she connected the laptop to her home internet. In addition to using the laptop for McClellan's salon related activities, Shoshanna Mast also utilized the laptop for personal use. Shoshanna Mast indicated that she used the laptop to contact her friend, Autumn Mauran, who had moved to Hawaii through Skype.

Shoshanna Mast confirmed Google searches located on the laptop as being done by her to include various actors / actresses and other celebrities, bands, bridesmaid dresses, searches related to braces, and craigslist searches. Shoshanna Mast believed that the searches related to a 2001 Chevy Impala window needing repair, and for the Abeka curriculum that were located during the analysis of the laptop, were probably from her mother, Tona Mast who owned a 2001 Chevy Impala and homeschooled Shoshanna Mast and her siblings during the time of these searches (August and September of 2013).

Shoshanna Mast indicated that McClellan did not have an internet connection at any of her salon locations. Anytime the laptop accessed the internet while at the salon, a neighboring business' wifi connection was utilized. Shoshanna Mast confirmed that the Gmail accounts of brittany.mcclellan850@gmail.com and bittanysbeautyhut@gmail.com were for McClellan and her salon.

Inspector Cope reviewed additional information recovered from the forensic analysis to attempt to determine the extent the laptop was used for official business. Only four (4) documents were located on the laptop that appeared to be used for JCCC official business; however, the documents appeared to be templates and were added after the time McClellan was in possession of the laptop. The forensic analysis also indicated that the laptop was in the possession of Johnnie Abron, the former "IT Director" of the JCCC. Abron confirmed that he was in possession of a laptop that was provided to him from the JCCC in October of 2011, until December of 2012, when his employment ended with the JCCC.

As a result of this investigation, it was determined that from January 2013 through February 2014, JCCC Reams knowingly obtained a HP 625 laptop (identified with MAC Address "00-26-82-DB-69-C4" and Serial #CNU045323N) purchased by the Jefferson County Commission on November 14, 2010, and provided it to Brittany McClellan for her personal use, in which she was not entitled. In doing so, JCCC Reams temporarily deprived the Jefferson County Commission of the aforementioned HP 625 laptop, in violation of Florida State Statute §812.014(2)(e), a first degree misdemeanor.

The proceeding is true to the best of my knowledge or belief.

Signature [Signature] Agency: Florida Department of Law Enforcement
Circuit Judge James C. Baulise
Notary/ASA
Notarization: Sworn and subscribed before me this 16th day of Oct, 2017.
My commission expires: _____

ORDER: THIS CAUSE coming before me as First Appearance Magistrate, and having reviewed the preceding Affidavit, find: ~~X~~ Probable cause sufficient, Probable cause not sufficient and unless corrected within seventy-two hours, the defendant shall be released on his own recognizance.

Bond Amount Requested R.O.R. *
Judge's Signature James C. Baulise

* no contact with Brittany
McClellan
jel *

In the County Court Jefferson County, Florida

STATE OF FLORIDA
Vs.

Kirk Bradley Reams

Defendant.

COMPLAINT

[REDACTED]

Address.

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

Before me, the undersigned authority, personally appeared Inspector Troy K. Cope, who on the 16th day of October, A.D. 2017, in Jefferson County, Florida, being first duly sworn says that, the aforesaid defendant

Did knowingly and unlawfully endeavored to obtain or to use a HP 625 laptop, property of the Jefferson County Commission, by use of his position as the Jefferson County Clerk of the Court, with the intent to either temporarily or permanently deprive the Jefferson County Commission the right to the property and appropriate the property for the use of any person not entitled thereto. The value of the HP 625 laptop taken was \$100.00 or more but less than \$300.00 in violation of Section 812.014(2)(e), Florida Statutes.

Contrary to the statute, rule regulation or other provision of law in such case made and provided, and against the peace and dignity of the State of Florida.

Inspector Troy K. Cope

Complainant



Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, FL

Address

Sworn to and subscribed before me this 16th day of October 2017.



Assistant State Attorney



SEAL

Warrant #
Agency Case # EI-73-8632
Officer I.D. # 1202
Charge: Petit Theft
Count 1
Degree of Charge: 1st Misd.
Statute No. : 812.014(2)(e)
DOB: 02-07-1977
Sex: Male
Race: White Hgt: 5'11"
Wgt: N/A Hair: Brown
Eyes: Blue
SSN: [REDACTED]
FL DL# [REDACTED]

In the County Court Jefferson County, Florida

STATE OF FLORIDA

Vs.

Kirk Bradley Reams

Defendant.

WARRANT

Address.

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

TO ALL AND SINGULAR THE SHERIFFS OF THE STATE OF FLORIDA

Before me, the undersigned authority, personally appeared Inspector Troy K. Cope, who on the 16th day of October, A.D. 2017, in Jefferson County, Florida, being first duly sworn says that, the aforesaid defendant

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Contrary to the statute, rule regulation or other provision of law in such case made and provided, and against the peace and dignity of the State of Florida.

THESE ARE, THEREFORE, to command you to arrest instanter the aforesaid defendant and bring him or her before me to be dealt with according to law.

Given under my hand and seal this 16th day of October 2017.

James C. Hausen
Judge

Warrant #

Agency Case # EI-73-8632

Officer I.D. # 1202

Charge: Petit Theft

Count 1

Degree of Charge: 1st Misd.

Statute No. : 812.014(2)(e)

DOB: 02-07-1977

Sex: Male

Race: White Hgt: 5'11"

Wgt: N/A Hair: Brown

Eyes: Blue

SSN: [REDACTED]

FL DL# [REDACTED]

WARRANT
IN THE COUNTY COURT
JEFFERSON COUNTY, FLORIDA

THE STATE OF FLORIDA, PLAINTIFF

VS.

Kirk Bradley Reams
Defendant


Address

WARRANT

One Count of Petit Theft-First Degree Misdemeanor

THE AMOUNT OF BAIL IN THIS CASE IS HEREBY SET IN THE SUM OF

§ R.O.R. ☆

no contact with Brittany ~~McClellan~~
McClellan.
Jeb