

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
IN AND FOR OKALOOSA COUNTY, FLORIDA

STATE OF FLORIDA  
COUNTY OF OKALOOSA  
CASE No.: MFC-18-00228

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

BEFORE ME, Angela D. Mason a Judge of the Circuit Court of the First Judicial Circuit of Florida, personally appeared Melody Barnard, a law enforcement investigator with the Florida Attorney General's Medicaid Fraud Control Unit, who being by me first duly sworn, deposes and further states as follows:

The MFCU operates under the supervision of the Florida Attorney General's Office and exists to investigate fraud in the Medicaid program. The MFCU is authorized to investigate the alleged abuse, neglect, or exploitation of patients in health care facilities receiving payments under the Medicaid program, in coordination with the Agency for Health Care Administration, pursuant to 42 USCA §1396b(q) and §409.920(9), Florida Statutes. The MFCU may investigate any criminal violations discovered during the course of those investigations, as provided by §16.59, Florida Statutes.

. (\*The name of the victim has been reduced to initials to avoid disclosure of confidential information pursuant to Federal HIPAA regulations, and Section 409.920(9)(f), Florida Statutes). attends a day program at Pyramid, Inc, a Medicaid receiving facility, located at 432 Green Acres Road, Fort Walton Beach, FL 32547.

Your Affiant obtained a sworn recorded statement from Shelley Wimes. Wimes confirmed she has been a TI at Pyramid since January 2018. Wimes said prior to working at Pyramid, she worked as a CNA.

Wimes stated on 03/05/18, she was assigned to be a "float" to assist other instructors with breaks and other things as needed. Wimes said at approximately 2:00pm, she had just relieved the teacher in the adjoining classroom to Waltman's classroom when she observed Maddox escorting from Waltman's classroom. Wimes said Maddox must have thought the halls were clear and did not notice Wimes following behind her. Wimes did not see what had occurred inside the classroom. Wimes said she stayed a "couple paces behind" Maddox as Maddox escorted to the quiet room. Wimes said initially Maddox had under her arm and then moved her hand to the back of 's neck when they rounded the corner to the back hallway. Wimes said Maddox was mumbling something but Wimes could not understand what Maddox was saying. Wimes said Maddox had a grip on by the back of the neck and a handful of hair. Wimes described (and demonstrated) that Maddox violently shook 's head side to side as she walked her down the entire length of the back hallway. Wimes described the way in which Maddox shook 's head as a dog shakes something in its mouth. Wimes said was not resisting or attempting to get away, so Wimes did not understand why Maddox had

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her hands on her. Wimes said [redacted] was almost on her "tip toes" because of the way Maddox was holding her by the hair. According to Wimes, [redacted] was quiet and not crying through the incident. According to Wimes, Maddox could have allowed [redacted] to walk to the room without physical contact. Wimes said Maddox still had a handful of [redacted]'s hair when they arrived at the quiet room where Maddox shoved [redacted] into the room by her head.

Wimes said there were a couple students in the hallway but could not remember who. Wimes said she did not step in because she was watching to see what Maddox would do. Wimes reported that as Maddox pushed [redacted] into the quiet room, Maddox saw Wimes out of the corner of her eye and said something like, "Silly girl. We don't pull hair." Wimes said Maddox attempted to play it off as a playful interaction and Wimes acted as if she had not seen anything.

Wimes remembered observing [Donnini] move [redacted] from the quiet room to the office. Donnini and Maddox shared. Wimes said she observed [redacted]'s face to be red at that time, but Wimes was not sure what caused her face to be red. Later, while [redacted] was sitting the office, Wimes attempted to get [redacted] to smile and laugh, but [redacted] would not engage which was "not like her." Wimes said [redacted] stayed quiet and looked down.

Wimes said she reported the incident to Director James at approximately 5:00pm. Wimes said she waited until 5:00pm because she knew James was in a meeting and did not want to interrupt.

Director Melanie James provided a sworn recorded statement confirming the conversation with Wimes. James contacted Maddox and asked her to meet at the office at approximately 7:00pm the same day Wimes reported the incident. During their meeting, James asked Maddox to recount the behavior incidents of the day and the restrictive interventions used. Maddox told James [redacted] pulled another student's hair and spent approximately five minutes in the "lounge" (aka quiet room). Maddox said she was talking to TI Penny Waltman when she observed [redacted] attack the same student again. Maddox told James she escorted [redacted] out with her hand on [redacted] shoulder down the hallway back to the lounge. Maddox told James she did not think she pulled [redacted]'s hair during the escort. According to James, Maddox vacillated on exactly what happened and did not provide concrete details.

A review of Maddox's HR file and other documentation received from Director James revealed Maddox was hired on 09/12/13. Maddox had complimentary remarks on her evaluations and received several raises over the time she was employed at Pyramid. Training certificates included Zero Tolerance (related to patient abuse, neglect, and exploitation) and TACT (Therapeutic Alternatives in Crisis Training). James also provided TACT rosters which included Maddox as an attendee dated 03/23/17 and 03/23/16-03/24/16.

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While at Pyramid, TI Penny Waltman agreed to a sworn recorded statement. Waltman stated she has been a TI at Pyramid for 10 months and confirmed [redacted] is a student in her classroom. Waltman recounted they had just finished lunch on 03/05/18 when Waltman was speaking with Donnini regarding an earlier incident involving another student. Waltman noticed [redacted] had grabbed B.T.'s hair with two fists, pulling B.T. nearly to her knees. As Waltman got to [redacted] opened her fists and dropped the hair she pulled out. Waltman stated she told [redacted] "no ma'am. We don't pull hair" and turned [redacted] so she was not facing B.T. anymore. Waltman told Donnini that [redacted] needed to go to "the lounge." Waltman said Donnini took [redacted] and approximately 15 minutes later, Maddox returned [redacted] to the classroom. According to Waltman, [redacted] was smiling and happy and said, "I love you, Penny. Give me a hug. I'm sorry. I'm sorry."

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Waltman began discussing the earlier unrelated incident with Maddox in the doorway of her classroom. Waltman said she had her back to the students and Maddox was facing the students. According to Waltman, Maddox said [redacted] s name and rushed around Waltman through the doorway. Waltman observed [redacted] with two handfuls of [redacted] 's hair nearly down to the floor again. Waltman said Maddox moved [redacted] closer to the door and grabbed [redacted] by the sides of her face. Waltman demonstrated the way Maddox grabbed [redacted] 's face was with closed fists on either side of her face with some hair in her hands. While holding [redacted] 's face, Maddox asked "Why are you doing this? What are you doing?" Waltman said Maddox then walked away. Waltman denied she saw how Maddox escorted [redacted] because Waltman turned her attention to

Waltman said [redacted] was not brought back to her classroom that day. The next time she saw [redacted] was at approximately 3:20pm. Waltman saw [redacted] sitting in Maddox and Donnini's office. According to Waltman, [redacted] was happy, laughing, and talking.

Waltman said the proper way to escort a compliant student was to cup their arm at the elbow. Waltman said placing a hand on the back of the student's neck was not a proper technique taught in TACT. Waltman said if physical pressure is needed to gain compliance, there should be two people escorting the student.

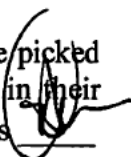
Waltman said when Maddox yelled [redacted] 's name during the second incident with [redacted] , [redacted] immediately let go. At the point Maddox grabbed [redacted] face, [redacted] was no longer near [redacted] and had been redirected. Waltman said Maddox knows how to de-escalate students verbally and loves all the students. Waltman said what she observed "maybe got a little bit more aggressive" but Maddox would never try to physically hurt a student.

On 03/12/18, Program Coordinator Donnini also agreed to a sworn recorded statement. Donnini said she had been employed with Pyramid as a Program Coordinator since 01/22/18. Donnini said on the afternoon of Monday, 03/05/18, between 1:00pm and 1:30pm, she and Maddox were in their office when they heard a scream. Donnini said she and Maddox ran to the source of the scream and found [redacted] was having a behavior outburst. Donnini was radioed to assist with another matter. Donnini said [redacted] was taken to the quiet room until she calmed down. Donnini remembered Maddox wanted to leave [redacted] in the quiet room without being monitored and said, "screw her," but Donnini said that was not their protocol. Donnini stayed to observe [redacted] and ensure she calmed down. Maddox picked up the log outside the door to document the incident and walked away. Donnini said Maddox returned and escorted [redacted] back to her classroom.

Donnini said shortly after that, she and Maddox were back in their office when they heard another scream and ran to find it was [redacted] again. [redacted] was taken back to the quiet room, but Donnini got another call and did not observe how Maddox handled the transport. Donnini said she later observed [redacted] on the mat in the quiet room by herself with a tuft of hair on the mat. Donnini said [redacted] s face was red, and she was crying. Donnini said she asked Maddox about the tuft of hair and Maddox told her [redacted] had pulled it out herself. According to Donnini, [redacted] sometimes pulls her hair out and plays with it.

Once calm, [redacted] was brought to Donnini and Maddox's office until she could be picked up. Donnini said Maddox attempted to contact [redacted] 's parents. Donnini said [redacted] sat in their

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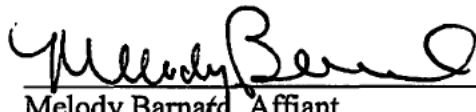
office quietly. According to Donnini, Maddox was upset the parents did not answer and began telling ., " Donnini said Maddox continued "badgering" . and told her if she was not bad, this would not happen. Maddox told Donnini,

Donnini said then began to say, " which meant was trying to talk, but Maddox continued to badger Donnini then asked if everyone could be quiet until s parents arrived.

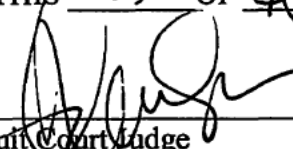
father and step-mother provided sworn recorded statements regarding their interactions with Pyramid employees and .'s behavior. said he was initially notified was not behaving at school and pulled someone's hair, but not that a teacher had done anything to explained it was not until the Adult Protective Investigator contacted him that he knew . was abused by a teacher. was told the teacher pulled by the back of the neck and she was "a little scared." said cannot express herself appropriately. According to for a while, was frightened and was "not really acting herself." said he was unsure if something happened before the reported incident because . acted frightened before that as well. said began pulling at her clothing, indicating to him she was frightened. said . is usually very social but will act out if she feels she is not receiving enough attention. said is very attached to him and is unable to express herself but will cry.

could not recall the name of the staff member who spoke with her the day she picked up from Pyramid following this incident. was told pulled someone's hair two times. was also told the Manager grabbed s neck and pushed her back. According to it took one or two hours for . to calm down. Tehseen said "looked normal" when she picked her up and could not say what had happened to her. According to likes to go to school. said she asked the receptionist, "Robin," what happened with . the next day, but "Robin" told her she could not say.

Based on the aforementioned facts, statements, and the totality of circumstances, Investigator Melody Barnard, who being duly sworn, deposes and says that she has reason to believe and does believe that probable cause exists to establish that on 03/05/18, Angelia Marie Maddox, a white female, whose date of birth is whose last known address is 3167 Maple Street, Crestview, FL 32539, did commit a violation of §825.102(1) Florida Statutes: Abuse of an elderly person or disabled adult, a third degree felony, within Okaloosa County, Florida.

  
Melody Barnard, Affiant  
Law Enforcement Lieutenant  
Medicaid Fraud Control Unit

SWORN TO AND SUBSCRIBED BEFORE ME THIS 23 OF August, 2019.

  
Circuit Court Judge  
First Judicial Circuit of Florida

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