

December 20, 2022

Ms. Vickie Gainer
City Manager
City of Lynn Haven
817 Ohio Avenue
Lynn Haven, FL 32444

VIA ELECTRONIC MAIL

Re: Administrative Inquiry re: December 15, 2022, Complaint about Chief Ricky Ramie

Dear Ms. Gainer:

On December 19, 2022, you tasked me with conducting an administrative review of Commissioner Tinder's December 15, 2022, email complaint against police chief Ricky Ramie and to make recommendations on how to proceed. I began my review that same day. Please accept this as my report summarizing my review.

Summary

On December 15, 2022, Commissioner Tinder ("Tinder") sent an email to you, the City Commissioners, and the Mayor with the subject "Immediate dismissal of Lynn Haven Chief of Police." In it Tinder requested an "immediate emergency City Commission meeting for the purpose of the immediate dismissal of Lynn Haven Chief of Police, Ricky Ramie ("Ramie)". More specifically, Tinder requested that you inform the Commission and the residents of Lynn Haven "that it is in the best interest of the City of Lynn Haven, that as the City Manager, you will be asking to terminate Ricky Ramie" for several enumerated reasons. Tinder alleged: (1) Ramie had work done on his personal boat and charged it to the City; (2) text messages indicated Ramie admitted to "fixing" traffic tickets; (3) text messages between Ramie and former City Manager Michael White ("White") contained "LGBTQ hate speech;" (4) the contents of other text messages between Ramie and White revealed White requested a handgun and a rifle that had been taken into evidence; (5) text messages between Ramie and White revealed racially inflammatory

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images and communications; and (6) text messages between Ramie and White where White asked Ramie to “set up” and arrest an individual.

In addition to the Complaint, Tinder requested you to “immediately obtain the City cell phone used by Ricky Ramie for download because Ricky Ramey [sic] may be involved in

Orlando
Miami
Tallahassee
Tampa
Birmingham

the current Lynn Haven Corruption case.” Finally, Tinder alleges that text messages from White reveal close relationships between he, Ramie, Chris Forehand, and former commissioner Dan Russell and “the domestic violence was something they all knew about and was hidden from the entire Commission, as well as, White’s relationships with former FEMA coordinator, Amy [sic] Guy while she was the coordinator for the City of Lynn Haven.”

I began my review by considering the context of the information contained in the Complaint. It is well-known that a federal criminal prosecution is currently pending in the Northern District of Florida against former Mayor Margo Anderson and James Finch. Tinder acknowledges that an evidentiary hearing was conducted on December 12th and 13th in Tallahassee, Florida, regarding the pending criminal prosecution. It is my understanding that the hearing, at least in part, was on allegations of conspiracy and misconduct against Chief Ramie and others, during which sworn testimony was taken in open court before United States District Chief Judge Mark Walker. The Court has taken the issues under advisement and no orders have been entered.

During the hearing, Tinder and Ramie were both testifying witnesses and were subject to the rule of sequestration. Accordingly, it appears Tinder was not present in the courtroom during the testimony she asserts as fact. As such, at best, the information contained in the complaint is second hand. Tinder has a history of public attacks on you and on Chief Ramie. Tinder has a prior history of acting as a conduit for third parties and alleging misconduct by City personnel as fact, about which she had no personal knowledge. Many of these allegations were subsequently disproven. She has also been repeatedly cautioned for overstepping her authority as a City Commissioner and interfering with the daily management of the City, which pursuant to the Charter, lies solely with the City Manager. The potential for the willing or unwitting participation in criminal defense attorney plans to impeach government witnesses or to influence the potential jury pool in an ongoing federal prosecution cannot be overlooked.

Michael White has reportedly pled guilty to federal crimes and is a witness in the aforementioned criminal prosecution. In order to protect the integrity of the hearing on the outstanding motion(s) specifically, and the criminal prosecution generally, I consider White unavailable for interview.

I consulted with City Attorney Kevin Obos on December 19 and 20, 2022. On the latter date, he advised me that he spoke with AUSA Grogan, who reported there is no indication the Government would be taking any action against Chief Ramie for the alleged testimony

elicited in the hearing. I also confirmed with Mr. Obos that the City is not in possession of the text messages referenced by Tinder in her email, which apparently were entered into evidence in the criminal proceeding.

I spoke with Chief Ramie regarding the alleged text messages in an effort to determine if they were recoverable. He reported that he used a personally-owned cell phone prior to May 2019, when he was issued a City phone. Ramie used Verizon as his service provider. I can confirm through my separate litigation experience¹ that Verizon maintains cell phone data for only 365 days. White separated his employment with the City in or around March 2019. Therefore, the text messages referenced by Tinder are not within the care, custody, or control of Ramie, or the City, and are unrecoverable. There is no reasonable cause nor articulated basis to seize Chief Ramie's currently-issued City telephone. To the extent Tinder suggests that Ramie's City telephone be seized "because Ricky Ramey [sic] may be involved in the current Lynn Haven Corruption Case," that request is unsupported by fact. Moreover, it would be grossly inappropriate for the City to engage in a fishing expedition under the guise of an administrative investigation at Tinder's request that overlaps with a pending federal investigation and prosecution.

I also spoke with Chief Ramie about the offensive text referenced by Tinder as LGBTQ "hate speech." He conceded he was questioned at the hearing on the issue, and acknowledged both his text and responsibility for the lack of judgment.²

As to the other allegations alleged by Tinder, Ramie denies the allegation that he had work done on his personal boat and billed it to the City, denies that his handling of civil traffic infractions constituted the improper "fixing" of tickets, denies that he improperly disposed of weapons formerly seized by and owned by the City, or that he arranged to "set up" an arrestee. At this time, these allegations are unsupported by fact, and should they implicate potential violations of law, both the Government and the Court were present during the testimony, however, there is no evidence either admonished Ramie or indicated an intent to take action against him. To the extent corroborating evidence existed, none of which has been alleged beyond Tinder's hearsay accusations, it would be reasonable to anticipate the Court and/or the Government would take appropriate action following the court hearing.

Conclusion

Chief Ramie has acknowledged he sent an inappropriate text message referencing Commissioner Tinder's partner approximately five years ago. Beyond this, and based on the information known to date and that which is available to the City, there is insufficient

¹ May 16, 2022, Verizon Response to subpoena duces tecum in the matter of *Abner v. Downing*, Bay County Circuit Court, Case No. 19-004461-CA

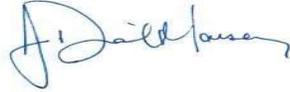
² It is notable that at the time of the offensive text messages, neither White nor Ramie were issued City cell phones. There is no indication the text message was during the performance of City business.

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evidence to corroborate any allegations of misconduct raised in the December 15, 2022, email. Unless or until additional information is provided, I do not recommend any further action be taken at this time.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. David Marsey".

J. David Marsey

Cc: Kevin Obos, City Attorney
Ricky Ramie, Chief of Police

