



## CITY OF GAINESVILLE

*Gainesville Police Department*

#870714

serv  
w.

Submitted  
v. Nixon  
Lynn +  
11/19/07

September 18, 2007

Mr. Theodore McLeod  
7320 NE 19<sup>th</sup> Avenue  
Gainesville, FL 32609

Dear Mr. McLeod,

I have reviewed your letter and the Administrative Investigation Referral Form you filled out regarding Detective Patty Nixon. There can be no doubt that Detective Patty Nixon placed an item of evidence from another case under your case number in error. Detective Nixon has been aware of this mistake since this case was brought to light by previous unfounded allegations against her. Detective Nixon has been disciplined in the past for evidence related issues regarding this case. These mistakes were made because of her large volume of work and the paperwork associated with making good cases, not because of malicious intent.

The "Video tape of Makesha Johnson", item 104-I-3, was not used in the prosecution of your case. The Assistant State Attorney assigned to your case only relied on victim/witness testimony and the other items of evidence listed under case number 01-7658. In summary, Det. Nixon's mistake resulted in no harm to you. It is a simple mistake that she has already been reprimanded for. As far as I am concerned the matter has been handled appropriately.

Sincerely,

Captain Lynne Benck  
352-334-2476



# GAINESVILLE POLICE DEPARTMENT ADMINISTRATIVE INVESTIGATION REFERRAL FORM

Please complete this form and return it to the Gainesville Police Department. You may be contacted at a later date for additional information. We will send you a letter verifying receipt. If you do not know how to fill-in and / or understand a blank, please leave it empty. *The race and sex information for the complainant is optional and used primarily for analysis purposes.*

<b>COMPLAINANT INFORMATION</b>	LAST NAME: <u>McLeod</u>		FIRST NAME: <u>Theodore</u>		M.I.: <u>R</u>	RACE: <u>B</u>	SEX: <u>M</u>	
	TITLE / RANK: <u>Mr</u>		ID#:		DATE OF BIRTH: <u>1-23-1947</u>			
	HOME ADDRESS: <u>7320 NE 19th Ave</u>					HOME TELEPHONE NUMBER: <u>352-377-3531</u>		
	CITY: <u>Gainesville</u>		STATE: <u>FLA</u>	ZIP CODE: <u>32609</u>		WORK TELEPHONE NUMBER:		
<b>ACCUSED EMPLOYEE INFORMATION</b>	LAST NAME: <u>Nixon</u>		FIRST NAME: <u>Patty</u>		M.I.:	RACE: <u>W</u>	SEX: <u>F</u>	
	TITLE / RANK: <u>Detective</u>		ID#: <u>104</u>	UNIT OF ASSIGNMENT:		BUREAU OF ASSIGNMENT:		
	SUPERVISOR (NAME):		SUPERVISOR (Rank):	SUPERVISOR (ID#):		SUPERVISOR ON SCENE: <input type="checkbox"/> YES <input type="checkbox"/> NO		
	OTHER INVOLVED EMPLOYEE: <u>Marc Trahan</u>		RANK: <u>Invest</u>		ID #: <u>094</u>			
<b>COMPLAINT INFORMATION</b>	LOCATION OF INCIDENT: <u>OPD Headquarters</u>		DAY OF INCIDENT: <u>8-23-2001</u>		TIME OF INCIDENT: <u>UNK</u>		DATE OF INCIDENT: <u>8-23-2001</u>	
	REASON FOR EMPLOYEE CONTACT: <u>False Report of Sexual Misconduct</u>							
	REMEDY SOUGHT: <u>Justice</u>							
<b>STATE OF COMPLAINT</b>	(USE ADDITIONAL SHEETS IF NECESSARY): <u>On aug 23-2001 Detective Nixon entered two videotapes as evidence in my case, # 01-7658 under property Card # 108996 (p3) these items are described as 104-1-3, Videotape of make up Johnson and 104-1-4, Videotape of Dominique and Shaquita, On Nov 5, 2001 Investigator Marc Trahan copied these tapes and sent them to the State attorney as evidence in my case - (p.4) I have never known any of the Johnson children and these videotapes don't have anything to do with me,</u>							
NOTE: Complainants signing this document are swearing and attesting that, under penalty of law and / or City Policy, the information contained herein is true and accurate.					COMPLAINT MADE BY (SIGNATURE): <u>Theodore McLeod</u>		DATE: <u>9-4-2001</u>	

# GAINESVILLE POLICE DEPARTMENT ADMINISTRATIVE INVESTIGATION REFERRAL FORM

**-- SUPPLEMENTAL SHEET --**

DATE OF REPORT:

9-4-2007

INTERNAL AFFAIRS NUMBER:

COMPLAINANT'S NAME (LAST, FIRST, M.I.):

McLeod, Theodore

ACCUSED EMPLOYEE'S NAME (LAST, FIRST, M.I.):

Nixon, Patty

CONTINUATION OF REPORT:

Detective Nixon used these tapes as evidence against me even though she knew that they were evidence in Nellie Johnson case, #01-1817 (p.5), Item # 104-1-3 is the videotape of makesha Johnson that Detective Nixon described on page 15 of her Supplemental Report in Nellie Johnson case #01-1817 (p.56) and reviewed on page 17 (p.6). Item # 104-1-4 is the videotape of Dominique and Shaquita that was reviewed by Det. Nixon on page 8 of Nellie Johnson Supplemental Report (p.70) this videotape is also described in Sgt. Hope Report, page 5 in Nellie Johnson file (p.8). Neither of these videotapes were ever placed as evidence in Nellie Johnson case even though they were reviewed on Aug. 23-2001 Det. Nixon entered these videotapes as evidence against me after she had them in her possession for several months in Nellie Johnson case.

SIGNATURE (PERSON COMPLETING REPORT):

Theodore McLeod

DATE:

9-4-2007

**GAINESVILLE POLICE DEPARTMENT**

**- FORM MUST BE TYPED -**

[illegible]

**GAINESVILLE POLICE DEPARTMENT**

**FORENSIC CRIME UNIT  
CRIME SCENE SUPPLEMENT**

**CASE #:** 0107658

**SUBMITTED:** 11/05/01

**APPROVED:** 11/09/01

**BY** Investigator Marc Trahan *1097*

**BY:** Sergeant Terry L. Converse *11/21*

**SEXUAL BATTERY:**

On 10/11/01 at 1100 hrs, at the request of Assistant State Attorney Krisitin Slaughter, I removed the following items from the Property and Evidence Section under PC # 108996:

Item # 104-I-1: "Cassette tape of McLeod's interview".

Item # 104-I-3: "Video tape of Makesha Johnson".

Item # 104-I-4: "Video tape of Dominique and Shaquita".

The above audiocassette tape was found to have already been checked out from Property and Evidence and copied by Investigator Bret Starr on a previously submitted request from the State Attorney's Office. The package containing the original audiocassette tape (item # Item 104-I-1) was returned to Property unopened.

The above listed videotapes were copied. The videotape copies were forwarded to ASA Slaughter via the GPD Intake Office. The original videotapes (items # 104-I-3 and 104-I-4) were repackaged and returned to Property.

July 17, 2001

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Adopted by Nellie Johnson in 1995

The interview with [REDACTED] took place at [REDACTED] house in Archer. [REDACTED] attends Newberry and will be going into the eighth grade. He said he has lived with Nellie since he was 6 years old. He recalls living in Mt. Dora as well as Gainesville. In Mt. Dora he talks about [REDACTED] (an adult adoptive sibling that doesn't live with them anymore) and [REDACTED] living with them. He told me [REDACTED] is now in the Marines.

[REDACTED] didn't want to talk about specifically about Nellie. I asked him if he received "whoopins" from Nellie and he nodded his head yes. He said Nellie would use a pipe to hit him for a bunch of reasons. Doing bad in school was a common reason. He recalls being hit all over his body including his head. He said both Nellie and Colony have shoved his head into walls. He said jumping jacks were used as punishment and lying under their bed. Both were done for long periods of time, sometimes all day and night.

[REDACTED] knew I was a police officer and became concerned about Nellie going to jail. He did not want to elaborate on the incidents for fear of Nellie going to jail. I didn't continue with questioning due to his uneasiness. Before I left he wanted me to promise him that Nellie would "never, never" adopt any more children.

July 20, 2001

Denise Ferrara

State Attorney Office

I had a meeting with Ferrara and Jeanne Singer in reference to this case at the State Attorney's Office.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Adopted by Nellie in 1995

[REDACTED] lived with Nellie until she ran away in 1996. She is currently living with her grandmother. On February 15, 2001, [REDACTED] was interviewed by the Child Protection Team in Brevard County. I obtained a copy of the video tape conducted by the case coordinator, Jeanie Bondy.

██████████ ran away from Nellie's house. She was so desperate to leave, she left with a stranger. She remembers crying because she didn't want to leave her brothers and sisters.

#### Video taped interview with ██████████

██████████ ran away to her grandmother's house. In Hollywood he has no contact with her biological mother and lives with her father at her grandmother's house. She said lived with Nellie in 1995 and two months later, she was adopted. At the time, she recalls there were 21 people living with Nellie.

Nellie used to live in Mount Dora, Florida. She recalls while Nellie and Teresa ate out or had good food, the kids would have to eat cereal, oatmeal and if you asked for seconds, you were made to eat the whole pot.

██████████ remembers being beaten with a board (a triangle was carved out of it), white pipe, a handle that looks like a tennis racquet, metal walking cane and a mini blind wand.

When the family moved to Gainesville, it seemed to get worse. When ██████████ got a note from his teacher one time for not doing homework, he had to do jumping jacks in the nude. He was 9 years old and he had to do them in the front room.

██████████ said that Nellie would just take her husband's money. He didn't live with them in Mount Dora and not all the time in Gainesville. He would come over and shampoo the rugs and mow the lawn and then leave. When Nellie was in Gainesville, she would travel to Mt. Dora to get his check every month.

██████████ was ironing Teresa's pants and put the crease on wrong by accident. Nellie took the iron from her and burned her on the left arm. The injury was bad enough to cause a scar. ██████████ had other marks from the beatings caused by the board, pipe, and mini blind wand. She doesn't remember bleeding from any of the wounds.

All the children received beatings according to ██████████. One time ██████████ went to school and didn't come home right away in an attempt to run away from Nellie. When she was returned to Nellie's house, Nellie slapped her in the face, drug her by the hair and kicked her.

██████████ recalls a social worker was coming to visit their house. Before the visit, Nellie asked ██████████ what she was going to say. Nellie told her if she told on her that ██████████ would never be able to see her grandma again. She told the truth to the social worker anyway. Nellie sat on her while giving her "licks".

██████████ said she cried every night for the two years she was with Nellie.

I spoke with [REDACTED] at the home of [REDACTED] ( [REDACTED] ). Nobles is [REDACTED] foster mother.

[REDACTED] is an articulate, soft spoken young girl who currently attends Kanapaha Middle School. She will be entering the eighth grade in the fall. [REDACTED] said that she went to live with Nellie in December of 1998. She said she thought she and her adoptive brother [REDACTED] were the last ones to be adopted. She referred to Nellie as "Nellie" and Willie as "Mr. Sweetie".

[REDACTED] made sure that I knew she had already been interviewed on video tape about their life with Nellie. She seemed to grow anxious when I was asking questions about when she went to live with Nellie and Willie. I told her I knew about the tape and I just came by to meet her. She relaxed and started talking away about school and other things.

When I was leaving, [REDACTED] emphasized she did not want to return to Nellie's house.

#### **Video tape of [REDACTED] January 25, 2001**

A video taped interview was conducted by Patti Alvarado (DCF employee) of [REDACTED] and [REDACTED] speaking of some of the abuse suffered by them and others in Nellie's household. [REDACTED] said that Mom (Nellie) punishes the kids and sometimes [REDACTED] would punish them also. She describes the pipe that the kids get hit with as white and made out of plastic. Nellie would hit them on the rear end, back of the leg, and arms. [REDACTED] told of an incident that happened about two weeks ago in which Nellie was trying to beat her. [REDACTED] tried to get up on the dresser to avoid getting hit. Nellie slapped her and told [REDACTED] to get the pipe. Nellie started hitting [REDACTED] with a towel rack because the pipe wasn't available right away. Nellie struck her on the arm because she tried to block the hit. She and [REDACTED] told of several incidents in the Johnson household with [REDACTED] telling the more specific events.

**Saturday, June 16, 2001**

**11/20/83**

#### **Interface**

Custody of Mamie White (Nellie's sister)  
Living with Nellie since White's death in 1999

I spoke with [REDACTED] at Interface. He told me that [REDACTED] and [REDACTED] are his brother and sister. [REDACTED] attends Gainesville High School and is in the 12<sup>th</sup> grade. He appears to be shy and will only answer questions with a short definitive

# GAINESVILLE POLICE DEPARTMENT SUPPLEMENTAL REPORT

TYPE OF INCIDENT: <b>Child Abuse</b>	ADDRESS / LOCATION OF INCIDENT: <b>2136 NE 3PL</b>	DATE OF REPORT: <b>02-01-01</b>	CASE REPORT NUMBER: <b>01-01817</b>
INFORMATION CODES: 1 - AO (ORIGIN OF ACTIVITY) 2 - INV (INVESTIGATIONS; STATEMENTS)		3 - EV (EVIDENCE; CRIME SCENE INFORMATION) 4 - SCA (SWORN COMPLAINT; ARREST INFORMATION)	5 - VEH (ADDITIONAL VEHICLE AND TOW INFORMATION) 6 - ADD (ADDITIONAL INFORMATION; FOLLOW-UP)

CASE NARRATIVE: ☒ CONTINUATION OF REPORT ☐ SUPPLEMENT REPORT

denied the allegations. Alvarado took the 16 children away from the Johnson's and displaced them in various residences through out these counties. Alvarado has taped admission from two of the children and a written interview from another. Alvarado advised that LEO could have the tape, but to contact her later so she could have a copy made.

I didn't contact the Johnson's because I didn't want to contact them before contacting the children.

Det. P. Nixon #104 was notified and she advise that she would follow up the incident.

Copies of the DCF report (01-004648) are included in my report.

Another subject residing in the residence is Willie Cooper (BM 07-15-18, 55<sup>th</sup> [REDACTED]). No allegations have been reported on him as of yet.

The information on all subjects was provided by DCF records.

3. EV: NA

4. SCA: NA

5. VEH: NA

6. ADD: NA

REPORTING OFFICER / PST (SIGNATURE): <b>[Signature]</b>	ID#: <b>429</b>	UNIT / SHIFT ASSIGNMENT: <b>2</b>	SUPERVISOR (SIGNATURE): <b>[Signature]</b>	ID#: <b>137</b>
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