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Sheriff Nienhuis, Other Brass, Accused of Terminating Deputy Who Refused to Participate in Group Sex Parties



By Tom Lemons



BROOKSVILLE – A former Hernando County Sheriff's Deputy has filed a federal lawsuit against several top agency officials, including Sheriff Al Nienhuis, claiming his refusal to join in on the agency's "culture of extramarital sexual activities" led to his unjustified termination.

On August 25, 2022, former Hernando County Sheriff's Deputy Matthew Puglia filed a lawsuit against Sheriff Al Nienhuis, Col. Kenneth Hayden, Maj. Philip Lakin, Lieutenant Scott Reak, Sgt. John Ellis, Sgt. William Hillman, and Deputy Joseph McClennan, in U.S. District Court, Middle District of Florida.

Puglia hired Jacksonville attorney John "Jack" Webb to represent him in the action that alleges he was wrongfully terminated and that the defendants fabricated disciplinary reports to back up their decision.

According to court documents, Puglia was hired on July 6, 2020, as a Sheriff's Deputy and was to serve a one-year probationary period, before becoming a "regular appointee." Puglia successfully completed his field training in December of 2020 and received a memo from Maj. Lakin, congratulating him on the accomplishment. Puglia was then assigned to District 2 in Spring Hill, where he worked the 11 a.m. to 11 p.m. shift.

During the next three months, Puglia was supposed to undergo monthly evaluations, but records show those evaluations were never conducted. Up until March of 2021, Puglia had a spotless record and received no verbal or written disciplinary actions.

While shooting at a local gun range, Puglia introduced his "significant other" to co-worker McClennan, who was wearing his agency uniform at the time. The following day, McClennan attempted to connect with Puglia's significant other through Facebook, and continued trying to contact with her multiple times after. Over the following days and weeks Puglia claims McClennan engaged in sexually suggestive and boorish behavior directed towards Puglia regarding his significant other.

Puglia points out that the defendants were all aware of the existence of a hyper-sexualized workplace of which McClennan was a "key participant, if not the de facto leader." Puglia says both sworn officers and civilian employees routinely engaged in group sex parties and that McClennan kept trying to get him and his significant other to attend, but he vehemently refused. On May 14, 2021, Puglia says things went too far after McClennan stated in front of Lt. Reak, Sgt. Hillman, and five other deputies that Puglia's significant other had "big tits." Puglia says neither Reak nor Hillman took any action against McClennan; instead, Hillman privately told Puglia

that "it might have not been a good idea to do that in front of Lieutenant Reak." Referring to Puglia telling McClennan "enough is enough," for saying that about his significant other. Hillman later testified under oath in an Internal Affairs investigation that he took immediate action at that time and told McClennan that his behavior was unacceptable. It wasn't long after that incident that Puglia says the retaliatory harassment began.

The complaint reads:

In May 2021, the rejection rate for Puglia's written reports suddenly surged.

In sworn testimony given by Reak in an Internal Affairs investigation, Reak stated that in or about "June-ish," Reak went back and reviewed all of Puglia's rejected reports from the beginning of Puglia's employment with HCSO.

In June 2021, Reak, after informing Puglia that he had a "bad name," that he was no longer welcome at HCSO, and asking questions about Puglia's significant other, told Puglia that his "report writing [was] terrible."

Likewise, in early June 2021, McClennan threatened Puglia with retaliation apparently because McClennan believed that Puglia was responsible for McClennan's reprimand following an internal affairs investigation of an unrelated matter. Specifically, McClennan had placed magnetic letters on his refrigerator at a squad party with co-workers stating "2330 EATS DICK" and disseminated a picture of the message. 2330 is Puglia's unit number. The HCSO refers to individual officer vehicle numbers as unit numbers. Deputy Sheriff Steve Klapka, past-President of the local Fraternal Order of Police, brought this incident to the attention of Colonel Hayden in an effort to get Puglia transferred to another squad so that Puglia's performance could be fairly evaluated. Hayden refused to take any action.

On June 15, 2021, twenty-one days before completion of Puglia's probationary period, Colonel Curt Turney notified Hayden that "[a]fter reviewing the documentation in regards to Deputy Matthew Puglia's progress thus far, I concur that a probation extension needs to be provided." Without any opportunity to challenge the accuracy of any evaluations, Puglia's probationary period was extended through October 5, 2021.

That said, although HCSO had failed to properly prepare monthly evaluation reports, in June 2021, Hillman, Puglia's Patrol supervisor, fabricated probationary reports for Puglia reaching back four months to February 2021. These reports reflected Puglia's alleged deficient report writing skills. Hillman had been previously verbally reprimanded for his failure to censure McClennan over his inappropriate comments to Puglia about Puglia's significant other and referred to Puglia as a "rat" to other squad members.

In August 2021, Ellis also fabricated probationary reports for July 2021 and August 2021 that stated that Puglia's report writing skills were deficient. Significantly, Sargent Ellis was a member of the exit board that had deemed Puglia competent for duty eight months earlier.

Klapka tells R News that during an internal affairs interview with Inspectors John McMurdo and Willard Stephens, Puglia was asked "do you think the sexual harassment, workplace harassment case was taken care of properly?" Knowing this was a "loaded question," Puglia stepped out to discuss the dilemma. Puglia said, "Steve, if I answer no, they are going to fire me." Steve replied, "Matt, they're going to fire you anyway." Klapka continued, "Matt, this is not about report writing." He goes on to explain, "...this about the issues of his superior's behavior and bad conduct unbecoming of an officer." He said if Puglia answers yes, then they will keep him around for a few more months and then find another reason to terminate him. By that time, he'll have no grounds to complain about the sexual harassment or hostile work environment. When they returned to the meeting, Puglia responded "No, I am not satisfied with the outcome of the investigation." Klapka says Stephens and McMurdo looked dumbfounded that Puglia said no.

As expected, at the conclusion of Puglia's extended probationary period and just one month after the onset of the I. A. investigation, Col. Hayden prepared and disseminated an Interoffice Memorandum to Sheriff Nienhuis recommending that Sheriff Nienhuis terminate Puglia immediately. That same day, Nienhuis drafted his own termination letter, which stated in part, "The number of documented incidents and attempts to assist you are

overwhelming in the dedication of your co-workers however, you have failed to maintain and achieve the standards set to remain a Deputy Sheriff."

According to Jack Webb, Puglia's attorney, HCSO violated Florida Statute in the manner by which Puglia was terminated. Webb writes: *Florida Statute § 943.139(1) states in relevant part: An employing agency shall immediately notify the commission in writing of the separation of employment or appointment, of any officer. Separation from employment or appointment includes any firing, termination, resignation. Florida statute § 93.139(2) further states in relevant part: In a case of separation, the employing agency shall execute and maintain an affidavit-of separation setting forth the facts and reasons for such separation.*

Webb continues in the complaint: *This information regarding the reason for separation is simply and patently false. Upon information and belief, this information was provided to the Florida Department of Law Enforcement pursuant to a false affidavit-of-separation prepared and submitted by HCSO in violation of Florida statute § 93.139(2). Upon further information and belief, HCSO falsified the information to the FDLE in order to cover up its illegal behavior with regard to its trampling of Puglia's due process rights.*

Webb believes the defendants violated Puglia's Fourteenth and First Amendment rights and committed second-degree misdemeanors when they intentionally falsified his probation reviews and the affidavit of separation.

Webb is seeking compensatory and punitive damages, in addition to other relief that may be available under the law.

Webb told R News during an interview, "this is not isolated to Mr. Puglia, this is an ongoing issue with retaliation against deputies who don't fit in the clique." Webb says he has made a public records request for termination letters regarding about 60 former deputies. "The turnover rate is very significant and there just seems to be a pattern down there with this sort of thing," says Webb. He goes on to say, "Whether it's sex parties or swingers or retaliation or they just don't like you, it seems to me that it's somewhat out of control down there – like the wild west."

I asked Webb if he knew which, if any outside agencies were investigating the allegations made in the lawsuit and he said, "I don't know if the FDLE is looking at it, but I would imagine they are." R News contacted the FDLE and asked if any of the listed defendants were being investigated by their agency, but instead of the usual quick response from their Public Information Officers, my inquiry was forwarded to several officials for review. An unidentified member of their General Council eventually responded and advised that it was going to be submitted to records. I later learned that it would take more than a week for a response.

Webb tells R News that if Nienhuis is found guilty of a second-degree misdemeanor "he's out of office." Webb continues, "Ultimately [he's] the guy. We understand that he had direct knowledge of what was going on with Puglia's case."

I asked Webb if he thought Nienhuis was involved in or had knowledge of the sex parties within his agency and he said, "I don't know, but if this were an NCAA investigation, they would call it lack of institutional control."

Webb says he is perplexed by the lack of communication and effort to resolve this case without going to trial. "I'm surprised they haven't been more aggressive in trying to make this thing go away. I mean, does the Sheriff think he walks on water or something?" says Webb.

There has been no shortage of scandals at the Hernando County Sheriff's Office, since then-Governor Charlie Crist appointed Sheriff Nienhuis to office – and many of them related to sexual misconduct.

In 2014, former Deputy William Martinez was arrested for battery, after he gave a woman who was involved in an accident on Deltona Blvd a ride home. The victim claims Martinez touched her inappropriately and that they engaged in a sexual act. Martinez was terminated shortly after the arrest. Martinez is the ex-husband to HCSO's Public Information Officer Denise Moloney.

Deputy Vincent Mascitelli was given a slap on the wrist after he admitted to masturbating in his patrol car while a prostitute stood at his window.



More serious allegations of misconduct have been alleged against Sheriff Nienhuis by former Dawn Center clients and victim advocates. Dawn Center is a domestic violence shelter for women in Spring Hill. Some say Nienhuis covers up human trafficking and prostitution that continues unabated at the shelter to this day. One woman, who wished to remain anonymous, says women are prostituting themselves with high-ranking officials. In the documentary [Behind the Gate by Tom Lemons](#), Nienhuis traumatizes a victim of domestic violence by sending a detective to threaten and interrogate her for speaking out against him.

Sheriff Nienhuis has retained Attorney David Stefany of Albert, Norton, and Blue to defend against the federal lawsuit filed by Matthew Puglia.

R News contacted each defendant for comment, but they have not responded to our requests.

R News will bring more on this case as it develops.

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