

# **INVESTIGATIVE SUMMARY**

Florida Department of Law Enforcement



**Case Number: MI-14-0367**

**Seventeenth Judicial Circuit**

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**Falsely Personating an Officer: F.S. §843.08**

**Incident Date:** May 21, 2025

**Incident Location:** 12800 Taft St., Pembroke Pines, FL

**Case Agent:** Christopher Woehr

**Party Information****Victim:****Subject/Suspect:**

Jay Douglas Schwartz  
8310 NW 16<sup>th</sup> Street  
Pembroke Pines, FL 33024  
W/M  
D.O.B. - 02/06/1971

**Initial Complaint**

On May 21, 2025, the Florida Department of Law Enforcement received a complaint, via the Pembroke Pines Police Department, regarding the alleged personation of a law enforcement officer by sitting City of Pembroke Pines Commissioner Jay D. Schwartz.

The complaint involved an incident that occurred on May 21, 2025, at Charles W. Flanagan High School, in which several students were approached and questioned by an unknown male. The male was subsequently identified as Jay D. Schwartz. During the incident, Jay D. Schwartz allegedly removed a police-style badge from his pocket and brandished the badge while questioning three (3) students.

It was later determined that Jay D. Schwartz was an adjunct instructor, from Embry-Riddle Aeronautical University (ERAU), teaching aviation classes at Charles W. Flanagan High School.

**ATMS/SGMS and Security Licensure**

On May 22, 2025, Special Agent Christopher Woehr facilitated a search of the Florida Department of Law Enforcement Automated Training Management System (ATMS) for Jay Schwartz. The

ATMS database maintains data related to persons certified in the State of the Florida as law enforcement officers. Schwartz did not appear in the database as being a sworn law enforcement officer or as having attended a police academy in the State of the Florida.

On May 22, 2025, Special Agent Christopher Woehr facilitated a search of the School Guardian Management System (SGMS) for Jay Schwartz. The SGMS database maintains data related to persons certified in the State of the Florida as school guardians. Schwartz did not appear in the database as being a school guardian or receiving school guardian training.

On May 22, 2025, Special Agent Christopher Woehr conducted a search of the Florida Department of Agriculture database for any security or private investigator licenses potentially held by Jay D. Schwartz. The search met with negative results.

### **Subpoena Requests and Results**

On May 28, 2025, Special Agent Christopher Woehr served a subpoena to Broward County Public Schools. The subpoena requested video footage from Charles Flanagan High School on May 21, 2025, rules and regulations regarding student/teacher interactions and employment records for Jay David Schwartz.

On June 5, 2025, Special Agent Christopher Woehr was provided a compact disc by Broward County Public Schools Risk Management which contained the video footage requested in the subpoena. The video provided shows Jay Schwartz entering the school at approximately 07:29 hours and bypasses the metal detectors. At approximately 07:31 hours, Schwartz can be seen entering the corridor and walking in the direction of the students. At approximately, 07:32 hours, Schwartz is seen passing the students and as he passes, turns to interact with the students. At approximately 07:33 hours, Schwartz can be seen reaching into his pocket, removing something, and showing it to the students. The movements are consistent with removing a wallet and brandishing the badge as reported by the victims.

On June 16, 2025, Special Agent Christopher Woehr was provided two (2) pdf documents via email as an additional response to what had previously been provided. The documents provided were the written agreement between the Broward County School Board and Embry-Riddle Aeronautical University and the First Amendment to the agreement.

On page 27 of the initial agreement is the following paragraph:

ERAU employees serving as concurrent/dual enrollment faculty in the GAI (Gaetz Aerospace Institute at ERAU) approved to teach college courses under this Agreement will annually attend a new faculty or adjunct orientation conducted by GAI where they will receive a copy of the Gaetz Faculty Guidebook, which includes the Web address of the Student Handbook, add/drop, withdrawal, and grading policies, as well as the ERAU Student Code of Conduct and critical dates. These instructors are expected to adhere to the professional guidelines, rules, and expectations presented in each handbook.

Both documents list Jay Schwartz as the instructor assigned to Charles Flanagan High School.

**Interview with Romeó Harris**

On May 27, 2025, at approximately 1247 hours, Special Agent Christopher Woehr conducted a sworn, digitally recorded interview with Flanagan High School Campus Monitor Romeo Harris. The interview was voluntary and took place at Flanagan High School.

The following is a summary of the interview. Harris was travelling to his post on campus known as the "hot corner" (an area where students congregate) which is located between the lunchroom and main staircase of the building. Harris was posted near two students (later identified to be \_\_\_\_\_ and \_\_\_\_\_). Harris was called away to let a teacher into a classroom and when he returned to the area, he observed \_\_\_\_\_ and \_\_\_\_\_ and an additional two (2) students talking to an unknown teacher.

As Harris approached, it was near the end of the interaction between the students and teacher. Harris heard the teacher say "This is your welcome to America" as he pulled out his wallet. Harris was unsure what was being discussed. Harris advised the students were upset after the teacher had shown him his wallet. One of the students then went to report the incident and Harris guided him to the area of the assistant principal. Harris wasn't aware the teacher presented a badge until after the interaction ended and the student said the teacher had pulled a badge out.

Harris had never seen the teacher that was involved in the altercation. Harris has worked at the school for approximately three (3) months and reported a good knowledge of the teachers and students. Harris then went back to try and find the teacher, but he couldn't find the person. Harris later learned the person in question was a commissioner that was also a teacher.

**Interview with \_\_\_\_\_**

On May 28, 2025, Special Agent Christopher Woehr conducted a sworn, digitally recorded interview with \_\_\_\_\_. The interview was voluntary and took place at Charles W. Flanagan High School.

The following is a summary of the interview. On May 21, 2025, at approximately 0730 hours, while at school, he was talking with a few of his friends. While talking, an unknown man aggressively walked up to \_\_\_\_\_ and said, "where's the weed, who has the weed?". \_\_\_\_\_ told the man he doesn't use marijuana and he doesn't know what he was talking about. The man then started questioning \_\_\_\_\_ about his employment and where he \_\_\_\_\_ worked. \_\_\_\_\_ told the man he didn't have to tell him where he worked. At that point, the man pulled a badge (that was in a wallet) out of his pocket. \_\_\_\_\_ then realized that the man must have been a police officer, or someone impersonating an officer. The conversation continued and \_\_\_\_\_ ultimately told the man that he "didn't like the way he walked up to me". The man then said, "Welcome to America". \_\_\_\_\_ felt that this statement was racially motivated. \_\_\_\_\_ stated that the confrontation lasted between three (3) and five (5) minutes, after which he was aggravated. Immediately after the confrontation, \_\_\_\_\_ sought out School Resource Officer Robert Williams and reported the incident because he felt this person was an officer, whether real or fake. \_\_\_\_\_ stated the person presented himself as if he was an officer.

**Interview with \_\_\_\_\_**

On May 28, 2025, Special Agent Christopher Woehr conducted a sworn, digitally recorded interview with [REDACTED]. The interview was voluntary and took place at Flanagan High School.

The following is a summary of the interview. On May 21, 2025, at approximately 0730 hours, [REDACTED] was standing near the cafeteria by security. The security guard left and he, [REDACTED] and [REDACTED] were talking. A random guy walked up and said, "Where's the weed at, where's the weed at? I smell weed". The person then questioned them about the language they were using and said, "That's how you talk when you go for a job interview?".

[REDACTED] reported that [REDACTED] stated that he had a job and the person then asked [REDACTED] how old he was. [REDACTED] stated that he didn't feel comfortable telling him his age and the person pulled a badge out, showed it and then put it back in (his pocket). The man pulled it back out and showed it again. [REDACTED] described the badge as being gold and he then thought the person was a police officer. The man then "started walking down on [REDACTED] as [REDACTED] was backing up. [REDACTED] advised that [REDACTED] then stated he didn't feel safe because "he wasn't from here" and the man asked where he was from, to which [REDACTED] replied he was from Haiti. The man then said, "Welcome to America". [REDACTED] then felt the situation was racially motivated and left the area. [REDACTED] didn't think the individual was a police officer until he saw the badge. At one point, the man told [REDACTED] "You're not free to leave because I identified myself. I need your age and where you work at."

**Interview with [REDACTED]**

On May 28, 2025, Special Agent Christopher Woehr conducted a sworn, digitally recorded interview with [REDACTED]. The interview was voluntary and took place at Flanagan High School.

The following is a summary of the interview. [REDACTED] was talking with a group of friends before the bell rang. A person came up and said, "Who got weed?, Who got weed?" When the boys denied having marijuana the man asked, "Who dropped the F-bomb?" [REDACTED] admitted to using the foul language. At some point during the conversation, the individual produced an "ID", showed it the boys. [REDACTED] referred to the person as "the other officer". [REDACTED] then stated that the individual "put" [REDACTED] in the corner and asked him to identify himself. [REDACTED] stated that he was not allowing [REDACTED] to leave. [REDACTED] explained the "identifying" as presenting a badge that was inside a wallet. [REDACTED] stated that he used the word "agency" while identifying himself. Prior to seeing the badge, [REDACTED] thought the individual was a teacher; however, after the encounter he believed the individual to be an officer based on seeing the badge. [REDACTED] stated the individual also told the group, "Welcome to America" after [REDACTED] told him he didn't need to identify himself if he wasn't being accused of a crime.

**Photo Array**

On Wednesday, May 28, 2025, Special Agent Michael McBride responded to Flanagan High School for the purpose of conducting a photo array with three victims related to the above listed investigation.

Special Agent Woehr provided Special Agent McBride with three prepared packets with sequential photo array forms and prepared individual photos. Each of the victims were informed of the process and that Special Agent McBride had no knowledge of the investigation. A prepared text was read to each victim prior to conducting the viewing of the photo array. Special Agent

McBride conducted the photo arrays with each victim, individually, in the school resource officer (SRO) office. Special Agent McBride audio-recorded the interactions.

\_\_\_\_\_ identified photo number three (3). \_\_\_\_\_ circled the photo and initialed it with the date.

\_\_\_\_\_ identified photo number four (4). \_\_\_\_\_ circled the photo and initialed it with the date.

\_\_\_\_\_ identified photo number one (1). \_\_\_\_\_ circled the photo and initialed and it with the date.

Each of the victims selected Jay D. Schwartz in the individual array they were shown.

#### **Interview with Brad Fatout**

On June 13, 2025, Special Agent Christopher Woehr and Special Agent Mike Martinez conducted a sworn, digitally recorded interview with Charles W. Flanagan High School Principal Brad Fatout. The interview was conducted under service of a subpoena and took place at Flanagan High School. The following is a summary of the interview.

Fatout advised that on the day of the incident, a young man (later identified as \_\_\_\_\_) came into student affairs and was talking to Dr. Warkentien (assistant principal). The young man was quite upset and frustrated that a staff member accused him of possessing marijuana. Fatout also stated that the staff member was showing multiple forms of identification. Fatout stated that he does not remember any specifics about the identification(s) shown.

Fatout and Warkentien determined the staff member that approached \_\_\_\_\_ was Jay Schwartz. Fatout spoke to Schwartz about the encounter to determine if reasonable suspicion existed to have the encounter with \_\_\_\_\_. Fatout stated that Schwartz told him no reasonable suspicion existed. He further stated that he smelled something and questioned the students and showed the students multiple identifications. Fatout did not recall Schwartz telling him he displayed a badge. Fatout later learned about the badge from the Pembroke Pines School Resource Officers.

Fatout stated that staff require reasonable suspicion to initiate an investigation. Protocols dictate that the administration and security would initiate an investigation if reasonable suspicion existed. If the investigation developed into the need for searching a student, only the security team is authorized to search. Teachers are not authorized to search students. Fatout further stated that Schwartz is an adjunct professor for dual enrollment and was assigned from Embry-Riddle University. Fatout stated that he has had no conversations with Schwartz since the day of the incident.

Fatout provided a Broward County Schools statement that \_\_\_\_\_ completed and signed on May 21, 2025, after the incident. The statement contained the following handwritten account: "A individual walked up to me and asked me where's the weed and flash me a badge and kept asking me over and over where's the weed."

#### **Interview with Dr. Michael Warkentien**

On June 25, 2025, Special Agent Christopher Woehr and SA Gaylon White conducted a voluntary, sworn, digitally recorded interview with Dr. Michael Warkentien. The following is a summary of the interview.

Warkentien advised that on the day of the incident, he was in his office with Principal Fatout. [redacted] was brought to his office. Warkentien was working on a project at the time and wasn't entirely engaged in what was happening and that [redacted] mostly spoke to Principal Fatout. Warkentien recalled that [redacted] was "shook up" as if something happened and this was out of character for [redacted]. [redacted] reported that a guy approached them and was repeatedly asking "where's the weed?" Warkentien reported that [redacted] did not exhibit any signs of using marijuana.

Warkentien reported that he and Principal Fatout discussed the incident with Schwartz to discuss what happened. The following is a transcript excerpt of this portion of the interview detailing how Warkentien recalled the conversation with Schwartz:

Warkentien: But, then we got with Mr. Schwartz, the adjunct professor. Um, and he came in and you know we were talking with him about kinda what happened. And again, Mr. Fatout was kinda handling the situation, so, he was just saying that he was, uh, Mr. Mr. Schwartz's office, not office but his classroom, was moved recently like maybe a couple weeks, so, he was walking down a path that he didn't normally walk by right, so, 'cause a lot of times the kids, all the kids are kinda the same they you know sit in the same places talk to the same kids, you know, it's the same routine, well, you know, um. And then, uh, you know, I remember Mr. Schwartz saying that he was hearing like a lot of loud cussing and whatever and then, um, smelled like marijuana or something like that and so he approached them and was like, "hey, where's the weed", um, and he, he mentioned that they said something to the effect of, "Whoa, I don't, like, who are you?" and, I, he goes, he showed them his badge, the, his school ID. Um, it wasn't a current one, like, so they're, oh, that's not, whatever, and then he mentioned, oh, ok, well, then he went to his wallet and showed them another badge. In my mind, I thought ok well he probably showed them the most current one, or a school board issued one, or something, I didn't know what he showed them. Um, and then, and then um you know, Mr. Fatout mentioned, asked him, Hey, well, you know, are you concerned that they're, you know, uh, is there, is there still a problem? Do you...whatever he, he said, you know...I was just trying, I smelled something, I approached them, like, to see what was going on and, you know so Mr. Fatout mentioned, Hey, you know, that's uh, you know just, if you have any concerns or whatever, you know, you can, you, obviously you can talk to kids but you know, he mentioned the security and you know that we know the protocols and things like that. That's basically what I remember.

#### **Interview with Jay D. Schwartz**

On July 2, 2025, at approximately 1300 hours, attorney Eric Schwartzreich presented his client, Jay D. Schwartz, at the FDLE Broward Field Office for the purposes of providing a statement. At approximately 1310 hours, Special Agent Christopher Woehr conducted a voluntary, sworn, digitally recorded interview with Jay D. Schwartz, with Schwartzreich present for the interview. The following is a summary of the interview.

Schwartz stated that he is a contracted employee, through Embry-Riddle University, at Flanagan High School and generally has worked 2-3 days a week for the past three years. On May 21, 2025, Schwartz was walking to class, past the cafeteria, and he heard "a lot of F-bombing." Schwartz stated that he stopped to address the profane and vulgar language. When asked what he meant by "address", Schwartz stated the following:

"Well, well, I like positive interaction with, uh, with students. That's, that's... I'm driven by that. I see, I see, there's always an opportunity, um, to, to be a, a whether, inspire or, you know just kind of uplift the community, right, so...um, there were four, ah, students and, um, we had a conversation. Um, I asked, um, if the, um, basically, I said, I said, we can do better than that, meaning the vulgarity. And that stopped and then, um, then we, had a, um, a discussion in general."

Schwartz was then asked about the marijuana aspect of the incident (according to the original reports that Schwartz stopped the students based on smelling or seeing marijuana smoke). Schwartz indicated that there is always the odor of marijuana on campus and this day was no different. Schwartz further stated that his original reason for stopping the students was due to the profanity being used; however, Schwartz did something along the lines of "Who has weed?". Schwartz stated that he did not know the kids, but his attention focused on one of the boys after the other three identified the fourth as the one using the profanity.

As it pertains to the use the identification, Schwartz stated that he was wearing his Flanagan High School issued teacher badge (lanyard around his neck) and he showed it to the boys and identified himself by name (Jay Schwartz) and position (teacher) to the boys and wanted to tell them to "knock off" the profanity. Schwartz then stated that he began speaking to the one boy (presumed to be [redacted] and told him that speaking like that (profanity) would make it hard to get a job. The student then told Schwartz he had a job. Schwartz then asked the student what type of job he had, and the student said he was a first responder. Schwartz, puzzled by the response, then stated, "I have two jobs. Right? I'm a teacher here (then showed him his teacher identification) and then I said I also represent you in City Hall. I'm a City Commissioner, uh, I'm an elected official and I showed them my identification (City Commissioner badge). That was, that was the extent of it."

Note: During this portion of the interview, Schwartz showed SA Woehr his Flanagan High School credentials and his City of Pembroke Pines Commissioner badge (which were shown the students).

Schwartz stated that during the encounter he was not taking law enforcement action, for example search or arrest. Schwartz identified the protocols when observing narcotics use as calling the SRO (School Resource Officer). Schwartz denied having any formal law enforcement training or experience but knows the smell of marijuana from "life experience".

Regarding the comment, "Welcome to America" as has been reported, Schwartz stated that was "inherently false" and "absolutely no way" he made that statement.

Note: During the interview Schwartz identified one of his students [redacted] that could corroborate the information he provided.

#### Interview with [redacted]

On July 10, 2025, at approximately 1431 hours, Special Agent Christopher Woehr and SA Miguel Martinez conducted a voluntary, sworn, digitally recorded interview with [redacted]. The interview took place at [redacted] residence located at [redacted].

The following is a summary of the interview:

stated that he had no specific recollection of any encounter in which Schwartz confronted students and or displayed his badge or identified himself as a Pembroke Pines Commissioner.

<b>Summary Analysis and Case Law</b>
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Jury instructions for the previously listed offense is as follows:

**21.16 FALSELY PERSONATING AN OFFICER  
§ 843.08, Fla. Stat.**

To prove the crime of Falsely Personating An Officer, the State must prove the following [two] [three] elements beyond a reasonable doubt:

1. (Defendant) falsely assumed or pretended to be a[n] [police officer] [deputy sheriff] [sheriff] [firefighter] [officer of the Florida Highway Patrol] [officer of the Fish and Wildlife Conservation Commission] [officer of the Department of Environmental Protection] [fire or arson investigator of the Department of Financial Services] [officer of the Department of Financial Services] [officer of the Department of Corrections] [correctional probation officer] [state attorney] [assistant state attorney] [statewide prosecutor] [assistant statewide prosecutor] [state attorney investigator] [coroner] [lottery special agent] [lottery investigator] [beverage enforcement agent] [school guardian] [a security officer licensed under Chapter 493, Florida Statutes] [member of the Florida Commission on Offender Review] [administrative aide to the Florida Commission on Offender Review] [supervisor employed by the Florida Commission on Offender Review] [representative or personnel of the Department of Law Enforcement] [federal law enforcement officer].
2. While doing so, (defendant) [took it upon [himself] [herself] to act as such an officer] [required [someone] [(name of person)] to aid or assist [him] [her] in a matter pertaining to the duty of such an officer].

Two relevant Florida cases, *Lewis v. State* (97 So.3d 285, District Court of Appeal of Florida, Fourth District) and *State v. Beaubrun* (36 So.3d 897, District Court of Appeal of Florida, Third District) support the position that the statute would only require a showing of intent to deceive or defraud, with emphasis on whether conduct, such as displaying a badge or exhibiting behavior indicative of being an officer, can suffice in establishing false personation without explicit verbal claim. The cases cite multiple examples where non-verbal acts, like flashing badges or using police equipment, have been considered sufficient to convey the false impression of official authority.

In this case, Jay D. Schwartz displayed a police-like badge, contained within a wallet which he purposely removed from his pocket, during an authoritative encounter and questioned students about potential unlawful activity (use and or possession of marijuana). Each of the three (3) students questioned initially believed that Schwartz was a teacher; however, after seeing the badge they then felt as if Schwartz was a law enforcement officer. None the students knew Schwartz was a commissioner during or immediately after the incident.

**Conclusion**

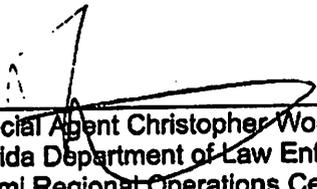
The Florida Department of Law Enforcement has completed a comprehensive investigation into the reported incident. This presentation of facts is based on law enforcement witnesses, civilian witnesses, and a review of all available evidence. Not every fact and detail of the investigation is included in this summary; for full details of statements, video, digital evidence, expert reports, and other items, please refer to the specific piece of evidence or report. FDLE submits this investigative summary to the Office of the State Attorney for their review and disposition.

**Notarizations**

I swear that the foregoing is a true and accurate summary of facts either personally known to me or derived from statements provided to me or to other law enforcement officers during the course of this investigation.

SWORN to and SUBSCRIBED

this 16 day of July, 2025, by

  
Special Agent Christopher Woehr  
Florida Department of Law Enforcement  
Miami Regional Operations Center  
1030 NW 111<sup>th</sup> Ave  
Miami, FL 33172

  
(Notary Public or LEO)