

**7th. Judicial Circuit 707
Charging Affidavit - Volusia**

Arrest # _____ Bk # _____ Pg # 1 of 6

| | | | | | | | | | | | | | |
|--------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------|--|-----------------------------------|--|--------------------------------------------------------------------------------|--|
| ARREST <input type="checkbox"/> | | NOTICE TO APPEAR <input type="checkbox"/> | | AFFIDAVIT <input checked="" type="checkbox"/> | | C.C. <input type="checkbox"/> | | ADULT <input checked="" type="checkbox"/> | | JUVENILE <input type="checkbox"/> | | Court Case Number: | |
| (ORI) FL: <u>FL0640000</u> | | Agency Name: <u>VOLUSIA COUNTY SHERIFF'S OFFICE</u> | | | | Agency Case Number: <u>180025405</u> | | | | | | | |
| FCIC/NCIC Check? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | OBTS # | | U.C.R.: | | Date Arrested: | | Time of Arrest: | | | | | |
| ADDRESS OF ARREST (Street, City, State, Zip): | | | | | | Arrested By: | | ID Number: | | | | | |
| DEFENDANT | | NAME (Last): <u>HARVEY</u> | | (First): <u>CHRISTOPHER</u> | | (Middle): <u>L</u> | | A.K.A.: | | Sex: <u>M</u> | | Race: <u>W</u> | |
| DOB: _____ | | Age: <u>31</u> | | Driver's Lic./ ID No.: _____ | | State: <u>FL</u> | | Year Expires: _____ | | S.S.# - _____ | | | |
| Height: <u>6' 06</u> | | Weight: <u>380</u> | | Hair: <u>BLD</u> | | Eyes: <u>BRO</u> | | P.O.B. (City, State, Country): <u>FL</u> | | | | Statement: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| Scars, Marks, Tattoos: | | | | Business & Occupation: <u>VOLUSIA COUNTY CORRECTIONS C/O</u> | | | | Citizenship: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | | | |
| Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | Sexual Predator: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | | | | | | |
| Address - Mailing/Permanent | | (STREET, APT. NUMBER) | | (CITY) | | (STATE) | | ZIP CODE | | RESIDENCE PHONE | | | |
| _____ | | _____ | | <u>PORT ORANGE</u> | | <u>FL</u> | | <u>32129</u> | | _____ | | | |
| Address - Local | | (STREET, APT. NUMBER) | | (CITY) | | (STATE) | | ZIP CODE | | RESIDENCE PHONE | | | |
| _____ | | _____ | | _____ | | _____ | | _____ | | _____ | | | |
| Address - Other (Employer/School) | | (STREET, APT. NUMBER) | | (CITY) | | (STATE) | | ZIP CODE | | BUS/SCHOOL PHONE | | | |
| _____ | | _____ | | _____ | | _____ | | _____ | | _____ | | | |

| | | | | | | | | | | | | | | | | | |
|----------------|-------------------------------------------------------------|----------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------|--|---------------------------------------|--|---------------------------------------|--|---------------------------------|--|------------------------------------------------|--|------------------------------|--|-------------------------|--|
| CHARGES | | DOMESTIC VIOLENCE? Yes <input type="checkbox"/> | | Attachments: Affidavit(s)? <input checked="" type="checkbox"/> | | Statement(s) <input type="checkbox"/> | | NTA Schedule <input type="checkbox"/> | | Report <input type="checkbox"/> | | Traffic Infraction(s) <input type="checkbox"/> | | DUI <input type="checkbox"/> | | Total Charges: <u>1</u> | |
| #1 | Charge: <u>Cty/Cnty/Priv. Employ. Sex Misconduct w/Inma</u> | FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> | | FS/ORD: <u>951.221(1)</u> | | Citation No.: | | Bond: | | | | | | | | | |
| #2 | Charge: | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> | | FS/ORD: | | Citation No.: | | Bond: | | | | | | | | | |
| #3 | Charge: | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> | | FS/ORD: | | Citation No.: | | Bond: | | | | | | | | | |

| | | | | | | | | | | | | | |
|---------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------|--|------|--|------|--|
| CO-DEFENDANT | | Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/> | | | | Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/> | | | | | | | |
| #1 | NAME (Last) | (First) | | (Middle) | | Race: | | Sex: | | DOB: | | Age: | |
| #2 | NAME (Last) | (First) | | (Middle) | | Race: | | Sex: | | DOB: | | Age: | |

NARRATIVE The undersigned certifies and swears that there is probable cause to believe the above-named defendant, on the 28 day of October, 2018, at approximately 0330 a.m. p.m. at 1354 INDIAN LAKE RD DAYTONA BEACH within Volusia County, violated the law and did then and there:

1 On 10/30/2018 Detective Weaver and Detective Amrhine with the Volusia County Sheriff's Office Major Case Unit were assigned to investigate
 2 allegations of sexual abuse at the Volusia County Correctional Facility, located at 1354 Indian Lake Rd, Daytona Beach FL. The request was made
 3 by the Volusia County Corrections Internal Affairs Division.
 4
 5 On the evening of 10/27/2018 and into the early morning hours of 10/28/2018, Christopher Harvey, a Sergeant employed by the Division of
 6 Corrections, received oral sex from _____ who was a current inmate at the correctional facility. The incident occurred in the laundry room, while
 7 Sergeant Harvey was supervising the overnight laundry detail. Inmate Kayce Baxter was present during the sexual encounter and witnessed _____
 8 _____ perform oral sex on Sergeant Harvey.
 9
 10 On 10/30/2018 Detective Weaver and Detective Amrhine conducted a sworn recorded interview with _____ at the Volusia County Sheriff's
 11 Office Operations Center.
 12
 13 _____ advised she worked the laundry detail with Kayce Baxter during the night of Saturday 10-27-2018 and into the early morning hours of Sunday
 14 10-28-2018, where Sergeant Harvey was supervising them. _____ advised the laundry area flooded, and she was brought in to assist with the
 15 cleanup. _____ stated she never worked that detail before, but advised she was acquaintances with Kayce outside of that work detail. _____ said

| | | | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------|--|-------------------------|--|
| NOTICE TO APPEAR | | MANDATORY APPEARANCE <input type="checkbox"/> | | YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/> | | FINE, AND COSTS AMOUNT: | |
| I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED, I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED. | | | | | | | |

| | | | | | | | |
|------------------------|--|-------|--|--------------------------|--|--------------|--|
| SIGNATURE OF DEFENDANT | | Date | | RELATIONSHIP TO JUVENILE | | JUVE DISP. | |
| _____ | | _____ | | _____ | | CITATION No. | |
| _____ | | _____ | | _____ | | _____ | |

| | | | | | |
|-------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------|--|--------------------------|--|
| Sworn to and subscribed before me, the undersigned this <u>11</u> day of <u>December</u> , <u>2018</u> , Name: _____ | | I swear/affirm the above statements are correct and true | | Rt Thumb | |
| Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> | | OFFICER'S/COMPLAINANT'S SIGNATURE | | | |
| Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> | | <u>WEAVER, CHAD</u> NAME (PRINTED) | | <u>8185</u> ID NUMBER | |
| Type of Identification: <u>DETECTIVE CALKINS</u> | | Inmate Number & Facility: | | | |

OFFICIAL USE ONLY

Narrative Supplement 707-B

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

| | | | |
|--------------------------------------|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| Defendant (Last) Name: HARVEY | (First) CHRISTOPHER | (Middle) L | Agency Case Number: 180025405 |
| CHARGES | | DOMESTIC VIOLENCE? Yes <input type="checkbox"/> Attachments: Affidavit(s)? <input checked="" type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> Total Charges: 1 | |
| # | Charge: | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> | FS/ORD: Citation No.: Bond: |
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16 she did not have any type of relationship with Sergeant Harvey, and that night was the first time she had any interaction with him.

17 [REDACTED] advised she knew of Sergeant Harvey from a female friend of hers named Charlotte (Johnson), who told her she had flirted and made sexual

18 comments with him in the past. [REDACTED] stated during the evening, she made several comments about and to Sergeant Harvey that were flirtatious

19 and sexual in nature, to include wanting to touch his buttocks. After the back and forth banter, [REDACTED] stated Sergeant Harvey asked her if she

20 wanted anything, and offered to bring in "stuff" for her. [REDACTED] stated she was a drug addict, and advised she would "suck his dick and fuck him" for

21 him to bring in drugs or whatever else she could get. [REDACTED] said she would be in custody at the facility for an extended period of time, and that fact

22 further exacerbated her wanting for outside contraband. [REDACTED] advised they, she and Sergeant Harvey, planned on having sexual intercourse the

23 following night, and further added that Sergeant Harvey was planning on "pulling her" (summoning her from her cell) to facilitate the sexual

24 encounter.

25

26 [REDACTED] stated Sergeant Harvey called her "Precious" in front of Kayce, and stated he brought them both coffee and snacks. [REDACTED] stated Sergeant

27 Harvey wanted both her and Kayce in a sexual manner, but Kayce was not interested and did not engage with him. [REDACTED] advised at some point in

28 the night, she and Sergeant Harvey went to the West Wing to gather laundry carts, and he groped her buttocks. [REDACTED] advised towards the end of

29 the shift, Sergeant Harvey motioned for her to come with him to an area not in view of the cameras (outside of the doorway to the laundry room in the

30 corner of a hallway). [REDACTED] stated Sergeant Harvey unbuttoned his pants and pulled out his penis, which she described as a "short, fat, dick", and

31 she performed oral sex on him for about "(5) minutes". [REDACTED] advised Sergeant Harvey did not have a condom on, nor did he ejaculate during the

32 sexual contact.

33

34 [REDACTED] went on to say the sound of keys jingling nearby startled them and they stopped abruptly. The sound was stated to have come from another

35 Corrections Officer, but that Officer was not present to observe anything happen. [REDACTED] stated Kayce watched the whole thing occur, but did not

36 become involved. [REDACTED] stated she and Kayce collected their things and left the area.

37 Due to [REDACTED] not having prior contact with Sergeant Harvey before the incident she was shown a six person photo lineup. [REDACTED] positively

38 identified Sergeant Harvey and advised he is who she performed oral sex on. The photo lineup was presented by Volusia County Sheriff's Office

39 Detective Sgt. Pagliari.

40

41 Detective Weaver and Detective Amrhine then conducted a sworn recorded interview with Kayce Baxter. The interview was also conducted at the

42 Volusia County Sheriff's Office Operations Center. Detectives informed Kayce of the reason she was being interviewed. She stated she was aware of

43 why she was there and what it was in reference to. Kayce advised she and [REDACTED] began their laundry work detail the evening of 10/27/2018.

44 Laundry detail is an overnight duty and leads into the early morning hours of the following day. According to Kayce at approximately 0130 hours on

45 10/28/2018 the laundry room flooded. Sergeant Harvey was supervising the detail that evening. Once the laundry room flooded, Sergeant Harvey

46 came into the laundry to assist. Kayce advised Sergeant Harvey and [REDACTED] left the laundry room to take a load of clothes back. Upon returning

47 [REDACTED] informed Kayce she told Sergeant Harvey both of the girls thought he was sexy and wanted to touch his buttocks. Kayce advised a third

48 inmate; Lisa Balthazar was also present in the laundry room and witnessed a portion of the incident. Lisa was sent back to her housing area prior to

49 the actual sexual encounter between [REDACTED] and Sergeant Harvey. Just prior to ending their laundry shift, [REDACTED] and Sergeant Harvey walked over

50 to the corner of the laundry room near the control room. This location is underneath the surveillance system and out of view of the camera. Kayce

51 advised she was standing over by the dryers in the laundry room. Sergeant Harvey asked Kayce to walk over to where he and [REDACTED] were. At first

52 Kayce said no but she then walked over to where the two of them were standing. At that time [REDACTED] touched Sergeant Harvey's buttocks. Sergeant

53 Harvey then asked [REDACTED] what else she wanted to touch. According to Kayce, [REDACTED] said "I'm in here for 270 days, I'm horny and want to fuck". At

54 that point Sergeant Harvey turned around, exposed his penis, and [REDACTED] began to perform oral sex on him. Kayce stated she saw Sergeant

55 Harvey's penis when he pulled it out of his pants. Kayce estimates this went on for approximately five seconds. While [REDACTED] was performing oral sex

56 on Sergeant Harvey they heard the sound of keys jiggling which caused the two of them to stop. Volusia County Correctional Lieutenant Faircloth

57 walked into the hallway a few minutes later. Kayce stated they finished up their work and Sergeant Harvey walked them back to their housing area.

58 According to Kayce, Sergeant Harvey told them he wanted them both to come back to work laundry the following night. The next day Kayce

59 approached Corrections Officer Oliver and told her she did not want to work the laundry detail that evening.

60

61 Upon speaking with Kayce further she stated she was not offered anything by Sergeant Harvey in reference to performing any kind of sexual act on

62 him. She did advise [REDACTED] told her Sergeant Harvey was going to be her connection to the outside and she was going to try to get him to bring her

63 drugs into the jail. [REDACTED] told Kayce she did not have to do anything she did not want to do, and that she could just be the lookout. Kayce advised

64 Sergeant Harvey did not solicit her for sex, but did ask her if she wanted to "touch" anything, referring to his body. According to her at no time did she

65 ever have any physical contact with Sergeant Harvey. She also stated there were times during the evening when [REDACTED] and Sergeant Harvey were

| | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------|
| Sworn to and subscribed before me, the undersigned this <u>11</u> day of <u>December</u> , 2018 Name: | I swear/affirm the above statements are correct and true | Right Thumb |
| Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification: | OFFICER'S/COMPLAINANT'S SIGNATURE | |
| | WEAVER, CHAD NAME (PRINTED) | 8185 ID NUMBER |

Narrative Supplement 707-B

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

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66 alone. Kayce said she has worked the overnight laundry detail with Sergeant Harvey in the past and he has never been flirtatious with her before.
 67 On 10/30/2018 at approximately hours Detective Weaver and Detective Amrhine responded to the Volusia County Branch Jail located at 1330 Indian
 68 Lake Rd, Daytona Beach FL in an attempt to speak with Sergeant Harvey. Sergeant Harvey advised he did not wish to speak with detectives and
 69 wanted to seek legal representation. All questioning with Sergeant Harvey was stopped.
 70
 71 On 10/31/2018 Detective Weaver and Detective Amrhine responded to the correctional facility to again speak with [REDACTED] Detectives played the
 72 surveillance video for [REDACTED] and had her explain the interactions with Sergeant Harvey. It should be noted the surveillance video does not have
 73 audio. While watching the video [REDACTED] pointed out the incident did not take place during the time frame provided and actually occurred later on in
 74 the evening. [REDACTED] stated the incident did occur off camera, just outside of the Laundry Room in an East Wing hallway corner.
 75
 76 Detectives obtained additional video that encompassed the time in which the incident occurred. The video matched the details provided by Kayce
 77 and [REDACTED] Detective Weaver and Detective Amrhine also toured the laundry room and control room. The area described by [REDACTED] and Kayce is
 78 located directly under the surveillance cameras that capture both rooms. This location is clearly a blind spot in the camera coverage area.
 79
 80 On 10/31/2018 Detective Weaver and Detective Amrhine conducted a recorded interview with Lisa Balthazar at the correctional facility. Lisa stated
 81 the evening of 10/27/2018 she was taken out of her cell to assist clean up the laundry room after a flood occurred during the evening laundry detail.
 82 Lisa advised she has never worked the laundry detail but was asked to help due to the flood. Lisa said she did not know the two females in the
 83 laundry room ([REDACTED] and Kayce) but was able to give a description of both of them. Lisa stated Sergeant Harvey was in the laundry area while they
 84 were cleaning up. She stated both girls were flirting with Sergeant Harvey, and at one point Sergeant Harvey referred to [REDACTED] as "Precious". Lisa
 85 advised [REDACTED] and Sergeant Harvey left the laundry room together to drop off a laundry cart in another wing of the facility. Upon returning from
 86 dropping off the cart [REDACTED] stated she told Sergeant Harvey she wanted to "fuck" him, and would do it for a pack of Newport Cigarettes. Sergeant
 87 Harvey was not around when [REDACTED] told her what she said to him. Lisa said [REDACTED] didn't say this directly to her, but she overheard [REDACTED] tell this
 88 to Kayce. Lisa stated she felt very uncomfortable and believes Sergeant Harvey knew that. Sergeant Harvey then instructed Lisa to go back to her
 89 cell. Lisa thought this was odd due to their being more work to be done. Lisa did not hear Sergeant Harvey say anything inappropriate to [REDACTED] or
 90 Kayce, but did state both girls were flirting and giggling with Sergeant Harvey.
 91
 92 After speaking with all three female inmates, Detectives compared their statements with the video obtained. The time lines and events leading up to
 93 the sexual contact between Sergeant Harvey and [REDACTED] appear to be consistent.
 94
 95 On 11/06/2018 Detective Weaver and Detective Amrhine made contact with Charlotte at the Vince Carter Center (Project Warm), located in Bunnell
 96 FL. Detectives conducted a recorded interview with Charlotte. She advised she knew who Sergeant Harvey was. According to Charlotte, Sergeant
 97 Harvey used to supervise her during her work details while incarcerated at the correctional facility. Charlotte advised she was a hallway trustee, and
 98 described this duty as cleaning the hallways and different cells throughout the facility. This was a night time work detail. Charlotte advised she was
 99 never solicited for sex by Sergeant Harvey but did state he made inappropriate comments to her on multiple occasions. Charlotte stated Sergeant
 100 Harvey never offered to bring contraband into the jail for her. Charlotte was unsure if she ever told [REDACTED] about Sergeant Harvey making
 101 inappropriate comments towards her.
 102
 103 Based on the facts obtained during the investigation and the statements provided, Christopher Harvey committed sexual battery when he received
 104 oral sex from [REDACTED]. Harvey is a certified corrections officers, and was in a position of control and authority at the time of the incident.

| | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|--------------------------|
| Sworn to and subscribed before me, the undersigned this <u>11</u> day of <u>December</u> , 2018 Name: | I swear/affirm the above statements are correct and true | Right Thumb |
| Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification: | OFFICER'S/COMPLAINANT'S SIGNATURE | |
| | WEAVER, CHAD NAME (PRINTED) | 8185 ID NUMBER |