

**VOLUSIA SHERIFF'S OFFICE
INTERNAL AFFAIRS**

REPORT OF INVESTIGATION

REPORT NUMBER: IA 21-012

PERIOD COVERED: September 11, 2021

DATE REPORTED: September 11, 2021

SUBJECT(S) NAME: Deputy Kyle Cowger, #8423
Deputy Gregory Ingram, #9060
Deputy Bryan Luoma, #2513
Deputy Anthony Ray, #8769

INVESTIGATING OFFICER: Lieutenant Daniel Shivers, #6842

BASIS FOR INVESTIGATION:

On September 10, 2021, deputies responded to a 911 call of a reported carjacking of a Lyft driver. Deputies made contact with the vehicle in the vicinity of the Dupont Lakes Plaza, near a Publix Supermarket located at 2783 Elkcam Boulevard, Deltona.

The suspect, Shedrick Singleton, fled the vehicle into the wooded area near Lake Helen Osteen Road and Capri Circle, behind the Publix Supermarket. Multiple deputies responded, including K9 Deputy Andrew Davis. Upon deployment of his K9 partner "Ax," Singleton shot at and struck K9 Ax, and fled further into the wooded area. A perimeter was established by deputies and the VSO SWAT team was deployed in the area.

After approximately two (2) hours, Singleton emerged from the wooded area and fled towards the rear of the Publix Supermarket. Deputy Geoffrey "Brett" Whitson deployed his K9 partner "Endo" in an attempt to apprehend Singleton. Deputies Cowger, Ingram, and Ray, along with DeLand Police Department Detective Anthony Bota, all SWAT team members, pursued Singleton into the rear loading area of the Publix Supermarket. Deputy Luoma, who was in his vehicle, drove into the grassy area in between the Publix Supermarket and Lake Helen Osteen Road, adjacent to where Singleton was running.

As the SWAT team members approached, K9 Endo apprehended Singleton, and Singleton fired shots at K9 Endo. Deputies Cowger, Ingram, Luoma, and Ray, along with Detective Bota, all fired shots towards Singleton, striking Singleton several times.

Deputies administered first aid to Singleton until Deltona Fire Department and EVAC Ambulance personnel arrived. Singleton was transported to Central Florida Regional Medical Hospital where he was treated for life-threatening injuries. Singleton survived his injuries.

The Volusia Sheriff's Office Crime Scene Unit processed the scene, while Special Agent Chris Shephard, with the Florida Department of Law Enforcement (FDLE), conducted the criminal investigation into the use of deadly force. The completed FDLE Investigative Summary is documented under FDLE case # OR-27-0399.

Circuit Judge James Clayton issued a warrant charging Singleton with Carjacking (Firearm), and Injuring or Killing Police, Fire or SAR Dog, or Police Horse.

Due to the nature of the incident, Chief Deputy J. Gallagher initiated an internal affairs investigation

OFFENSE(S): NONE

INVESTIGATION:

On September 11, 2021, Deputies Kyle Cowger, Gregory Ingram, Bryan Luoma, and Anthony Ray were involved in an officer-involved shooting.

On the same date, Chief Deputy J. Gallagher assigned the above-described incident to the Internal Affairs Unit for investigation, and all four aforementioned deputies were placed on administrative leave with pay. Additionally, all four deputies submitted to a drug urinalysis screening immediately after the incident. The result of the drug screening was negative.

Lieutenant Shivers also notified Deputies Cowger, Ingram, Luoma, and Ray, through official correspondence, regarding the tolling of the internal investigation until the completion of FDLE's criminal investigation.

On December 24, 2021, Deputies Cowger, Luoma, and Ray were evaluated in a fitness for duty examination, conducted by Dr. Gregory Landrum, Psy. D., DABPS. Deputy Ingram was evaluated by Dr. Landrum on October 1, 2021. All four deputies were determined to be fit to return to duty without restriction.

On January 28, 2022, Lieutenant Shivers obtained the firearms qualification records for Deputies Cowger, Ingram, Luoma, and Ray through the Volusia Sheriff's Office Training Section. Lieutenant Shivers observed the following –

Deputy Cowger successfully requalified in the use of his agency issued Colt M4 rifle as per the Volusia Sheriff's Office General Orders on September 16, 2020.

Deputy Ingram successfully requalified in the use of his agency issued Colt M4 rifle as per the Volusia Sheriff's Office General Orders on April 28, 2021.

Deputy Luoma successfully requalified in the use of his agency issued Glock 34 pistol as per the Volusia Sheriff's Office General Orders on January 14, 2021.

Deputy Ray successfully requalified in the use of his agency issued Colt M4 rifle as per the Volusia Sheriff's Office General Orders on April 28, 2021.

At the completion of his investigation, Special Agent Chris Shephard delivered his completed FDLE Investigative Summary, along with a complete copy of the related police use of force case file, to the Volusia Sheriff's Office Internal Affairs Unit. This comprehensive case file (OR-27-0399) concluded, stating the following –

“The Florida Department of Law Enforcement (FDLE) has completed a comprehensive investigation in the use of force by Volusia Sheriff's Office, Deputy Kyle Cowger, Deputy Anthony Ray, Deputy Brian Luoma, Deputy Greg Ingram, and Detective Anthony Bota. This presentation of facts is based on law enforcement witnesses, civilian witnesses, and physical evidence. FDLE submits this investigative summary to the Office of the State Attorney for their review and disposition.”

On January 18, 2022, Sheriff Chitwood received a letter from State Attorney R.J. Larizza regarding the Office of the State Attorney's review of the deputies' use of force on September 11, 2021. State Attorney Larizza wrote:

“Dear Special Agent Shephard,

This letter is to advise that this office has reviewed all of the investigative reports, officer statements and witness statements provided by your office regarding the “police use of force” involving Deputy Kyle Cowger, Deputy Anthony Ray, Deputy Brian Luoma and Deputy Greg Ingram from the Volusia Sheriff's Office and Detective Anthony Bota from the DeLand Police Department that occurred on September 11, 2021.

Based on a review of the investigation and the information provided, no further action is warranted by this office.”

CONCLUSION:

On February 9, 2022, this investigation was presented to the Sheriff and his administrative staff. After review, the Sheriff determined the deputies' use of deadly force was **Justified** to defend themselves from serious bodily harm and to prevent imminent death or great bodily harm to the public. In addition, no violations of General Orders were observed.

EXHIBIT(S):

- A. Report of Investigation
- B. Official Correspondence
- C. Office of the State Attorney R.J. Larizza Clearance Letter
- D. FDLE Report OR-27-0399
- E. Digital Evidence

WITNESSES: Per FDLE

Law Enforcement Witnesses

**Florida Department of Law Enforcement – Orlando Regional Operations Center
500 West Robinson Street, Orlando, FL 32801 – (407) 245-0801**

SAC Lee Massie
RAC Jason Kriegsmann
SA Christopher Deardoff
SA Ryan Bliss

ASAC Rich Piccininni
SA Chris Shephard
SA Lisa Gundrum
SA Ted Silberstien

Volusia Sheriff's Office

123 W Indiana Ave, DeLand, Florida 32720

Deputy Kyle Cowger
Deputy Anthony Ray
Deputy Bryan Luoma
Deputy Greg Ingram
Deputy Wes Brough
Deputy Akhil Patel
Deputy Steven Eisen

Deputy August Custer
Deputy Geoffrey Whitson
Deputy Royce James
Deputy Andrew Davis
Detective Ruben Escobar
Detective Joshua Mott
Detective Justin Ferrari

DeLand Police Department

219 West Howry Avenue, DeLand, FL 32720 – (386) 626-7400

Detective Anthony Bota

Corporal Tony Tagle

Florida Highway Patrol

3775 West King Street, Cocoa, Florida 32926 – (321) 690-3900

Sergeant Raymond Steele

Trooper Zachary Steiner

Trooper Brandon Cano

Trooper Nicholas Christopher

Civilian Witnesses

Shedrick Singleton Jose Garcia Maldonado
3301 Sanford Avenue #7 4199 Looking Glass Place
Sanford, FL 32773 Sanford, FL 32771

Ty Spargur David O'Quinn
1517 Malaluka Street 140 East Roberts Street
Deltona, FL 32725 Orange City, FL 32763

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true to the best of my knowledge and belief.

AND

I, the undersigned, do hereby swear, under the penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the suspect of the investigation of any rights contained in ss. 112.532 and 112.533, Florida Statutes.

DETECTIVE: _____

DATE: _____

02/15/2022

**Lieutenant Daniel Shivers, #6842
Internal Affairs Detective**

**STATE OF FLORIDA
COUNTY OF VOLUSIA**

Sworn to (or affirmed) and subscribed before me by means of physical presence or online Notarization this 15th day of February, 2022 by Lieutenant Daniel Shivers

SIGNATURE OF NOTARY PUBLIC-STATE OF FLORIDA



PRINT, TYPE, OR STAMP COMMISSIONED NAME OF NOTARY PUBLIC

PERSONALLY KNOWN OR PRODUCED IDENTIFICATION

TYPE OF IDENTIFICATION PRODUCED

APPROVED BY: _____

DATE: 02.15.2022

**CHIEF DEPUTY JOSEPH GALLAGHER
VOLUSIA COUNTY, FLORIDA**