

**VOLUSIA SHERIFF'S OFFICE
INTERNAL AFFAIRS**

REPORT OF INVESTIGATION

REPORT NUMBER: IA 21-007

PERIOD COVERED: June 10, 2021
DATE REPORTED: June 10, 2021
SUBJECT(S) NAME: Deputy Dennis Terrero, #6851
INVESTIGATING OFFICER: Lieutenant Daniel Shivers, #6842

BASIS FOR INVESTIGATION:

On June 10, 2021, deputies responded to 120 Tanglewood Road, DeBary in reference to a report of an armed, suicidal male. The reporting person, [REDACTED] stated she and her husband, Thomas Gentry Jr., were involved in an argument, which led Thomas Gentry Jr. to make suicidal statements. Thomas Gentry Jr. armed himself with several firearms, and told [REDACTED] that he was going to “have a shootout with the cops” if she called 911. [REDACTED] left the residence, called 911 to report the incident, and subsequently contacted deputies down the road from the residence.

After speaking with [REDACTED] deputies converged on the residence in attempt to contact Thomas Gentry Jr. Upon arrival, deputies encountered Thomas Gentry Jr. in the front yard of the residence. Thomas Gentry Jr. was armed with a rifle, and pointed it at deputies. In response to the armed threat, Deputy Dennis Terrero fired multiple rounds at Thomas Gentry Jr., striking him in his right forearm and abdomen. Thomas Gentry Jr. retreated into an exterior garage, and re-emerged moments later to surrender.

Deputies administered first-aid to Thomas Gentry Jr. until Orange City Fire Department and EVAC Ambulance personnel arrived. Thomas Gentry Jr. was transported to Central Florida Regional Medical Hospital where he was treated for his non-life threatening injuries.

The Volusia Sheriff’s Office Crime Scene Unit processed the scene, while Special Agent Sean Coyle, 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-27-0396.

Circuit Judge James Clayton issued a warrant charging Thomas Gentry Jr. with Aggravated Assault on LEO with a Firearm. Upon release from the hospital, Thomas Gentry Jr. was arrested and transported to the Volusia County Branch Jail.

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

OFFENSE(S): NONE

INVESTIGATION:

On June 10, 2021, Deputy Dennis Terrero was involved in a deputy involved shooting at 120 Tanglewood Drive, DeBary.

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

Lieutenant Shivers also notified Deputy Terrero, through official correspondence, regarding the tolling of the internal investigation until the completion of FDLE's criminal investigation.

On June 18, 2021, Deputy Terrero was evaluated in a fitness for duty examination, conducted by Dr. Gregory Landrum, Psy. D., DABPS. Deputy Terrero was determined to be fit to return to duty without restriction.

On October 21, 2021, Lieutenant Shivers obtained the firearms qualification records for Deputy Terrero through the Volusia Sheriff's Office Training Section. Lieutenant Shivers observed the following –

Deputy Terrero successfully requalified in the use of his agency issued Colt rifle as per the Volusia Sheriff's Office General Orders on January 8, 2021.

At the completion of his investigation, Special Agent Sean Coyle 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-27-0396) concluded, stating the following –

“FDLE has completed a comprehensive investigation in the use of force by Deputy Terrero. This presentation of facts is based on law enforcement witnesses, civilian witnesses, forensic analysis,

and physical evidence. FDLE submits this investigative summary to the Office of the State Attorney for their review and disposition.”

On November 29, 2021, 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 June 10, 2021. State Attorney Larizza wrote:

“Dear Special Agent Coyle,

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 Dennis J. Terrero that occurred on June 10, 2021.

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

CONCLUSION:

On December 29, 2021, this investigation was presented to the Sheriff and his administrative staff. After review, the Sheriff, and his staff, determined the use of deadly force was **Justified** to prevent imminent death or great bodily harm to the deputies, and found no violations of policy.

EXHIBIT(S):

- A. Report of Investigation
- B. Official Correspondence
- C. Office of the State Attorney R.J. Larizza Clearance Letter
- D. FDLE Report OR-27-0396
- 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**

SA Sean Coyle (Case Agent)
SA Kevin McGinley
SA David Snowden

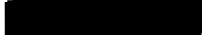
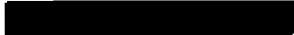
SA Gabriel White
SA Lisa Gundrum

**Volusia Sheriff's Office
123 W Indiana Ave, DeLand, Florida 32720**

Sergeant Graeme Foster
Sergeant Todd Raible
Sergeant Ryan Mills
Sergeant Miguel Roman
Detective Eugene Mefford
Deputy Martha Adamczyk
Deputy Jacob Adle
Deputy Samuel Andreessen
Deputy Andrew Bayne
Deputy Daniel Berriozabal

Deputy Brandon Bivone
Deputy Steven Eisen
Deputy Tiffany King
Deputy Lindsey Matusick
Deputy Joel Medina
Deputy William Nelson
Deputy Jason Richardson
Deputy Kletus Stubblefield
Deputy Beau Westfall

Civilian Witnesses



DeBary, FL 32713

Stephen DeFiore
120 Tanglewood Road
DeBary, FL 32713

Lieutenant Leon Avant IV
1970 Volusia Avenue
Orange City, FL 32763

EMT Nicholas Duh
1970 Volusia Avenue
Orange City, FL 32763

EMT James Smith
1970 Volusia Avenue
Orange City, FL 32763

Battalion Chief Michael Kyp
215 North Holly Avenue
Orange City, FL 32763

Lieutenant Scott DeVito
215 North Holly Avenue
Orange City, FL 32763

FFP Raymond Kalmar
215 North Holly Avenue
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: [Signature] DATE: 12/29/2021

**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 29th day of December, 2021 by Lieutenant Daniel Shivers

[Signature]

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: [Signature] DATE: 01-04-2022
**CHIEF DEPUTY JOSEPH GALLAGHER
VOLUSIA COUNTY, FLORIDA**

Sheriff

MICHAEL J. CHITWOOD

OFFICE
(386) 736-5961



VOLUSIA COUNTY SHERIFF'S OFFICE

123 WEST INDIANA AVE • P.O. BOX 569 • DELAND, FLORIDA 32721-0569
(386) 822-5074 (FAX) • WWW.VOLUSIASHERIFF.ORG

TO: Deputy Dennis Terrero, #6851

DATE: December 29, 2021

FROM: Michael J. Chitwood *MJC*
Sheriff, Volusia County

FILE: 040M0035.21

SUBJECT: Disposition of Internal Investigation

RE: IA 21-007

Based on the facts presented in this investigation, myself, along with my executive staff, have determined the Use of Deadly Force in this incident to be **Justified**.

Cc:

Internal Affairs