



VOLUSIA SHERIFF'S OFFICE

MICHAEL J. CHITWOOD, SHERIFF

Office of Chief Deputy Brian M. Henderson - Internal Affairs

REPORT OF INVESTIGATION

REPORT NUMBER: IA 23-016

PERIOD COVERED: December 20, 2023

DATE REPORTED: December 20, 2023

SUBJECT(S) NAME: Deputy Devin Deluccia, #9438
Sergeant Jimmie Stone, #7440
Lieutenant William Maxwell, #7555

INVESTIGATING OFFICER: Sergeant Thomas Hachenberger, #8186

BASIS FOR INVESTIGATION:

On December 20, 2023, Volusia Sheriff's Office deputies were dispatched to the Wawa gas station located at 3400 Howland Boulevard, Deltona, in reference to a shoplifting complaint. Once on scene, responding deputies contacted the suspect, Dempsey Hadley, who was inside his vehicle in the gas station's parking lot. Hadley fled from the deputies in his vehicle, leading them to his residence at 3230 Whitehorse Court, Deltona.

Once at his residence, Hadley parked his vehicle in the home's driveway. Deputies began ordering Hadley to exit his vehicle, which he refused. After the attempts to have Hadley exit his vehicle, Deputy Devin Deluccia, Deputy Ethan Thomas, Sergeant Jimmie Stone, and Lieutenant William Maxwell tactically approached his vehicle. Once they arrived at the vehicle, Hadley produced a firearm and fired several rounds toward deputies, striking a ballistic shield being utilized by Sergeant Stone and causing bullet fragments to strike Deputy Thomas' face. Lieutenant Maxwell, Deputy Deluccia, and Sergeant Stone returned fire as they began to retreat from the vehicle.

A standoff began as VSO deputies continued attempting to have Hadley surrender. During the standoff, Hadley gained access to his residence, where he started a fire, ultimately causing his home to become engulfed. After several hours, Hadley exited his residence, where he was taken into custody by deputies and transported by Deltona Fire Rescue to treat the injuries he sustained from the fire.

Due to the nature of the incident, Chief Deputy Brian Henderson initiated an internal affairs investigation.

OFFENSES: NONE

INVESTIGATION:

On December 20, 2023, Deputy Deluccia, Sergeant Stone, and Lieutenant Maxwell were involved in an officer-involved shooting. On the same date, Chief Deputy Brian Henderson assigned the above-described incident to the Internal Affairs Unit for investigation. Deputy Deluccia, Sergeant Stone, and Lieutenant Maxwell submitted to a drug urinalysis screening immediately after the incident. The drug screenings were negative, and Deputy Deluccia, Sergeant Stone, and Lieutenant Maxwell were placed on administrative leave with pay. Sergeant Hachenberger also notified Deputy Deluccia, Sergeant Stone, and Lieutenant Maxwell through official correspondence regarding the tolling of the internal investigation until the completion of FDLE's criminal investigation.

On January 12, 2024 Deputy Deluccia, Sergeant Stone, and Lieutenant Maxwell completed their fitness for duty examinations. They were evaluated by Dr. Gregory Landrum, Psy. D., DABPS., and cleared to return to work.

Sergeant Hachenberger obtained the firearms qualification records for Deputy Deluccia, Sergeant Stone, and Lieutenant Maxwell through the Volusia Sheriff's Office Training Section. Sergeant Hachenberger observed all three had successfully requalified using their agency-issued Glock 34 handguns per the Volusia Sheriff's Office General Orders.

- Lieutenant Maxwell successfully requalified with his issued Glock 34 bearing BRRY507 on January 4, 2023.
- Sergeant Stone successfully requalified with his issued Glock 34 bearing BRRY896 on January 9, 2023.
- Deputy Deluccia successfully requalified with his issued Glock 34 bearing BRRY648 on January 9, 2023.

At the completion of his investigation, Special Agent Scott Ratliff 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-27-0443) concluded, stating the following –

“The Florida Department of Law Enforcement (FDLE) has completed a comprehensive investigation into the use of force by the Volusia Sheriff's Office, Sergeant Jimmie Stone, Deputy Devin Deluccia, and Lieutenant William Maxwell. 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 June 11, 2024, Sheriff Chitwood received a letter from State Attorney R.J. Larizza regarding the Office of the State Attorney's review of the use of force on December 20, 2023. State Attorney Larizza wrote:

“Dear Agent Ratliff;

This letter is to advise that this office has received all of the investigative reports, officer statements and witness statements provided by your office regarding the “police use of force” involving Sergeant Jimmie Stone, Deputy Devin Deluccia, Lieutenant William Maxwell of the Volusia Sheriff's Office that occurred on December 20, 2023.

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

CONCLUSION:

On July 11, 2024, this investigation was presented to the Sheriff. After review, the Sheriff determined the use of deadly force by deputies 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-27-0443

E. Digital Evidence

WITNESSES: Per FDLE

Law Enforcement Witnesses

Florida Department of Law Enforcement – Brevard/Volusia Field Office

6769 North Wickham Road #B104, Melbourne, Florida 32940

RAC Jason Kriegsmann	SA Scott Ratliff (Case Agent)
SA Christopher Shephard	SA Christopher Deardoff
SA Lisa Gundrum	SA Ted Silberstein

Volusia Sheriff's Office

123 W Indiana Ave, DeLand, Florida 32720

Sergeant Jimmie Stone	Deputy Ethan Thomas
Deputy Devin Deluccia	Deputy Lindsey Campbell
Lieutenant William Maxwell	Deputy Stewart Girdwood
Deputy Gavin Metz	Deputy Eban Prado
Detective Daniel Galarza	Detective Shon McGuire
Manager Josh Mott	Deputy Ramon Gomez
Detective Jayson Richardson	Deputy Jonathan Freeborough
Detective Cordell Lemay	Deputy Christopher Campbell
Flight Paramedic Michael Miller	Deputy Jeffrey Werfel
Deputy Zachary Martinez	Deputy John Berard
Deputy Haley Dufour	Deputy Cody Forster

Deputy Alexis Granito
Deputy Austin Johnson
Deputy Caleb Jones
Deputy AJ Davis
Sergeant Andrew Bayne
Sergeant Jason Stickels
Sergeant Brian Walsh
Latent Print Examiner Rene Fredericks
CSI Kristin Perciavalle
CSI Cole Bitner

Deputy Jai Hunter
Deputy Raymond Kalmar
Deputy Brady Bergeron
Deputy Brett Whitson
Sergeant Benjamin Ruiz
Sergeant Michael Vanzo
Latent Print Examiner Elaine Edwards
Detective Devon Barrett
CSI Meadow Wells
Detective Justin Ferrari

Civilian Witnesses

Brandon Hadley
3230 Whitehorse Court,
Deltona, FL 32738

Tanja Brown
3225 Whitehorse Court,
Deltona, FL 32738

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

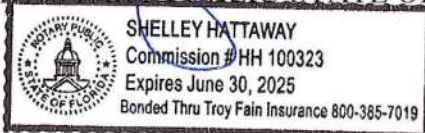
I, the undersigned, do hereby swear, under the penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the suspect of the investigation of any rights contained in ss. 112.532 and 112.533, Florida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

DETECTIVE: [Signature] DATE: 07/15/24
Sergeant Thomas Hachenberger, #8186
Internal Affairs Detective

STATE OF FLORIDA
COUNTY OF VOLUSIA

Sworn to (or affirmed) and subscribed before me by means of physical presence or online
Notarized this 15th day of July, 2024 by Sergeant Hachenberger

[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: 07/15/24
CHIEF DEPUTY BRIAN HENDERSON
VOLUSIA COUNTY, FLORIDA