

**VOLUSIA COUNTY SHERIFF'S OFFICE
INTERNAL AFFAIRS**

REPORT OF INVESTIGATION

REPORT NUMBER: IA-17-013

PERIOD COVERED: April 10, 2017
DATE REPORTED: April 10, 2017
SUBJECT(S) NAME: Deputy Andrew Jenkins #8430
INVESTIGATING OFFICER: Sergeant Thomas Tatum #2405

BASIS FOR INVESTIGATION:

On April 10, 2017, at approximately 0135 hours, the Volusia County Sheriff's Office responded to a domestic disturbance at 321 Champlain Drive in Deltona, FL. Maranda Humphreys called 911 to report her father, Randel Humphreys, and mother Amy Humphreys, were involved in a physical altercation and that Randel Humphreys had attempted to drown Amy Humphreys in the pool.

Deputy Andrew Jenkins responded to the call and arrived on scene at approximately 0140 hours. Deputy Jenkins observed Mr. Humphreys standing outside of his residence near the front door. Mr. Humphreys pointed and discharged a flare gun at Deputy Jenkins. Deputy Jenkins returned fire with his department issued Glock 35 firearm striking Mr. Humphreys multiple times. Mr. Humphreys sustained non-life threatening injuries from the gunshots, and was transported to Central Florida Regional Hospital in Sanford for treatment. The incident was captured on Deputy Jenkins Body Worn Camera (BWC). Volusia County Sheriff's Office Crime Scene detective Ruben Escobar responded to process the scene. Detective Bryan Ford completed a charging affidavit on Mr. Humphreys for the following charges: *(See Tab D for Incident report and affidavit)*

Attempted 2nd Degree Murder (No Bond)
Attempted Felony Murder (No Bond)
Aggravated Battery with weapon (No Bond)

The Florida Department of Law Enforcement responded to the scene. FDLE Assistant Special Agent in Charge Richard Piccininni, Special Agent Supervisor John Batchelor, Special Agent Keren Ortiz, Special Agent Mark Mynheir, Special Agent David Snowden, Special Agent Bradley Lewis, Special Agent Tina Marsia and Special Agent Morgan Dejong responded to the incident and assisted with

various investigative activities. Special Agent Ortiz conducted the investigation into the use of Deadly Force by Deputy Jenkins that resulted in the shooting of Randel Lee Humphreys. The completed FDLE Investigative Summary is listed under FDLE case number OR-27-0289. *(See Tab C for FDLE Report)*

OFFENSE(S): None.

INVESTIGATIVE SUMMARY:

This report details the investigation conducted by Sergeant Thomas Tatum.

On April 10, 2017, at approximately 0535 hours, Deputy Jenkins met Detective Tara Burke at the risk management office in Port Orange, FL. where he submitted to a drug and alcohol urinalysis screening. *(See Tab F for Drug Screen)*

On April 10, 2017, Chief Deputy John Creamer assigned the above described incident to the Internal Affairs Unit for investigation. Deputy Jenkins was verbally placed on administrative leave with pay.

On April 22, 2017, a Fitness for duty examination was conducted on Deputy Jenkins by Dr. Greg Landrum, Ph.D. The finding of the examination is that Deputy Jenkins was “Fit to return to duty without restriction”.

On May 16, 2017, Deputy Jenkins was served a Notification of Administrative Leave (with pay) by Lieutenant Justin Sawicki as the result of the Use of Deadly Force on April 10, 2017. *(See Tab B for Official Correspondence)*

Copies of the year 2017 annual Firearms qualifications were obtained from Volusia County Training staff, which read that Deputy Jenkins qualified with his duty firearm, Glock 35 .40 Caliber, S/N WFP122 on 01/29/2017. *(See Tab G for Firearm Qualification)*

On August 22, 2017, Internal Affairs received an e-mail from Risk Management stating the medical specimen report submitted on the day of the shooting (04/10/2017) by Deputy Jenkins was negative. *(See Tab F for Drug Screen)*

The Volusia County Sheriff’s Office received and reviewed the FDLE Investigative Summary along with a complete copy of the related police use of force case file referenced by OR-27-0289. The case file was comprehensive and the FDLE conclusion read:

“FDLE has completed a comprehensive investigation into the use of force by Deputy Jenkins. This presentation of facts is based on law enforcement witness, civilian witnesses, and physical evidence. FDLE submits this investigative summary to the Office of the State Attorney for their review and disposition.” (See Tab C – For Complete FDLE Report)

On August 28, 2017, Sheriff Michael Chitwood received a letter from State Attorney R. J. Larizza regarding the Office of the State Attorney's review of Deputy Jenkins' use of deadly force on April 10, 2017. Mr. Larizza wrote: *(See Tab B for Official Correspondence)*

"Dear Special Agent Ortiz:

This letter is to advise that this office has reviewed all of the investigative reports, officer statement and witness statements provided by your office regarding the "police use of force" involving Deputy Andrew Jenkins that occurred on April 10, 2017.

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

Should you have any questions regarding this matter, please do not hesitate to contact me. Signed by State Attorney R.J. Larizza."

CONCLUSION:

On December 20, 2017, 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** as to prevent imminent death or great bodily harm to the Deputies and found no violations of agency policy.

EXHIBIT(S):

- A) Report of Investigation
- B) Official Correspondence
- C) Copies of VCSO Incident reports, Supplements and Crime Scene Report
- D) CAD history of call # P171000141
- E) Drug Testing
- F) Volusia County Firearms Qualification log/Weapon inspection
- G) Body Worn Camera video from Deputy Jenkins

Attached to this file is the Florida Department of Law Enforcement's case file #OR-27-0289

WITNESSES: Per FDLE

Randel Humphreys
321 Champlain Dr.
Deltona, FL 32725

Amy Humphreys
321 Champlain Dr.
Deltona, FL 32725

Maranda Humphreys
321 Champlain Dr.
Deltona, FL 32725

Jeffrey Green
322 Champlain Dr.
Deltona, FL 32725

Matthew Green
322 Champlain Dr.
Deltona, FL 32725

Dana Green
322 Champlain Dr.
Deltona, FL 32725

Becky Hawkins
329 Champlain Dr.
Deltona, FL 32725


Karla Weust
Central Florida Regional Hospital
1401 W. Seminole Blvd
Sanford, FL 32771


Toby Dykes
313 Champlain Dr.
Deltona, FL 32725

Robert Boyer
244 Heronwood Dr.
Deltona, FL 32725

William Grissaffi
226 Heronwood Dr.
Deltona, FL 32725

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.

INVESTIGATOR:  DATE 12/28/17
Lieutenant Thomas Tatum
Internal Affairs Detective

APPROVED BY:  DATE: 1/2/18
Chief Deputy John Creamer
SHERIFF MICHAEL CHITWOOD
VOLUSIA COUNTY FLORIDA