

VOLUSIA COUNTY SHERIFF'S OFFICE

INTERNAL AFFAIRS

REPORT OF INVESTIGATION

REPORT NUMBER: IA-15-019

PERIOD COVERED: December 21, 2015

DATE REPORTED: December 21, 2015

SUBJECT(S) NAME: Deputy Kyle Cowger #8423

INVESTIGATING OFFICER: Lieutenant Jessica Paugh #6845

BASIS FOR INVESTIGATION:

On December 21, 2015, Deputy Kyle Cowger, responded to a call for service at 2761 Maldiv Court, Deltona, FL, which resulted in the use of deadly force. Deputy Cowger encountered a white male, identified as Robert Larry Teter, who had armed himself with a .22 caliber North American Long Rifle revolver. Deputy Kyle Cowger discharged his department issued Glock 35, .40 caliber three times, fatally striking Robert Teter.

The Florida Department of Law Enforcement, Special Agent Lisa Gundrum, conducted the investigation into the use of Deadly Force by Deputy Kyle Cowger that resulted in the shooting of Robert Teter. The completed FDLE Investigative Summary is listed under FDLE Case #OR-27-0236. *(See Tab – F FDLE Investigative Summary)*

OFFENSE(S): None.

INVESTIGATIVE SUMMARY:

On December 22, 2015, Chief Deputy Robert Jones assigned the above described incident to the Internal Affairs Unit for investigation. *(See Tab – B for Official Correspondence)*

On December 23, 2015, Deputy Kyle Cowger was served a Notification of Administrative Leave (with pay) as the result of the Use of Deadly Force on December 21, 2015. *(See Tab – B for Official Correspondence)*

On December 22, 2015, Lieutenant Paugh obtained a copy of the year 2015 annual Firearms qualifications, which read Deputy Cowger qualified with his firearm (Glock 35 – WFP216) on June 10, 2015. (See Tab- D Firearms Qualification)

On January 6, 2016, a Fitness for duty examination was conducted on Deputy Cowger by Dr. Greg Landrum, Ph.D. The finding of the examination is that the subject is “Fit to return to duty without restriction”.



On May 16, 2016, Special Agent Lisa Gundrum delivered the completed FDLE Investigative Summary along with a complete copy of the related police use of force case file referenced by #OR-27-0236.

On August 18, 2016, a letter was drafted by State Attorney R. J. Larizza regarding FDLE Case Number: OR-27-0236; Investigation of Officer Involved Shooting of Robert Larry Teter. Mr. Larizza wrote:

“this office has reviewed all of the investigative reports, witness statements and officer statements provided by the Florida Department of Law Enforcement regarding the police use of force of Deputy Kyle Cowger of the Volusia County Sheriff’s Office that occurred on Decemeber 21, 2015. Based on our review of the investigation and information provided, no further action by this office is warranted by this office.” (See Tab – B for Official Correspondence)

Conclusion:

On September 15, 2016, 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. Incident Report
- D. Firearms Qualification
- E. Drug and Alcohol Screening results
- F. FDLE Investigative Summary #OR-27-0236
- G. Use of Force Review Board Documents
- H. Miscellaneous Documents
- I. Digital Media

Attached and made part of this case file is the Florida Department of Law enforcement case file #OR-27-0236.

WITNESSES:

Deputy Kyle Cowger
Volusia County Sheriff's Office
LES/Patrol

Sergeant R.J. Rahn
Volusia County Sheriff's Office
LES/Patrol

Deputy Miguel Kent
Volusia County Sheriff's Office
LES/Patrol

Mitchell Bozarth
641 Orange Avenue
Deland, FL 32720

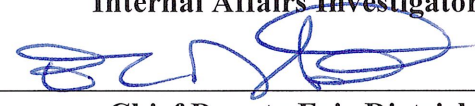
Tyler Ray Mullins
2814 Maldive Court
Deltona, FL 32738

Jesse Gilbert
2761 Maldive Court
Deltona, FL 32738

Sherrie Teter
459 Meadow Dr.
Casselberry, FL

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: 10-13-16
Lieutenant Jessica Paugh
Internal Affairs Investigator

APPROVED BY:  DATE: 10/13/16
Chief Deputy Eric Dietrich
SHERIFF BEN F. JOHNSON
Volusia County Florida