

Witness Statement

TT – Sgt. Tom Tatum      GB – Inv. Glen Bennett      SM – Sgt. Shon McGuire

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TT    The recorder is on. This will be a taped interview reference to IA-11-017. Today's date is April 23, 2012, the time is 1427 hours. The location of the interview is VCSO District Two in Deland. Presently being interviewed is Sgt. Shon McGuire. Also present is Inv. Bennett with the Volusia County Sheriff's Office Internal Affairs unit. I'm Sgt. Tatum with the Volusia County Sheriff's Office Internal Affairs unit. Sgt. McGuire, are you aware that this interview is being recorded?

SM    Yes sir.

TT    As a Florida law enforcement officer and a Notary Public of the state of Florida I am empowered to take sworn statements. At this time I would ask that you raise your right hand and please be sworn. Do you swear that the statement you're about to give is the truth, the whole truth, and nothing but the truth so help you God?

SM    Yes sir.

TT    Alright Sgt. McGuire we had a previous conversation before you went on vacation and we just need to touch base with you and get clarification on a couple of issues that we had talked about ok? So let me direct your attention to an incident report that was taken by Dep. Deane on December 14, 2011. And that report is 11-37078, lets take a look at that.

SM    You want me to go ahead and read the whole thing again or?

TT    If you need to.

SM    Ok.

TT    By all means just to refresh your memory.

SM    Alright I think I'm ready.

TT    Ok does that refresh your memory?

SM    Yes sir.

TT    Ok. So once this incident was brought to your attention and was it Dep. Deane that brought it to your attention?

47 SM Yes sir.  
48  
49 TT Ok. Where were you when Dep. Deane contacted you?  
50  
51 SM I don't know.  
52  
53 TT Were you on patrol that day?  
54  
55 SM Yeah I was working I don't know where I was though.  
56  
57 TT Did he contact you by phone?  
58  
59 SM Yes sir.  
60  
61 TT And what was the conversation that you had with him in reference to what he was  
62 calling you about?  
63  
64 SM It was about this case about a, it was a DV incident. He wanted me to, he was  
65 basically, to tell me about an incident of someone he knew as a friend from the  
66 Family Pierson Diner.  
67  
68 TT Did he elaborate as far as his friendship with this person who is identified as [REDACTED]  
69 [REDACTED]?  
70  
71 SM I had asked him a few questions you know about his relationship with her because  
72 he was calling to see you know basically about the, if there was a conflict of  
73 interest so just the questions I had asked him was you know I was trying to find  
74 out how close of a friend they were so I had asked him if he had dated her, he said  
75 no. I asked him if he had ever engaged in having sex with her before and he said  
76 no and he basically the way he described it, I don't remember exactly every word  
77 but it was just basically a casual friend through the restaurant.  
78  
79 TT Did he at any point tell you that they were friends on facebook?  
80  
81 SM No sir, I would have never even thought to ask any question like that.  
82  
83 TT So it's not information that he volunteered?  
84  
85 SM No sir.  
86  
87 TT And you didn't ask him if he was friends with her on facebook?  
88  
89 SM No sir.  
90  
91 TT Ok so did you get the feeling that there was more between the relationship of Dep.  
92 Deane and [REDACTED] then what he was saying?

93  
94 SM No not at that time.  
95  
96 TT Ok. Let me have you look at these. These are some text messages that were  
97 recovered from Dep. Deane's cell phone. Did you ever hear him refer to [REDACTED]  
98 [REDACTED] as "wifey"?  
99  
100 SM No sir.  
101  
102 TT And she refers to him as "hubby"?  
103  
104 SM No.  
105  
106 TT So you don't have any knowledge of this conversation or any kind of a  
107 relationship?  
108  
109 SM Not at all, if I knew that I would have you know asked a lot more questions you  
110 know about their relationship. I guess I'm gonna need to...  
111  
112 TT So if this was brought to your attention the "hubby" and "wifey" how they call  
113 each other these nicknames you would have acted, taken different action?  
114  
115 SM Yes sir.  
116  
117 TT You would have given different advice?  
118  
119 SM Yes sir.  
120  
121 TT What advice would you have given?  
122  
123 SM Well I would have had somebody, an independent, another deputy go up and  
124 finish you know because he had said that there was allegations of DV so I would  
125 have had somebody else or myself too you know go up there and at least try to  
126 find out what had occurred and get him off of the investigation.  
127  
128 TT So at no point did he discuss their nicknames?  
129  
130 SM No, no sir.  
131  
132 TT Alright, during this conversation did he tell you anything about the defendant  
133 Stephen Dehut?  
134  
135 SM No.  
136  
137 TT Did he tell you anything about his relationship with him, any prior problems that  
138 he's had?

139  
140 SM Not that I recall.  
141  
142 TT Ok because he, in his sworn statement he said that he notified you of the incident,  
143 told you his relationship with [REDACTED] and their friendship and he also said I  
144 told him about his you know relationship with Stephen Dehut and that they  
145 weren't the best of friends from past incidents.  
146  
147 SM I don't recall anything like that.  
148  
149 TT So you don't recall him saying anything about Stephen Dehut and his relationship  
150 with him?  
151  
152 SM I'm not saying he didn't but I don't recall anything like that. It doesn't, nothing  
153 like that rings a bell.  
154  
155 TT Do you think that would have I mean...  
156  
157 SM It would have been an alarm that went off in my head.  
158  
159 TT Yes.  
160  
161 SM Yes sir.  
162  
163 TT Alright so if he would have told you that then you would have what?  
164  
165 SM The only time I heard that there was no, that he didn't like him was when, when  
166 they made the arrest he said, somebody said I think it was Chuck Whitener said  
167 that the guy said "must've been Travis". That's the only time I remember hearing  
168 anything to this effect.  
169  
170 TT Alright and we covered that in the first interview.  
171  
172 SM Yes sir.  
173  
174 TT Alright. Alright so when Travis contacted you and you had that conversation on  
175 the phone was that after he just got done speaking with [REDACTED]...  
176  
177 SM Yeah I believe...  
178  
179 TT ...before he started writing the report?  
180  
181 SM Yeah he didn't start writing the report yet. And I would be aware because he  
182 wanted to see if there was a, you know a conflict there.  
183  
184 TT So once you deemed there was no conflict you said go ahead and take the report?

185  
186 SM Uh huh, yes sir.  
187  
188 TT So once he got the report done did he contact you again?  
189  
190 SM I don't, I don't remember if he did when he finished it or not. I know that when  
191 he had the affidavit done we, see I don't, I don't remember every detail about this.  
192 Well I know that once the affidavit was done you know I'm almost positive I  
193 went up and got it and then we just went and you know I gave it to Chuck and  
194 them and they hooked him up but I don't know for sure.  
195  
196 TT So at some point he must have called you and said hey I've got this affidavit  
197 ready and...  
198  
199 SM I would believe so.  
200  
201 TT So you went up there and met with him. Did you review the affidavit?  
202  
203 SM Yes sir.  
204  
205 TT And I've got a copy here of the original affidavit.  
206  
207 SM Ok.  
208  
209 TT And did you notarize that?  
210  
211 SM Yes sir.  
212  
213 TT Do you remember where you were when you notarized it?  
214  
215 SM I don't. Probably, I mean I'd probably be close to Pierson I would imagine.  
216  
217 TT So you would have gone up, met with him, reviewed the document and then  
218 notarized it?  
219  
220 SM Yes sir.  
221  
222 TT So you think you may have been with Dep. Deane at the time? When you  
223 notarized it?  
224  
225 SM Oh yeah I would believe so.  
226  
227 TT Alright.  
228  
229 SM I don't imagine where else I would be.  
230

231 TT After reviewing that document and the conversation with Dep. Deane did you  
232 specifically tell Dep. Deane that an arrest needs to be made?  
233  
234 SM Did I specifically say that?  
235  
236 TT Uh huh.  
237  
238 SM I don't, I don't know.  
239  
240 TT Was there a conversation that Dep. Deane should make an arrest on this?  
241  
242 SM I mean we had DV so I figured we'd make the arrest. I don't, I don't, to your  
243 question I don't know.  
244  
245 TT So you don't specifically remember telling Dep. Deane yes make an arrest or?  
246  
247 SM Once he did it and I said I'd get it to them and we'd try and make an arrest I guess  
248 so yes. I don't, I mean I guess to your question I didn't know how to answer that  
249 but I mean yeah I figured we'd try to make an arrest.  
250  
251 TT I don't want to put words in your mouth or anything Sean but you know it's kind  
252 of important that you as a sergeant give leadership to your guys and say yes you  
253 know this meets criteria of domestic violence you know we need to take a report  
254 on it. You know so.  
255  
256 SM Yeah so you know from what I'm thinking what you're getting at is yeah I said  
257 we need to arrest him. I don't know if I specifically told him in those words but  
258 yeah because it was, she still had the bruises the injuries and it was only a couple  
259 of days so yeah I mean I said we'd make an arrest.  
260  
261 TT Ok so...  
262  
263 SM But I don't remember if I specifically said you know I don't, like how you word it  
264 I don't know if I specifically said it that way or what not.  
265  
266 TT Ok but you authorized the arrest?  
267  
268 SM Yes.  
269  
270 TT Ok. Did you ask him, did you ask Dep. Deane any follow up questions as far as  
271 you know to get clarification? Since this was a several day time-lapse, it  
272 happened on the 11<sup>th</sup>, here it is the 14<sup>th</sup>, did you ask Dep. Deane any questions in  
273 regards to did she still live with him, was there any other violence in the three  
274 days since the incident, did you ask him any of those questions?  
275

276 SM I mean I probably did but I know, I remember him saying that she still lived there  
277 is what he told me that they lived together.  
278  
279 TT Did he say they lived together then or at some point they had lived together?  
280  
281 SM I'm pretty sure he told me that night that they lived together still because that's  
282 why the arrest. I mean you know she had the injuries, domestic violence and so to  
283 prevent further you know further actions.  
284  
285 TT So it was your understanding the way that he presented it to you that they were  
286 still residing together?  
287  
288 SM Yes sir.  
289  
290 TT Ok. Did you have a specific conversation about that?  
291  
292 SM I don't know, this is, I don't know. It was all, not specifically about that it's all  
293 everything was together. I met with him, he called me on the phone before hand  
294 and then when I got the affidavit. I don't, I don't remember meeting with him any  
295 other times to talk about this.  
296  
297 TT Ok. Alright so you sent Dep. Whitener down to 1878 Holly Blvd where Stephen  
298 Dehut lives?  
299  
300 SM Yes sir.  
301  
302 TT Do you remember how you contacted him? I think I may have asked you that  
303 before but.  
304  
305 SM Probably by phone. It would have been the easiest to tell him that by phone than  
306 sending a long MDC message.  
307  
308 TT Do you think you may have I-called him? Because I'll tell you we talked to  
309 Chuck and...  
310  
311 SM I really don't know.  
312  
313 TT ...he said that he recalls getting an I-call from you...  
314  
315 SM It could have been, I know it wasn't...  
316  
317 TT ...telling him about the incident and...  
318  
319 SM I know it wasn't on the MDC more than likely because that would have been a lot  
320 of stuff to type.  
321

322 TT Uh huh.  
323  
324 SM I really don't know, if I could tell you for sure I would.  
325  
326 TT And I don't know if you're going to have the answer to this but I've got a MDC  
327 message here that was sent...see here's an MDC message that was sent from Dep.  
328 Deane to Dep. Whitener asking them to make 10-25 with Stephen Dehut 10-17  
329 reference 22 on 12-11-11. "if he doesn't have a good explanation he's 10-15"  
330  
331 SM Ok.  
332  
333 TT So lets see, that was sent at 9:54 pm. Do you recall if you were with him at this  
334 time when he sent that message?  
335  
336 SM I don't.  
337  
338 TT Alright so is he sending this message on behalf of you per the conversation that  
339 you had?  
340  
341 SM I don't, I don't think so. I can send my own messages you know I don't, I  
342 wouldn't ask him to do anything like that. Wouldn't be anything I would direct  
343 him to do.  
344  
345 TT Alright so you don't recall...  
346  
347 SM No.  
348  
349 TT ...when that message was sent? Have you ever seen that message?  
350  
351 SM No, not until you just showed it to me.  
352  
353 TT Alright. Glen do you have anything?  
354  
355 GB Yeah I just want to, I just want to clean up the timeline is all I want to do here.  
356  
357 SM Ok.  
358  
359 GB You were first advised of Dep. Deane's case by phone that he called you is that  
360 correct?  
361  
362 SM I would, I think so. I don't, because I honestly don't I mean it was several months  
363 ago. I really don't know exactly how it all came about. I really wish I could give  
364 you every answer you have to you know from every question.  
365  
366 GB Ok so probably to say you weren't, face to face with him was not the first time  
367 that this was brought up?



368  
369 SM Correct.  
370  
371 GB Ok so it was either done by some other means being radio, I-call, however, ok.  
372 So you get notified, did he ask you these questions I'm sorry, he explains to you  
373 the domestic battery occurred. He explained to you that there was a time delay  
374 from the point that he was three days ago four days ago however the time was but  
375 he explained to you that there is a separation in time from when the DV occurred  
376 to at the point he's speaking to you correct?  
377  
378 SM Yes sir.  
379  
380 GB Time lapse. Did you ask him questions pertaining to living together and violence  
381 occurring again and so on and so fourth, were those questions gone over?  
382  
383 SM I don't know about the violence part again if it's happened since then or not but I  
384 know about asking about living together.  
385  
386 GB Ok and he, what did he tell you was his relationship with [REDACTED]?  
387  
388 SM Basically a casual friendship through the restaurant.  
389  
390 GB Ok. Did he say he knew Stephen at all?  
391  
392 SM I don't remember.  
393  
394 GB Now I assume he at that point continued to write his report and do his  
395 investigation. Your next contact with him was obviously face to face to get the  
396 report from him?  
397  
398 SM Yes sir I believe so.  
399  
400 GB Alright did you over hang more of the case when you were face to face with him?  
401  
402 SM I, I don't, I remember probably just reading it and if I had any questions off of  
403 that I don't, I don't know anything specifically.  
404  
405 GB But nothing, there was nothing brought up, he did not say to you that there was a  
406 romantic involvement involved?  
407  
408 SM Yes you're correct, he did not say that.  
409  
410 GB And you asked that question?  
411  
412 SM I did.  
413

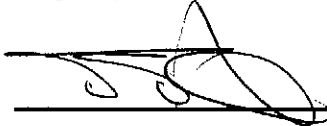
414 GB There was something else. May I see the...I apologize. I don't suppose you  
415 remember what page that was on there do you? When we looked at it in the  
416 office?  
417  
418 TT Regards to?  
419  
420 GB The questioning, what he, what Dep. Deane said this conversation consisted of  
421 with Sgt. McGuire.  
422  
423 TT You want me to find it?  
424  
425 GB I'm half way through here I think unless something looks familiar to you. Oh,  
426 alright just give me a brief second here. He didn't say to you I mean I'm sorry,  
427 did you tell or do you recall telling Travis Deane when he explained to you the  
428 relationship do you recall telling him when asked of you "what should I do?" did  
429 you reply to him "what do you mean? You know what you have to do" I assume  
430 implying make an arrest? Do you recall making that statement at all? "What do  
431 you mean, you know what you have to do" or something along that line?  
432  
433 SM I'm not sure.  
434  
435 GB Did he say that there may be a conflict of interest based on our friendship? Did  
436 he tell you that, that hey sarge there may be an issue here.  
437  
438 SM Well yeah that's what he asked me and that's when I asked him those questions  
439 and then he said you know he didn't, basically what he described to me was their  
440 friendship through the restaurant and that was it so...  
441  
442 GB Ok.  
443  
444 TT So at any, no point did he tell you she was over at his house at any point?  
445  
446 SM No.  
447  
448 TT That they were that close of friends?  
449  
450 SM No sir.  
451  
452 TT Ok.  
453  
454 GB So at this point he's, he was directed by you to make this arrest for domestic  
455 violence on Stephen Dehut? He did not, there was no, you knew the facts in your  
456 mind that this was a legitimate arrest?  
457  
458 SM Yes sir.  
459

460 GB Ok.  
461  
462 TT Sean is there anything else you want to add or delete from your statement?  
463  
464 SM No.  
465  
466 TT Ok the time is now 1448 hours. This concludes the interview with Sgt. Sean  
467 McGuire.  
468

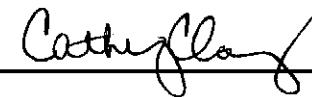


I, Sgt. Tom Tatum, swear that the forgoing is an accurate transcription of the sworn recorded statement of Sgt. Shon McGuire taken by me on April 23, 2012.

(Signed)

  
\_\_\_\_\_

Sworn to and subscribed before me this 03  
Day of May, 2012.

  
\_\_\_\_\_  
Signature of Notary Public-State of Florida



(Print, type or Stamp Commissioned Name  
of Notary Public)

My Commission Expires:

My Commission Number is:

Personally Known

Produced identification

Type of Identification Produced