

Witness Statement

1
2
3 TT – Sgt. Tom Tatum GB – Inv. Glen Bennett CW – Sgt. Chuck Whitener
4
5

6 TT The recorder is on. This will be a taped interview reference to IA-11-017.
7 Today's date is April 19, 2012 and the time is 1355 hours. The location of the
8 interview is District Four Deltona, sergeant's office. Presently being interviewed
9 is Sgt. Chuck Whitener. Also present is Inv. Glen Bennett with the Volusia
10 County Sheriff's Office Internal Affairs unit. I'm Sgt. Tatum with the Volusia
11 County Sheriff's Office Internal Affairs unit. Sgt. Whitener, are you aware that
12 this interview is being recorded?
13

14 CW Yes sir.
15

16 TT As a Florida law enforcement officer and a Notary Public of the state of Florida I
17 am empowered to take sworn statements. At this time I would ask that you raise
18 your right hand and please be sworn. Do you swear that the statement you're
19 about to give is the truth, the whole truth, and nothing but the truth so help you
20 God?
21

22 CW Yes sir.
23

24 TT Alright Sgt. Whitener. Can you tell me where you were assigned December 14,
25 2011?
26

27 CW District two, delta shift, 24 zone.
28

29 TT Ok do you recall responding to an address in Deland and arresting Stephen Dehut
30 for domestic violence?
31

32 CW Yes sir.
33

34 TT Ok here's a copy of the report just to refresh your memory on it. And that report
35 number is 11-37078. So do you recognize that, do you recall that report?
36

37 CW Yes sir, yes sir.
38

39 TT Ok. And do you recall responding to the residence?
40

41 CW Yes sir.
42

43 TT And the residence, the address is 1878 Holly Blvd in Deland.
44

45 CW Yes sir.
46

47 TT Alright do you remember who requested you to go by that residence and make
48 contact?
49
50 CW D20, Sgt. McGuire.
51
52 TT Sgt. McGuire? How did he notify you?
53
54 CW I believe it was I-call if I remember correctly. He called me on TAC, got me on I-
55 call, said this is what we've got. It was a domestic violence call we have probably
56 cause. Go try to make contact with him and if you're in contact make him 10-15
57 or under arrest.
58
59 TT Ok so Sgt. McGuire contacted you on I-call?
60
61 CW Yes sir.
62
63 TT Alright and do you know where he was when he was making that I-call?
64
65 CW As far as I know he was in Pierson.
66
67 TT And do you think he was meeting with Dep. Deane?
68
69 CW Yes sir.
70
71 TT Ok. Did you ever receive any MDC messages from Dep. Deane?
72
73 CW Not that I can remember.
74
75 TT Requesting that you go by the residence and check?
76
77 CW Not that I can remember.
78
79 TT Take a look at this. This is a print out of the MDC message that came from Dep.
80 Deane and he sent it to you and Dep. Sierstorff.
81
82 CW And he did because that's my terminal number so.
83
84 TT Ok the M340 is yours?
85
86 CW Yes sir.
87
88 TT Alright. So you got this MDC message, was that before or after you got the I-
89 call?
90
91 CW That I do not remember.
92

93 TT So you don't recall which one came first?
94
95 CW I don't remember which was first I'm sorry.
96
97 TT Ok. So there's nothing that would be in your memory about which one came
98 first?
99
100 CW No sir. I could think all day and I probably wouldn't be able to remember which
101 one was first.
102
103 TT Ok. Alright and once the request was made can you kind of tell me again what
104 you were told?
105
106 CW Basically it was a domestic violence issue between a boyfriend and a girlfriend
107 and basically we have probably cause for an arrest on him.
108
109 TT Ok. Did you have a conversation with Dep. Travis Deane about the incident? As
110 far as I know a lot of times the guys call each other and say hey I've got charges
111 on this guy can you go pick him up.
112
113 CW I don't remember anything that night.
114
115 TT Ok.
116
117 CW Except for of course the MDC message.
118
119 TT Did you ever have a conversation with him about this?
120
121 CW Yes sir. Probably three or four days prior to this he brought it to my attention
122 asking advise on what he thinks he should do. That the same boyfriend and
123 girlfriend where she brought, the girlfriend brought it to his attention that the
124 boyfriend beats her up and that she was scared of him and what he thought he
125 should do about it being that they were friends. And I advised him that if he had
126 probable cause to believe that a crime was occurring that he needed to act on it of
127 course but being that he was friends with this girl he should probably get another
128 deputy to handle it. And he said "ok" and that's the last we spoke of it.
129
130 TT Now was this in reference to the disturbance where the arrest was later made from
131 that incident or was this something that was talked about in general?
132
133 CW I don't if it was, I don't know if the probable cause that he had that night when we
134 made the arrest I don't know if it was the same incident or not. He didn't say.
135
136 TT So did he talk to you about the, about you know what his, about the call that he
137 was talking about, you know what I mean? When he brought this up in
138 conversation...

139
140 CW When he spoke, when he brought the conversation to start with he just said that
141 the girlfriend brought it to his attention that she was beat up and that he was
142 scared of her. Now whether the same incident that he was talking to me that night
143 was the same one that he had probable cause for nights later, if that's the same
144 incident I don't know.
145
146 TT Ok.
147
148 CW I don't know if maybe he beat her up in between the time that he spoke with him
149 and there was two separate incidents I don't know.
150
151 TT So you don't recall exactly how far before the arrest that conversation took place?
152 You said it was a couple days?
153
154 CW It was at least a couple days.
155
156 TT Alright because the initial disturbance that Dehut was ultimately arrested for
157 occurred several days prior which would be on the 11th.
158
159 CW Then it was probably the same incident.
160
161 TT But he didn't go into any details with you about exactly what took place?
162
163 CW Not that I can remember. Just that he beat her up.
164
165 TT Ok.
166
167 GB And just to make sure that the conversation you had with him, this was not the
168 day that the arrest was made?
169
170 CW No.
171
172 GB Ok.
173
174 CW Before the fact. It was, I don't know it could have been a couple days to a week I
175 don't remember how many days but I know for a fact it was prior to the night we
176 made the arrest.
177
178 TT What was his response when you told him that you know if you're friends with
179 her you should probably have somebody else take the report?
180
181 CW He just said "ok thanks for the advice, thanks for talking to me" and that was it.
182
183 TT Sgt. Whitener what do you know is his relationship with [REDACTED] ?
184

185 CW Friends as far as I know. I know that being in Pierson there's limited places to
186 eat, she works at the one restaurant that we all go to eat at all the time so I know
187 he's friends that way. I know they've texted and I know they do phone calls back
188 and fourth. If it was anything more than that I don't know about it.
189
190 TT So you're not aware of any romantic relationship that they're involved in?
191
192 CW No sir.
193
194 TT Ok. Alright, so who brought the affidavit down when you made the arrest?
195 Because I don't think Travis is going to leave Pierson to come down to Deland to
196 drop off an affidavit.
197
198 CW If I remember correctly I think once we made the arrest I did the transport because
199 of course I knew Stephen from working in Pierson so he kind of was comfortable
200 with me. If I remember I want to say Sgt. McGuire met me and brought it down
201 and gave it to me if I remember correctly.
202
203 TT Did Sgt. McGuire have any contact with Stephen Dehut?
204
205 CW Not to my, not that I can remember. I don't remember him ever speaking to him
206 or anything.
207
208 TT Did Stephen Dehut make any kind of statement as to what took place that night?
209
210 CW Well we, we knocked on the door he woke up of course he was sleeping. We
211 went in, as soon as we made contact we placed him in handcuffs, told him he was
212 under arrest and basically his first comments were, out his mouth were "I know
213 who's doing this, it's Travis he hates me"
214
215 TT Did he say anything in regards to the disturbance that you were there?
216
217 CW He kept saying nothing ever happened.
218
219 TT Ok so when you were in the house did you have the occasion to look around to
220 see if there's any signs of a disturbance?
221
222 CW Yeah I walked all around the house because I asked him if I could check and see
223 if anybody else was in the house. He said yes and I didn't see signs of any type of
224 disturbance. House was relatively clean actually.
225
226 TT Did you see any holes in the walls from people where they may have punched
227 holes in the wall?
228
229 CW I seen a few holes in the walls that he claimed were old.
230

231 TT Where were those located?
232
233 CW I think they were, one of them was in the bedroom where he slept. I think that's
234 the only one I can really remember is that one hole.
235
236 TT So it was just the one hole?
237
238 CW That I can remember yeah.
239
240 TT Ok. And he said that was old?
241
242 CW Uh huh.
243
244 TT Alright so he basically didn't give you any kind of a statement...
245
246 CW No sir.
247
248 TT ...as to what took place? Alright did you write a supplement report?
249
250 CW I don't remember. I'd have to look it up and see if I did.
251
252 TT I don't see one on file so.
253
254 CW Then if it's not filed I didn't write it.
255
256 TT Ok. So you did the transport?
257
258 CW Yes.
259
260 TT And you said you kind of know Stephen Dehut a little bit. Did he say anything
261 while you were transporting him?
262
263 CW Only about him and [REDACTED] how that, he's claiming he didn't touch her and she lies
264 all the time and that he was going to move to Georgia because if she's gonna do
265 him like that he's leaving. But he just talked about her he never, he didn't really
266 talk about Travis or anybody else.
267
268 TT Ok, alright. Did he, other than saying "I know who did this, it's Travis he hates
269 me" is there anything else that he said like he shouldn't have been arrested or
270 anything along those lines?
271
272 CW He probably said he shouldn't be going to jail because he didn't do anything. He
273 kept saying that over and over again.
274
275 TT Ok. Alright and what was Dep. Sierstorpf's role in this?
276

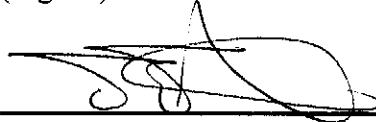
277 CW He was with me when we effected the arrest.
278
279 TT Ok.
280
281 CW And that was it.
282
283 TT Alright, Glen do you have anything?
284
285 GB Yeah, sarge I just want to go back and clear up, try to clear up some dates of the
286 incident and when you had talked to Dep. Deane about possibly or his friend
287 being battered, making the arrest, you know what I'm talking about right?
288
289 CW Yes sir.
290
291 GB Alright, the incident that he was arrested for, Stephen Dehut, occurred on Sunday
292 the 11th. Wednesday is when you made the arrest of Stephen Dehut. Do you
293 recall if I showed you the report if you looked at it if in fact you spoke to Dep.
294 Deane about this incident and then the arrest was made, and we're not talking
295 about a different incident? I want to clear up the conversation time and...
296
297 CW Ok. That's not, like I, I don't know if it was the same incident or not. I do know
298 for a fact that when he spoke with me I know we had a, I want to say it might
299 have been the day the evening of the incident because I know for a fact we were
300 off and then when we came back because we were off a couple days in between.
301 So it may have been, it could have been Friday, Saturday or Sunday that weekend.
302
303 GB So that Sunday may have been your last shift on.
304
305 CW Right.
306
307 GB You had off Monday Tuesday...
308
309 CW Uh huh.
310
311 GB ...reported back Wednesday.
312
313 CW So I don't remember what day, it could have been Friday, Saturday or Sunday I
314 don't remember. It may have been before the incident it may have been the
315 evening of the incident I just don't remember.
316
317 GB Ok that's all I have.
318
319 TT Is there anything else you can think of?
320
321 CW Well there, nothing, I mean I don't know if it's relevant but it's something I want
322 to say on behalf of you know us being deputies is I saw [REDACTED] and Steve a couple

323 days after this in Daytona at the mall being lovey dovey and I at the time forgot
324 that he told me he was moving to Georgia because of her. So I said "oh are you
325 still moving to Georgia?" and he said "no, she told me that she wasn't the one that
326 turned me in or talked to anybody so I'm staying now" which tells me she bold
327 face lied to him so what else is she lying about. I just want to add that.
328
329 TT She told Stephen that she's not the one that reported it?
330
331 CW She told Stephen that she didn't report anybody and that it was somebody else.
332 She didn't say nothing, she didn't call us or anything and didn't talk to anybody is
333 what she told him and so he said he wasn't moving to Georgia now because they
334 talked and she told him it wasn't her so he's not leaving.
335
336 GB Now your conversation with Dep. Deane reference to you warning him of the
337 possible conflict of interest because of the relationship friendly or whatever, do
338 you remember anymore anything that was said in relation to that? I mean who is
339 she, what is she? I mean did he tell you that it was in fact [REDACTED], this is the
340 girl or did he say hypothetically?
341
342 CW Yes I knew it was [REDACTED], he told me it was [REDACTED].
343
344 GB Ok.
345
346 CW But he really didn't say much more than that because I know her as well as he
347 does so he really didn't have to go into too much detail and I know Stephen as
348 well as he did so detail into that really didn't come out once he said it was [REDACTED] I
349 knew exactly all the parties involved.
350
351 GB Do you happen to recall if that conversation was taken, took place at the end of
352 the shift, night time?
353
354 CW I want to say it was at the district. And normally, so I want to say probably right
355 in the middle of the night because Travis working in Pierson usually didn't come
356 to the district till the end of the shift and that's where he spoke with me at was
357 behind district two so I want to say it was closer to the end of his shift. Probably
358 2 in the morning, 1:30, 2 in the morning.
359
360 TT Do you by chance remember if he was like just coming back to the district from
361 making an arrest when he stopped by the district...
362
363 CW That I don't know.
364
365 TT ...and had that conversation.
366
367 CW That I have no idea. I just like I said I just know normally he's not at the district
368 till towards the end of the shift.

369
370 GB Do you recall if he drove a 10-15 out to the branch jail that evening?
371
372 CW I do not remember.
373
374 GB No? He never called you and said hey I may need you to do me a favor and go by
375 this house at all that evening?
376
377 CW Not that I can remember.
378
379 TT Did he, did Travis ever make any statements that he was out to get Travis or I'm
380 sorry Stephen?
381
382 CW He never came out and said it. Not to me. But once again all the deputies that
383 worked up there at the time we know how Stephen was. We knew his attitude
384 we've seen his attitude.
385
386 TT What do you mean by his attitude?
387
388 CW He's rude sometimes. He disrespects her sometimes, right there in the restaurant
389 in front of everybody and he's came in and done it as she's sitting there taking
390 orders from people he'll walk in and put his arms around her and cover her eyes
391 while she's sitting there taking orders and working. You know and I've seen him
392 holler at her you know make fun of her just basically be disrespectful and this is
393 right in the middle of the restaurant.
394
395 TT Ok. Anything else you'd like to add or delete from your statement?
396
397 CW No sir.
398
399 TT Alright Sgt. Whitener I appreciate you taking the time to talk to us. This will
400 conclude the interview. The time is now 1411
401

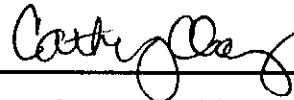
I, Sgt. Tom Tatum, swear that the forgoing is an accurate transcription of the sworn recorded statement of Sgt. Chuck Whitener taken by me on April 19, 2012.

(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