

Sheriff



**Ben F. Johnson**

VOLUSIA COUNTY SHERIFF'S OFFICE

123 W. Indiana Avenue

P.O. Box 569

DeLand, FL 32721-0569

June 22, 2012

Deputy Travis Deane ID # 7551  
Volusia County Sheriff's Office  
Law Enforcement Services/ District II

TD  
6/22/12

**Termination**

**Deputy Travis Deane,**

Volusia County Sheriff's Office Directive 26.2.34 requires that all "Employees shall adhere to all official Directives and/or orders, and shall faithfully execute all the duties and responsibilities of their assigned position." As a result of your actions documented in Internal Investigation #IA-11-017, I have determined that you violated the following Volusia County Sheriff's Office Standards Directives and Volusia County Merit Rules:

**26.2.129 Misdemeanor Injurious to the Department** - Department personnel shall adhere to all federal, state and local laws and shall not commit any act or crime defined as a misdemeanor, first or second degree, whether chargeable or not, which brings discredit upon the Department or otherwise impairs the operation and efficiency of the Sheriff's Office and/or which is likely to impair the ability of personnel concerned to perform assigned duties. *(Violation subject to dismissal.)*

**26.2.145 Texting/ Use of Data Devices While Driving** - While driving a VCSO vehicle (rental, lease, owned), employees are prohibited from texting or typing into the cell phone, Blackberry, MDC, PDA or any other data device. Because of the inherent dangers associated with such behavior, employees found to violate this rule shall be subject to disciplinary action up to and including dismissal. *(New 11/09)*

**26.2.34 Failure to Follow Directive or Order** - Employees shall adhere to all official Directives and/or orders, and shall faithfully execute all the duties and responsibilities of their assigned position. *(Violation subject up to a 5 day suspension.)*

**Volusia County Merit System Rule Sec. 86-453(3).** Willful misuse, misappropriation, negligence or destruction of county property or conversion of county property to personal use or gain. *This violation may be sufficient grounds for disciplinary action ranging from oral reprimand to dismissal, depending on the seriousness of the offense and other circumstances related to the situation.*

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**Volusia County Merit System Rule Sec. 86-453 (13).** Any conduct, on or off duty, that reflects unfavorably on the County as an employer. *This violation may be sufficient grounds for disciplinary action ranging from oral reprimand to dismissal, depending on the seriousness of the offense and other circumstances related to the situation.*

**To wit:**

In December 2011, the Internal Affairs Unit received information and photographs from an anonymous source which resulted in the initiation of an internal investigation into your conduct. The investigation has established the following.

On November 5, 2011, you hosted a party at your residence in Deltona, FL where alcoholic beverages were served. You sent an invitation via Facebook announcing that you would "have yuengling and strongbow on tap" as well as Jello shots and advised that you had "plenty of space to crash in case you over do it." You sent this invitation to [REDACTED] a waitress you know from working in Pierson, who you knew was under the legal drinking age. A search of your Driver and Vehicle Information Database (DAVID) history revealed that you had run [REDACTED] name in DAVID on August 20, 2011 when you were in service with no reason to search [REDACTED] by her name. Based on this and other evidence, you knew or should have known that [REDACTED] was 18 years of age.

[REDACTED] attended your party where a photograph was taken of her in your living room, holding a plastic cup, with another female, [REDACTED], who was 17 years of age. This photograph was posted on Facebook. During a sworn interview with investigators, [REDACTED] stated that the plastic cup contained an alcoholic beverage that you personally poured her from a keg of beer in your garage, asking her "how do you like it?" and telling her that she didn't have to drink it if she didn't like it. She also stated that she had two Jello shots which contained alcohol while in your kitchen where you were standing. During the interview, [REDACTED] also stated that you gave the ok when someone asked you if they could play beer pong on your patrol car and that you were aware this was taking place. Witnesses also stated that a photograph was taken of your marked Volusia County Sheriff's Office patrol car with many plastic cups gathered on the hood for a game of beer pong. Although this photograph did not appear on Facebook, there were references to this activity posted.

In a sworn interview, [REDACTED] stated that she saw you pour beer from the taps into a cup and hand it to [REDACTED] to try. She stated that [REDACTED] then handed the cup to her to try as well. Another friend of [REDACTED] and [REDACTED], Wade Hunter, who was 21 years of age, also tasted the beer from the same cup at that time. After sipping the beer, the cup was handed back to you by [REDACTED]. Both [REDACTED] and [REDACTED] also stated that you had Jello shots in the kitchen refrigerator and that both had one or two while in the kitchen where you were standing. [REDACTED] stated that the shot tasted strong with alcohol so she did not finish it. Wade Hunter confirmed that [REDACTED] and [REDACTED] both tried beer at your house that night but could not swear to seeing [REDACTED] do a Jello shot.

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A State Attorney criminal investigation into the allegation that you served alcohol to persons under 21 years of age resulted in your being charged with two misdemeanors, having an open house party and serving alcohol to person(s) under 21 years of age. On June 7, 2012, Judge Peter Marshall found you guilty of hosting an open house party, a misdemeanor of the second degree.

Pursuant to the internal affairs investigation, you were interviewed by Sergeant Tatum and Lieutenant Eagan of the Internal Affairs Unit on March 12, 2012. During your sworn statement, you admitted that you had run [REDACTED] name in DAVID at some point and said that you often research people you are going to personally associate with in NCIC/FCIC and DAVID to ensure they do not have a criminal history or warrant. This is a clear violation of the Volusia County Sheriff's Office written agreement with the State of Florida regarding the acceptable uses of the DAVID program as well as a violation of Merit Rule Sec. 86-453(3). This behavior is unacceptable.

Deputy Deane, there is no dispute that you knew [REDACTED] age at the time you invited her to a party at your home and served both her and another underage girl alcohol. When asked if you served alcohol to [REDACTED] and [REDACTED], your answers were evasive and lacking in forthrightness. You responded "I don't remember having done so, no." When asked if you didn't recall, you responded "I don't recall having done that. Again, it doesn't preclude the possibility that it may have I just don't recall that."

Although you denied any direct knowledge of people playing beer pong on your patrol car, witnesses have stated that you gave permission for the game to be played on your marked unit and that you were in close proximity while it was being played. Your sworn statement when asked about your knowledge that beer pong was being played on your patrol car or whether you played it yourself lacks credibility and makes no sense. You stated that you didn't believe you were present, that you didn't remember or recall being asked for permission to use the patrol car for beer pong. When asked if you played beer pong on your patrol car, you said "I don't believe so," "I would venture to say absolutely not," and "I cannot think of an instance where I would do something like that in any way shape or form past, present or future" and "I'd be willing to stake anything I have to say that I did not play beer pong on my car." In addition, you admitted having a conversation with another deputy when you were subsequently sent the photograph of your patrol car by [REDACTED] and stating that there were no property numbers visible on the car to link it to you if she decided to do something with the photograph. This deputy reported that you were upset when you received the photo and concerned about what Ms. [REDACTED] intended to do with it.

You were sent the photograph of your patrol car by [REDACTED] after you arrested her boyfriend for a charge of domestic violence – a charge which may have been legally defensible but which was professionally questionable. On December 14, 2011, you initiated the arrest of Stephen Dehut for Domestic Battery against [REDACTED]. Although there may have been probable cause for the charge, the fact that the incident had occurred

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three days prior, involved a person with whom you had a friendship, the parties were not living together and there was no ongoing concern for violence, an affidavit should have been filed with the State Attorney's Office instead of a physical arrest being made. Although you advised your direct supervisor that you were initiating the charge, you failed to tell him the totality of the relationship you had with [REDACTED], including that she had attended a party at your residence and that you called each other "Hubby and Wifey" when texting. During your sworn interview, you admitted that you violated policy with regard to domestic violence arrests in that you failed to document that [REDACTED] refused to write a statement. You also admitted that you failed to document the lack of a statement given by Stephen Dehut. When interviewed, [REDACTED] stated that she felt you were trying to find a reason to arrest her boyfriend and that you had blown things out of proportion in the arrest report you had completed. [REDACTED] stated that she believed that you wanted to become closer friends with her and said she told you repeatedly while you were questioning her on December 14 about the events of December 11 that she did not get hit by Dehut. [REDACTED] felt that you were trying to find a reason to arrest her boyfriend and that you texted her after having Mr. Dehut arrested and said "I just put your boyfriend in jail."

Deputy Deane, during this investigation, you voluntarily provided investigators with text messages sent between you and [REDACTED] on December 11, 2011 in an effort to exonerate yourself from the claims of [REDACTED] and Stephen Dehut that your arrest of him was without probable cause. Although [REDACTED] did make the statement in the text messages that "he hit me," thereby providing probable cause for you to have submitted an arrest affidavit to the state attorney's office, it also raised questions as to your judgment. The texts also established you were texting while driving your department vehicle and transporting a prisoner on an unrelated incident. On May 18, 2012 you provided a second sworn statement and admitted to driving your issued patrol vehicle while texting with a prisoner in your car. A review of AVL records further established that you were driving in excess of 70 miles per hour with the prisoner in your car while texting with [REDACTED]. This is a particularly egregious violation of directive 26.2.145 Texting/Use of Data Device while Driving (VCSO vehicle.)

Deputy Deane, as a Law Enforcement Officer you are held to a high standard. Your actions as described above demonstrate extremely poor judgment, lack of moral character, and have brought discredit to yourself and the Volusia County Sheriff's Office. These actions by you will not be tolerated.

**You have previously been the subject of the following disciplinary action:**

05/04/09	26.2.96	Careless Handling of Equipment and Vehicles	Sustained
01/17/12	26.2.134	Knowledge of Policy and Procedure	Sustained

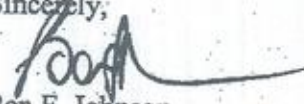
You were served an "Intent to Terminate" notice in reference to your employment on June 14, 2012. This notice detailed the reasons why this action was being taken. In the notice, you were provided an opportunity to appear and refute the decision in your case.

You appeared on Friday June 22, 2012 and had the opportunity to offer any mitigating circumstances that should be considered prior to the final discipline. After earnest consideration; my decision to terminate you remains unchanged. Effective upon receipt of this letter, you are hereby terminated from the Volusia County Sheriff's Office.

Pursuant to the Volusia County Merit System Rules, Section 86-455, the Volusia County Legal Department and Personnel Director have reviewed and concur with this intended action.


If you wish to appeal my decision in this matter, you may do so by filing a written request through the County Personnel Director within ten (10) days of receipt of this notification.

Sincerely,

  
Ben F. Johnson  
Sheriff

BFJ/tt  
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cc: County Personnel  
County Legal  
Internal Affairs

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This letter read and received by:  
Deputy Travis Deane # 7551  
Date: 06/22/12  
Time: 1625