

WITNESS STATEMENT

TT – Sgt. Tom Tatum EE – Lt. Erik Eagan TD – Dep. Travis Deane
JV – Dep. Josh Vedder (Teamsters Rep) BW – Bob Walker (Teamsters Rep)

- TT The recorder is on. Today's date is March 12th, 2012, the time is 1542. We have Dep. Travis Deane in the office, and I'll just read you this Travis. This is the lead in, it's the administration of oath and perjury warning.
- TD Uh huh.
- TT Ok, it's reference to IA-11-017. The witnesses name is Dep. Travis Deane. I'm Sgt. Tom Tatum with the Volusia County Sheriff's Office Internal Affairs Unit. Today's date is March 12th, 2012 and the current time like I said is...
- JV 3:42.
- TT Yeah, 1542. The location of this interview is the Volusia County Sheriff's Office 4th floor admin office in Deland. Also present during the interview is Lt. Erik Eagan, Josh Vedder and Bob Walker. Dep. Deane are you aware that this interview is being recorded?
- TD Yes sir.
- TT Ok, I am conducting an official administrative investigation concerning directives 26.2.34 which is Failure to Follow Directive or Order, 26.2.129 Misdemeanor Injurious to the Department, 26.2.109 Falsification of Official Documents, 2.05 Conduct of Employees Code of Conduct and Volusia County Merit System Rules and Regulations 86-453 subsection 13. As a Florida law enforcement officer and 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 be sworn. Do you solemnly swear or affirm that the statement you're about to give is the truth, the whole truth, and nothing but the truth?
- TD Yes sir.
- TT Any false statements about material matters given by a witness under oath will constitute perjury which is a third degree felony according to section 837.02 Florida Statute. Do you understand that if you knowingly make material misstatements of facts to me during this investigation you will have committed the crime of perjury?
- TD Yes sir.

TT Alright Dep. Deane what I'm going to read you now is the advisement of rights for disciplinary interview ok?

TD Ok.

TT I wish to advise you that you are being questioned as part of an official investigation of the Volusia County Sheriff's Office. You will be asked questions specifically directed and narrowly related to the performance of your official duties or fitness for office. You are entitled to all rights and privileges guaranteed by laws and the constitution of this state and the constitution of the United States, including the right not to be compelled to incriminate yourself. I further wish to advise you that if you refuse to testify or to answer questions relating to the performance of your official duties or fitness for duty it will be considered an act of insubordination and a violation of a direct order by a superior or competent authority. If you do answer neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in any subsequent criminal proceeding except for perjury or obstruction of justice charges. However these statements may be used against you in relation to subsequent department charges. The aforementioned advisement of rights is not the warning in criminal cases under the Miranda decision as mentioned Miranda has no application in a disciplinary interview.

TD Ok.

TT Ok? Sign right there. Ok I'm going to put the date on here for you since you didn't put it on alright?

TD Alright.

TT Ok. Alright Josh we had talked and you said that you know he's not waiving his Miranda rights.

JV Correct.

TT Correct? However he is being compelled to give a statement in the internal administrative investigation. Did you have a chance to review all the documents provided to you in this investigation?

TD Yes sir.

TT Alright were you provided with a copy of the law enforcement officer bill of rights?

TD Yes sir.

TT Alright. Are you aware that the criminal investigation conducted by the state attorney's office is complete? As far as their active investigation, its pending trial...

TD Yes.

TT ...prosecution.

TD Yes sir.

TT But as far as their criminal investigation the active investigation is completed. That's why we're launching the administrative investigation once again.

TD Ok.

TT Ok? And you were served notice with that also.

TD I was advised via the telephone I'd be receiving notice in the mail I guess.

TT Oh ok that's for the criminal.

TD For the criminal and I was also advised by you over the phone that the IA was being reactivated.

TT Yes and I served you with the notice also.

TD Yes sir.

TT Ok, alright. Alright Dep. Deane you're here today because we received information that you hosted a party at your house in November and alcohol was possibly served to people under the age of 21. There is also an allegation that you included information that was not true in a report for a domestic violence incident that occurred on December 14th, 2011, ok? So we're just here to address those issues and so basically I'm just going to ask you a couple questions about these alright?

TD Yes sir.

TT How long have you been employed with the Volusia County Sheriff's Office?

TD Since July of 2008.

TT Ok and what assignments have you held?

TD After graduating from FTEP and FTO I've been on road patrol in district two.

TT Ok do you know a female named [REDACTED]?

TD Yes sir.

TT Alright how do you know her?

TD [REDACTED] is a waitress at the Pierson Family Restaurant and I know her from having gone there and eating when I was stationed in Pierson.

TT Ok. How long do you think you've known her?

TD Between six months and a year I would say.

TT Ok did you know her prior to that?

TD Not prior to working the zone no I don't believe so.

TT Ok. Do you know Stephen Dehut?

TD I do know Stephen Dehut?

TT Ok and how do you know him?

TD Stephen Dehut as last I knew was [REDACTED]' significant other.

TT Ok do you know a female named [REDACTED]?

TD I don't know her by name but after having reviewed the information provided by you gentlemen I do know who she is.

TT Ok if I show you a picture would that help? Or do you know who she is?

TD Um, if you told me this is [REDACTED] I can tell you if I've met her before, I never knew her by name until recently.

TT Ok. Do you know Wade Hunter?

TD I do know Wade.

TT How do you know Wade?

TD Wade is also a server at the Pierson Family Restaurant.

TT Ok alright, Dep. Deane did you have an after Halloween party at your house in November?

TD Yes sir.

TT 2011.

TD November 5th.

TT November 5th ok. Did you invite [REDACTED]?

TD I invited [REDACTED] and Wade.

TT Ok and how did you invite them?

TD I had told them in person at the restaurant I was having a post Halloween costume party and that they were welcome to come if they so chose.

TT Ok were they both working the same night?

TD Sometimes Wade works the morning to mid afternoon and [REDACTED] comes in afterwards and they, Wade will stay after. I can't guarantee I invited them at the same time or while they were both standing there. Wade may have been in after work to eat or something of the sorts but I had invited them both.

TT Ok. Are you friends with [REDACTED] on Facebook?

TD I was yes.

TT Ok but you're no longer friends with her anymore on Facebook right?

TD No sir.

TT Ok. Alright did you, when you were on Facebook when you guys were friends before did you click on her profile?

TD Have a viewed her profile? Yes.

TT Alright so once you viewed her profile do you remember seeing her age, date of birth, what other kind of information was on there?

TD I don't recall having seen that information on her page, I'm not saying it's not available but it wouldn't have been something I would have paid special attention to.

TT Ok but you had clicked on her profile?

TD Uh huh. I've been to her profile before.

TT Alright, did you receive an RSVP from [REDACTED]? On the Facebook?

TD I believe so, I couldn't vouch for it one way or the other without looking at it. I believe so though.

TT So the way Facebook works, if you're going to have a party you can send a mass invite out to people...

TD Uh huh you can...

TT ...and then wait for a response?

TD You can, if you're making an event you can have it open to the public or you can have it open to your friends only and you can send out invites to all your friends and they can RSVP from that point whether they are or are not or may be coming.

TT Ok do you remember getting one from [REDACTED] or Wade? An RSVP?

TD I don't recall but again that doesn't preclude the existence of it.

TT Ok. Alright when you sent that invite out...

TD Uh huh.

TT ...via Facebook did you openly advertise that there was going to be alcohol at the party?

TD I had, I believe I had listed in the description of the event that I was going to have alcohol at the party yes.

TT Ok. Let me show you this real quick here. Does that look like the email that was sent out via Facebook?

TD Yes sir that would look appropriate or consistent.

TT Ok. And you have a copy of this also in your case file.

TD Yes sir.

TT Ok and in that invite what kind of alcohol did you say you'd be serving?

TD Having read over the invite it mentions Yuengling which is a type of beer, Strongbow which is a type of cider and I believe jello shots.

TT Ok, alright did [REDACTED] attend your party?

TD Yes sir.

TT Do you remember what time she got there roughly?

TD I don't recall.

TT Ok do you know how old [REDACTED] was at the time of the party?

TD I believe [REDACTED] was 18 years old at the time of the party.

TT Alright do you remember having a conversation with her as far as you know her age prior to that or any, did it ever come up?

TD I believe I was aware of her age from having spoken with Ken Shields. He had worked the zone prior to me and had told me that she was 18 years old or what not.

TT So that's how you got your information as far as her age?

TD Her age, she may have mentioned it in conversation at some point, it wasn't a pressing concern as far as her exact numeric amount.

TT Ok, alright did you ever run a DAVID check on [REDACTED] prior to inviting her to your party?

TD I'm sure at some point.

TT Is there any official reason why? I mean any criminal investigation?

TD Probably not specifically. I know that I tend to if I'm going to associate with someone run an FCIC/NCIC check on them as well so that I don't ever get into an instance where I'm associating with someone that has a warrant or someone who has a criminal history that's available through FCIC/NCIC.

TT Ok do you remember running her name on August 20th, 2011?

TD I couldn't specify anything from August right now if you asked me to.

TT Ok I know it's kind of tough. Alright so you weren't on a call for service?

TD Not that I recall.

TT To run her name or anything like that? Ok. When you ran her name did you see how old she was?

TD I'm sure I would have at the time.

TT Ok. Alright do you remember who came with [REDACTED] to your party?

TD Wade and they brought another female who was later identified as [REDACTED]

TT Alright do you recall what they did once they got to the party?

TD I, I mean at the risk of sounding facetious I don't recall what they did. I would assume partake in the party.

TT Ok. Did [REDACTED] consume any alcohol while she was there?

TD Not that I recall but again that doesn't preclude the possibility that it may have happened.

TT Did you ever provide [REDACTED] with alcoholic beverages?

TD I don't remember having done so no.

TT You don't recall?

TD I don't recall having done that. Again, it doesn't preclude the fact that it may have I just don't recall that.

TT Ok. Alright so there wouldn't be anything that would stand out specifically in your mind about the party you know, about conversations that you had with her reference the alcohol you know because it's kind of, you know you're serving a different kind of alcohol there you know that Yuengling and Strongbow.

TD Uh huh.

TT So do you remember having a conversation with her about that?

TD I don't remember a large portion of the evening. I also partook in the alcohol. The things that stand out in my mind don't pertain to them in any way shape or form.

TT So do you think that you were intoxicated during the time of your party?

TD At some point during the course of it absolutely.

TT Ok. So when you came into contact with [REDACTED] when she got there do you feel like you were intoxicated at that point?

TD I don't even, again it's a long time ago for one and for two it's a large amount of interactions with people so it all becomes jumbled together. I couldn't tell you who left and who came and what order and who would have been there when someone else was or wasn't and I mean I can tell you different costumes and different people that were there at some point but not in order or rhyme or reason to it.

TT Right. Ok, did you ever see [REDACTED] consume any alcoholic beverages?

TD I don't recall having seen her done it. Again doesn't preclude her from having done it.

TT Ok. Since that was the first time that you had met her right? That you'd...

TD When, when they told me who she was, because I later found out who she was I remembered having seen her in passing just you know she'd come into the restaurant and grab something and leave or something of the sorts but that's the first time I interacted with her in any capacity.

TT Ok did you know her age at all?

TD No. I had specifically told Wade and [REDACTED] that I don't associate with people under the age of 18.

TT Right. Ok. So with that being said you don't associate with people under the age of 18.

TD Uh huh.

TT Did she look like she was 18 or did you even think about it?

TD I would assume that she was an adult since I had made that perfectly clear to Wade and [REDACTED] in the past and I had the understanding that they respected that opinion of mine.

TT Ok so did, so you say you had jello shots at the party?

TD Yes sir.

TT And what were, what kind of alcohol was in the jello shots?

TD Some actually had no alcohol in them, some had gin and I believe the majority of them had vodka.

TT So how did you separate those?

TD By color.

TT By color? Ok so...

TD Well they were stacked by color in the refrigerator determining which were which. I don't know.

TT So you don't recall what color was non alcoholic and...

TD No that was November I really don't remember.

TT Why did you make non alcoholic jello shots?

TD Because we had extra jello and no more alcohol so we made the rest of the jello.

TT Ok. And you don't recall what colors.

TD No there was a...

TT Which was non alcoholic, which was the gin, which was the vodka?

TD You could tell which one was gin by smell, the gin had a real distinct gin smell to them. The vodka ones and the non alcoholic ones didn't have a particular smell but I couldn't tell you which color was which.

TT Ok so at any point did you personally give [REDACTED] or [REDACTED] a jello shot?

TD I don't believe so.

TT Alright, at any point during the evening when you were having this party were there people outside in the driveway?

TD I, I believe there were people through out most of the rooms in the house. The living room, the kitchen, there were people in the garage. I'd imagine people were in the front yard or back yard if they were smoking etc.

BW Cigarettes.

TD Cigarettes, specifically cigarettes yes.

TT Right.

TD Sorry I thought that went without saying.

TT Ok, did you notice anything unusual about your patrol car sitting in the front driveway?

TD Not at the time of the party no.

TT Not at the time of the party.

TD I was later sent a picture of a patrol car and told it was mine in a compromising situation by [REDACTED] after Stephen had been arrested and she was angry with me.

TT Ok. And that was the picture that we provided to you right?

TD Yes sir.

TT And that's this one right here?

TD That looks like the same one.

TT Ok do those look like the same type of plastic cups that you had at your party?

TD Yes sir.

TT Ok. Were you present when this photograph was taken?

TD I don't believe I was. I heard about it afterwards and was not pleased.

TT And your patrol car was parked...?

TD In my driveway if you're facing the residence. It's a two car wide driveway, it would have been on the right hand side I believe.

TT Alright and kind of tell me how that was set up as far as were there people playing a game? Was it beer pong that was going on?

TD I was told afterwards that was what had transpired yes.

TT Ok did anybody ever ask you for permission to...

TD Not that I remember or recall.

TT ...play beer pong on the cars?

TD I don't think so. I haven't really pried anybody to ask questions like that because I was told not to contact potential witnesses. I don't recall ever having been asked about it. I can't imagine I would ever tell anyone it was ok but I haven't really asked anybody either.

TT And this photograph of [REDACTED] and [REDACTED], do you recognize that?

TD That's my living room.

TT Ok and you identify your living room...

TD The 55 inch television, the entertainment center it's on and the free striped couch in which I got.

TT Ok and [REDACTED]'s holding a plastic cup in the left hand.

TD Correct.

TT Does that look like the same cup that was on the patrol cars...

TD Yes sir.

TT ...that you had at your house that night?

TD Yes sir.

TT Ok. From where your car was parked do you think people driving by your residence could see the cups on your patrol car?

TD I doubt it. I didn't have any neighbors living on either side of me so they wouldn't have exited their houses to see it and the (unintelligible) number of cars parked in the yard and/or driveway obstructing the view from the road.

TT So your car wasn't in the garage it was out in the driveway correct?

TD No, correct.

TT Alright and we had information that there were two cars parked side by side and that's where this...

TD That's what I was told, there was...

TT ...beer pong game was going on?

TD I was, yes.

TT Alright.

TD My friend Louie, his vehicle was parked in the driveway next to the patrol car. I believe it was Louie's car and I was told that they had set cups on his car and cups on my car.

TT Ok. Did you play beer pong at all that night?

TD I don't believe so. I, I would venture to say absolutely not.

TT Ok. Alright what, why did you invite [REDACTED] and Wade to your party?

TD They were acquaintances and friendly, I'd considered them friends and I didn't think that they would be opposed to partaking in a costume party.

TT Ok do you know how old Wade is?

TD I was under the impression Wade was age 21 at the time.

TT Ok. He was. Are you aware that [REDACTED] was 17 at the time of the party?

TD No.

TT Ok and [REDACTED] was 18?

TD I was aware that [REDACTED] was 18.

TT Ok.

TD I assumed that [REDACTED] was over age 18. I found out approximately late January when another officer was talking to [REDACTED] outside of the school that she still attended school and was 17 years old.

TT Right, ok. And also I didn't cover this in the beginning but if at any point I have or there are any other questions Lt. Eagan may jump in and ask you some questions if that's ok with you.

TD Absolutely.

TT Ok, alright. Do you have anything on that?

EE Yeah Travis you, you mentioned that [REDACTED] and Wade and [REDACTED] partake or partook in the party. What did you mean by that?

TD That they would come in and join the fun, nothing specific just have a good time hanging out with everybody.

EE Let me ask you the question again and think before you answer it. Did you play pong, beer pong on your patrol car?

TD I would say absolutely not. I don't play beer pong for one and for two I most definitely would not be ok with having done something like that.

EE Ok. Before you said that you didn't believe you would and then you're sure that you wouldn't.

TD I'm sure I wouldn't and as with other questions my recollection of the evening is hazy but I would, I feel it's a short branch to go out on and say absolutely not.

EE What do you mean by that?

TD Meaning I can not think of an instance where I would do something like that in any way shape or form past, present or future and regardless of how hazy my memory of the evening is I'd be willing to stake anything I have to say that I did not play beer pong on my car.

TT So at any time during the evening when you were talking with [REDACTED].

TD Uh huh.

TT And I'm sure at some point you probably saw her with a red or orange cup in her hand. At any time did you say you know I don't think it's a good idea? Because there had to have been a point where you were talking with [REDACTED] and she had this drink in her hand.

TD I probably didn't say that's not a good idea at any point.

TT But you do recall her with the cup in her hand?

TD I don't recall having seen her with a cup in her hand but I'm not gonna deny that it happened either.

TT Ok so you don't recall going to the beer keg in the garage, pouring beer from two taps and then handing it to her and saying "here what do you think of this?"

TD I don't recall doing that, they both said I did that so I'm not going to say I didn't do that but I don't remember having done that.

TT Ok. Alright anything else on that? Alright the other issue that we'd like to address has to do with the arrest of Stephen Dehut.

TD Uh huh.

TT On the domestic violence incident. Let me just get the copy of the report out here so you have a reference.

TD I believe I have a copy. Do you want me to grab my copy so we both have a reference?

TT Sure.

TD I believe this is the highlighted one. Do you want me to grab the highlighted one or the plain one?

TT We'll get to that.

TD Ok.

TT Ad for the record the incident report we're referring to is VCSO agency report number 11-37078 and it's a domestic violence incident report ok?

TD Yes sir.

TT Alright now lets go back to December 11, 2011 do you recall getting a phone call from [REDACTED]?

TD Yes sir I got several texts or we exchanged several texts and then I called her actually.

TT And you were working that night correct?

TD Yes sir.

TT Alright can you tell me what the conversation was once you finally got a hold of her?

TD I'm trying to recall so that I'm not misquoted on it. The texts were in reference to an altercation that had transpired between her and her significant other Stephen. It was getting difficult to understand her texts so I had called her to inquire as to what the extent of the altercation was.

TT Do you recall what the texts had said?

TD I have them saved on my computer at home. I can print them out and provide them. It was along the lines of that they had been in a, they had both been drinking they had been in a heated verbal discussion, he'd punched holes in the wall, she was scared of him, he had hit her. When I started inquiring about him having hit her she completely avoided the subject. She had said she would probably need a ride home and asked me if I was busy to give her a ride home and I told her I was occupied with work and that if she needed a ride home I could arrange for another deputy to at least pick her up and remove her from the situation. She had said that Stephen had already departed the residence and eventually told me that she had gotten another ride home.

TT Ok so she was still at the residence when she was trying to contact you?

TD Yes, when I spoke with her on the phone initially she was still at the residence. I believe at one point later I talked to her on the phone and she was already riding home.

TT Alright and you said in the texts or the phone calls she said that he had beat her?

TD Not that he had beat her she said that she had been, that he had hit her in the face or something of the sorts and when I started trying to ask her more about it she didn't want to give me any more information, started saying "well I don't know what actually happened"

TT Ok so that was a personal phone call conversation you had, that wasn't via text? That part of it?

TD I can't guarantee it's not in the texts. Its either in the texts or in the phone call I'd have to look at it.

TT Alright so did she actually tell you that she was in fear? If you refer to your report it said "Dehut punched several holes in the wall causing [REDACTED] to be in fear"

TD She said she was scared, she didn't use the term "In fear" she said she was scared.

TT Ok. So by her saying she was scared obviously there were some things that led up to that to make you feel like she was in fear.

TD Uh huh.

TT And that's why you put that in the report right?

TD Yes sir. I had used "in fear" interchangeably with someone being scared.

TT Ok. Alright, at what point did you give [REDACTED] your personal cell phone number?

TD Quite a bit prior I believe. It was available on my Facebook so when we were Facebook friends it was available to her and hers was available to me.

TT Alright so after this phone call you were tied up, you weren't able to go and help her out or anything right?

TD Correct, I was driving to the jail.

TT Alright so with this information that she brought to your attention did you ever send anybody to her house to do a well being check or that residence?

TD When she had told me that she was already getting a ride home she was on the way home and that she was, I had ascertained that she was going to be safe and her reluctance to participate in any kind of questioning I had left the situation alone at that point.

TT Did you know what their relationship was at that point?

TD I knew that they were boyfriend and girlfriend or had been up until that point. I didn't know if they still were.

TT Alright so you knew that they had been in a relationship?

TD Correct.

TT Alright. Did you notify your sergeant when you received the phone call?

TD I did not.

TT And who was your sergeant?

TD I couldn't tell you without looking at the duty roster that day. I don't know if I was on overtime or if it was my regular shift or.

TT Ok your regular shift you're Yankee 22 right?

TD At that point in time yes on the Charlie delta rotation.

TT Who's your normal sergeant on the Charlie delta rotation?

TD Charlie would have been George Maddox, delta would have been Shon McGuire.

TT Ok. Alright, so you ran into [REDACTED] a couple days later?

TD Yes sir.

TT At the Pierson Family Restaurant?

TD Yes sir.

TT Tell me how that conversation went.

TD I had gone in to eat dinner. I asked her what had taken place the evening in question with her and Stephen and she gave me a friend level conversation and once she eluded to a crime having been committed I started questioning it more so

and upon questioning it she figured out it was no longer a friend conversation, it was a deputy conversation and got real reluctant to participate.

TT So what was it that led you to believe a criminal violation took place?

TD She explained that he had grabbed her, that he had thrown her phone and had showed me bruising. When she showed me bruising that's what really set me off to say alright well now at least there's physical evidence that something's occurred, I really need to look into it and...

TT So did she voluntarily show you the bruising?

TD She did show me the bruising voluntarily.

TT And where were the bruises located?

TD I believe it was on her hip and her arm, her forearm area?

TT Ok and did she tell you how she received those injuries?

TD Initially she showed me the bruising and I asked her if those were from Stephen as well and her response was "no?" as if to have multiple o's and a question mark at the end of the sentence. I think I even documented in my report that her inflection was that of a question.

TT Uh huh.

TD Which to me was sort of indicative that it probably was. And she eventually provided an explanation after thinking for a little bit that one was from a pole and one was from a table all in the same evening of the altercation.

TT So at any point did she tell you that Stephen Dehut had caused the injuries?

TD She didn't specifically say he had done it no.

TT Ok.

TD She did at one point pull her hair back and ask me if she had a mark on her face from where he had hit her.

TT Did you see a mark?

TD No.

TT And was that during the casual conversation or was that at the point where you...

TD That was just prior to her showing me the bruises.

TT And how did you make the transition from basically a conversation with somebody that you know to investigating a crime?

TD I started controlling the conversation and asking directed questions rather than just letting her talk to me about it.

TT Ok and that's when she told you how long they'd been together? Or did you already know?

TD I questioned her later once I determined it was going to be a criminal investigation and contacted my sergeant and what not about the incident. I started questioning her as to how long have you been together, did you reside together, if so for how long etc, etc.

TT Ok did you actually tell her that you're conducting a criminal investigation?

TD I don't believe I specifically said that.

TT Because in your report it says on page three.

TD Uh huh.

TT The third paragraph line 20. "█████ asked as to why Dep. Deane was asking so many questions about the incident to which Dep. Deane explained how he was now conducting an investigation rather than having a casual conversation?"

TD Oh.

TT So does that refresh your mind a little bit?

TD Yeah. Then I probably told her that. I mean if I wrote it I did it so.

TT Alright did she tell you during your conversation at the restaurant that she was struck?

TD I'm trying to remember.

BW She was struck or drunk?

TT Struck.

TD Struck.

BW Struck ok.

TT That she was battered.

TD She did say that she had been drinking. Yeah she said during the second time she was grasped she was struck on the left side of the face.

TT Ok so she verbally told you that, that's what you documented.

TD Yes.

TT Ok did she ever provide a written statement?

TD No she refused it.

TT Ok did you ask her to provide one?

TD I did and she said she didn't want it.

TT Ok did you tell her what was going to happen to her boyfriend now that this you know battery has come to light, to your attention?

TD I had told her if we were able to locate him that he would be going to jail for domestic violence.

TT Ok.

TD Or for battery, domestic violence.

TT Ok did you brief your sergeant on the conversation that you had with [REDACTED] at the restaurant?

TD I did actually before I, before I started writing anything I contacted Sgt. McGuire and told him about the incident and asked him what he wanted to do and he questioned me as to "what do you mean? You know what you have to do" and I told him I felt that it may be a conflict of interest due to our friendship, due to me being friends with [REDACTED] and he had made the explanation that if I don't have any romantic involvement with her physically or otherwise that it shouldn't be a conflict of interest.

TT And you specifically remember contacting Sgt. McGuire?

TD Yes.

TT And having that conversation?

TD Uh huh.

TT And that was as your were at the restaurant?

TD Yes I was outside at my patrol car and called him on my cell phone.

TT Ok.

TD I also explained to him that Stephen and I had not been the best of friends. I dealt with him once or twice before. His vehicle was running in the parking lot with the keys in the ignition, conducted a traffic stop on it, walked in, it was him walking out of the store and he walked out and he's like "what are you just pulling me over because I'm [REDACTED]'s boyfriend?" I'm like "no" he's like "oh well you just not like me?" I'm like "I'm not writing you a ticket am I?" and I had warned him multiple times about the window tint on the bottom of his windshield because it was tinted from the bottom up.

TT Uh huh.

TD And after the second time of warning him I said "you know your windows are still illegally tinted?" he goes "yeah they're gonna stay that way" told him "well if I catch you driving around with it again I've warned you twice I'm probably gonna write you a citation" so.

TT Alright. Did you ever write him a citation for any of the violations?

TD No the third time I caught him with the window tint was after I was served with IA paperwork and I didn't feel it was a good idea to do such a thing.

TT Right, ok. Alright so once you got this information that a battery took place.

TD Uh huh.

TT Did you send somebody down to make contact with Stephen Dehut?

TD When I completed my affidavit and determined his address I had requested that two south end units go and make contact with him and place him under arrest because I had an affidavit for him.

TT Ok, did anybody get a statement from him?

TD I don't think so.

TT Did he make a statement?

TD When he was placed in handcuffs this is what I was told by the deputies on scene is that he said "I know who did this, it's Travis he hates me"

TT Ok but as far as the battery or the incident that took place he didn't make any kind of comment on that?

TD I don't believe so, I wasn't present when he was arrested so.

TT Ok. So it was Whitener you said?

TD I believe it was Whitener and Sierstorpf who made the arrest but I might be mistaken about Sierstorpf. I know there were two deputies present.

TT Ok so you wrote the affidavit correct?

TD Yes.

TT And then at some point did you meet with one of the transporting units someplace to hand off the affidavit?

TD I believe and I'm not 100% certain on this, I believe I handed the affidavit off to Sgt. McGuire because, maybe I didn't, I'm trying to remember how it got down there. I don't recall how it got down there. I was gonna say I thought I gave it to Sgt. McGuire because he was up in 21 zone when we were trying to find a suspect for shooting out of an occupied vehicle at a residence but I think that was after it was already done.

TT Alright so you didn't have any direct contact with Stephen Dehut that night...

TD No.

TT ...once the paperwork was forwarded to the transporting unit?

TD Correct. Didn't talk to him on the phone, didn't interact with him in person, didn't put hands on him or anything like that.

TT Alright did you make a phone call to [REDACTED] afterwards?

TD I did inform [REDACTED] that Stephen had been arrested for the domestic violence charge and was going to jail.

TT What was her reaction to that?

TD She was not pleased.

TT Ok. Alright do you have any personal interest in making the arrest of Stephen Dehut?

TD No. Just another person to put in jail for committing a crime.

TT So it's your statement that you don't have any personal motivation in making the arrest for Stephen?

TD No, absolutely not.

TT Alright and do you have a romantic interest involving [REDACTED]?

TD No.

TT Alright lets look at that highlighted copy briefly and I think you covered most of the issues. Ok what I did, I conducted a second interview with [REDACTED]. Basically the first interview I got basic information and the second time I went through and provided her with a copy of this original incident report again which is 11-37078 and asked her to go through and highlight the things that she didn't agree with because she was saying that there were things that were listed in the report that didn't take place, weren't true, were exaggerated.

TD Uh huh.

TT So what I did was I just had her go line by line and highlight the areas which she felt didn't happen or were somewhat embellished ok? Then if you look through and you have a copy of it correct?

TD Yes sir.

TT "Causing [REDACTED] to be in fear" which is just a portion of the whole sentence which in taken out of context really you know has a different meaning. So we already covered that as far as you believe that she was in fear because she said that she was afraid basically.

TD Uh huh that she was...

TT Because they got into the dispute.

TD Yes sir.

TT Ok, then she also had "included a physical dispute as well" which is just another short section of the complete sentence. And we had to clarify what the word evasive meant for her so. The one thing that we need to try and clarify was she has "struck on the left side of the face" on line 10.

TD Yes sir.

TT It says "[REDACTED] in casual conversation advised she had been struck on the left side of the face during the altercation"

TD Uh huh.

TT She's denying that she made that statement to you ok?

TD Ok.

TT So we already talked about it a little bit when you said that you were having the conversation with her and she said that she was struck in the face and she asked if you could see bruising.

TD Uh huh.

TT So it's your statement that she actually did tell you that this took place and that's why it's documented in the report?

TD Correct.

TT Ok so there's no embellishment or any personal reason why you would have put that in there?

TD Absolutely not.

TT She also has on page three "yelling at her and shook her" which is again just part of the longer phrase and is that something that she actually told you? That he grabbed her and he was yelling at her and shook her?

TD Yes. Not, she didn't express that it was violent like a paint mixer mixes paint but grabbed her about the shoulders or the upper arm area and was yelling at her while shaking her.

TT Ok. Then she also has "took her phone" so she was saying during the interview that I did with her that she never had her phone that Stephen had the phone the whole time. So we talked a little bit more about that and basically came to the point where she thought that he handed her her phone (45:19) so she didn't know. Is this what she told you took place that night?

TD That he had thrown her phone.

TT That he had thrown her phone ok.

TD She said she was trying to call somebody and he threw her phone.

TT Alright and she also has "defensive in nature" when she's talking about the bruising on her arm.

TD Uh huh.

TT "consistent with the location of someone raising their arm to protect their face" you know I talked to her about that, she said she never told you that he had battered her and caused those injuries correct?

TD Uh huh.

TT And this was more of an opinion, as far as your professional opinion what you observed on the injuries correct?

TD Correct. There should have also been pictures attached to the report I thought.

TT Yeah.

TD Given the location and I'd have to look at the pictures to double check but given the location of the bruising I believe it was on the underside of her forearm which again to me was the defensive in nature, if you raise your arm up that's where you would get struck versus her claim of having hit it on a pole.

TT Right.

TD She would have had to have swung her arm backwards to hit the pole that way.

TT And that was her statement to you was that she had struck a pole?

TD I believe so, give me a second. "[REDACTED] stated the bruise on her arm was from walking into a pole and the bruise on her hip was from walking into a table" I think.

TT Ok. Alright Dep. Deane is there anything in that report that you documented that isn't true?

TD Absolutely not.

TT Do you have anything Lt. Eagan?

EE Travis I'm wondering here, you said that he threw her phone. Does she have any other means to call law enforcement or did you think to tell her to call 911 or?

TD When I had talked to her the events had already transpired and he had already departed the residence. You mean did I advise her from that point forward to call 911? As far as to go forward with the...

EE Well during your conversation text or verbal.

TD I, I don't believe I did but.

EE Ok. Why did he throw her phone?

TD I don't know. I would assume because he wasn't happy that she was using the phone.

EE Ok. How many domestic violence arrests do you think you have made in the last four years?

TD Rough estimate without being held to it? Probably between 50 and 100.

EE Ok.

TD Maybe more.

EE As a course of business don't we normally get a written statement from the victim?

TD If they're willing to provide one yes.

EE Ok and if they're not?

TD Notate that they wouldn't.

EE Ok did you do that?

TD It would appear that I did not document that she refused to complete one. I'm still looking it over but initial glance.

JV Is the arrest affidavit identical to the incident report?

TD I believe so.

JV Cut and paste?

EE It looks to be yes.

TD It would appear I did not document that she refused to provide a statement.

EE Ok and as a course of business in conducting your domestic violence investigation do you try to interview both parties?

TD I try to interview both parties where feasible yes.

EE Ok, either pre or post Miranda or both?

TD Yes sir.

EE Did you do that?

TD I wasn't able to speak with Stephen Dehut. I had told the units responding the conditions behind it and if he advised that he didn't have an explanation or he didn't advise that she was the primary aggressor that he was pretty much 10-15.

EE Ok I really don't understand that answer but.

TD I didn't get a chance to speak with him directly, the units that responded on scene I had told them to speak with him and unless he had some justification behind what happened or gave a story which conflicted and justified that she was the primary aggressor that absent those two conditions he was going to jail because there was probable cause for his arrest.

EE So what did the deputies that made the arrest tell you?

TD That he had, I believe it was that he had said nothing happened.

EE Did you put that in your report?

TD I did not. I wasn't the one that interacted with him.

EE Ok but you're the one conducting the investigation, you're the one documenting the incident and the arrest.

TD I did not put that in my report.

EE Ok. Now you mentioned to Sgt. Tatum that you had some text messages saved on your computer. Why wouldn't you bring those today?

TD I, it slipped my mind to bring them.

EE Ok. I mean you knew that you've got an investigation pending and these text messages could potentially help you. I would think that would be a pretty important thing to bring.

TD It was a mistake on my part I won't deny that.

EE Ok would you mind providing those to Sgt. Tatum?

TD Absolutely. I would not mind providing them what so ever, I would absolutely provide them.

EE Ok. Because Travis I want you, you know I want you to know that Sgt. Tatum and I we're here to find out what the facts are.

TD I understand.

EE I don't have any additional questions.

TT Alright. Alright Travis we're just going to conclude this last thing here. Do you feel that you violated the following directives, which is 26.2.34 Failure to Follow Directive or Order?

TD Yes sir.

TT Alright 26.2.109 Falsification of Official Documents?

TD Absolutely not.

TT 2.05 Code of Conduct?

TD Can you let me read what the code of conduct, is that the one that says anything that may reflect poorly on the agency?

TT That's the Volusia Merit Rules and Regulations, the other one has to do with using your professional you know...

TD Do you have it right there?

EE Capacity of your position.

TT Yeah capacity for personal gain.

TD I don't feel, I did not use my personal position for personal gain if that's what that one is.

TT Sorry about that I couldn't find the word.

TD It's ok.

TT 86-453 Volusia County Merit System Rules and Regulations?

TD Is that the reflects poorly on the agency?

TT Yes.

TD Yes sir.

TT And 26.2.129 Misdemeanor Injurious to the Department?

TD Given all the information that presented I would say yes.

TT Do you have anything else?

EE No sir.

TT Alright Travis that concludes the..

JV I have...

TT Oh I'm sorry, I'm sorry go ahead.

JV I have a question or two.

TT Yes.

JV When you received a phone call from her where she was looking for the ride home.

TD Uh huh.

JV What was your knowledge of her relationship. Were you taking it as it was a boyfriend girlfriend relationship or did you know that it was domestic in nature at that time?

TD It was, to the best of my knowledge it was a boyfriend girlfriend relationship at the time. I didn't realize they had lived together.

JV On the supplement reports, the arrest.

TD Uh huh.

JV You said you weren't present for the arrest.

TD Correct.

JV Is it your practice to document what other deputies do or rely on supplement reports as completed by them?

TD Typically supplemental reports.

JV And the affidavit you completed based on everything that you were given is a true and correct probable cause statement based on the investigation that was completed?

TD Yes sir.

TT Bob do you have anything?

BW Yeah, how many people were at the party that night?

TD My estimate would be a total of approximately 30.

BW Was it safe to say that your concentration was fragmented? I mean you had a lot of people here, a lot of people there so people you wouldn't be able to have exact recall on specific conversations because you had so many that night and you had been drinking?

TD Yes sir.

BW And there was someone at the party that you had an interest in and she had you occupied for a good portion of the night that's correct?

TD Yes sir. At some points in private away from the rest of the group.

BW Ok and this wasn't your typical beer smash up and keg party you had pizza and snacks and sweets and soda and...

TD Yes sir there was more than just alcohol available at the party. There was also things for consumption of all ages.

BW And Wade and [REDACTED] were people you saw every night when you were working, you went into the restaurant and they were working.

TD Uh huh yes sir.

BW You felt a friendship with them.

TD Yes sir.

TT Based on what Bob was saying, I know that you said there was a lot of people at the party like 30 people and your time was divided and there was a girl that you had personal interest in.

TD Yes sir.

TT However with [REDACTED] and Wade and [REDACTED] who you didn't really know so well, with them being at the party and not knowing anybody else, did they know anybody else at the party?

TD I don't believe so.

TT So do you think you would have given them a little bit more time to make them feel more comfortable since they were at the party?

TD Probably not. I'm relatively selfish and would have paid attention to the female I was interested in.

TT Ok so you wouldn't spend any more time with them then you would with somebody else...

TD No sir.

TT ...other than this female that you were.

TD Right and no inordinate amount of time specifically focused on them.

TT Ok.

EE Do you have any personal knowledge of anybody under the age of 21 consuming alcohol at your party?

TD I won't deny that myself included and reasonable people would assume that it could have happened at the party. I don't recall having served anybody anything but I think it was my error in judgment to not assume that if they were there that there's the possibility they would have partaken in such aspects considering it wasn't under lock or key or anything of the sorts which is why I had said yes to the Misdemeanor Injurious to the Agency part.

EE Were there other people there that were underage? And when I say underage between the age of 18 and 21?


TD No sir. Everyone else there I've been friends with for a very long period of time and they're all considerably older. I actually have a list of additional people and contact information if you guys want it.

EE Ok.

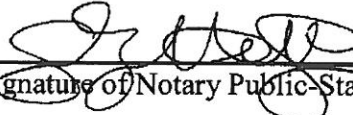
TT Ok, anything else guys? Alright the time is now 1640; this concludes the interview with Dep. Deane.

I, Sgt. Tom Tatum, swear that the forgoing is an accurate transcription of the sworn recorded statement of Deputy Travis Deane taken by me on March 12, 2012.

(Signed)



Sworn to and subscribed before me this 15
Day of MARCH, 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