



VOLUSIA SHERIFF'S OFFICE

MICHAEL J. CHITWOOD, SHERIFF

Office of Chief Deputy Brian M. Henderson - Internal Affairs

REPORT OF INVESTIGATION

REPORT NUMBER: IA 23-009

PERIOD COVERED: August 25, 2023
DATE REPORTED: August 25, 2023
SUBJECT(S) NAME: Detective William Leven, #8112
INVESTIGATING OFFICER: Sergeant Thomas Hachenberger, #8186

BASIS FOR INVESTIGATION:

On August 25, 2023, Detective William Leven, of the Volusia Sheriff's Office assisted with a traffic stop conducted by Deland Police Department officers at the intersection of South Adelle Avenue and West Euclid Avenue in Deland. The vehicle being stopped was a white Dodge Charger bearing Florida license plate DZFL32 and was suspected of being involved in an attempted homicide within DeLand.

As the traffic stop was being initiated, Detective Leven was in front of the Dodge Charger in his agency issued unmarked Toyota Rav4. Sergeants Justin Allen and Jason Floryance of the Deland Police Department then conducted the traffic stop. To prevent the Dodge Charger from fleeing, Detective Leven reversed his vehicle closer to the Charger's front bumper. Detective Leven then exited his vehicle and began approaching the Dodge Charger.

As Detective Leven continued approaching the vehicle from the front, Jayvion Barthel, who was seated in the rear seat on the passenger side of the vehicle, armed himself with a firearm. Barthel removed the firearm from his waist band and began raising it when Sergeant Allen saw it and yelled, "Gun" before discharging his firearm. Detective Leven, also discharged his agency issued firearm, a 9mm Glock 43X bearing serial number BRSL630.

Barthel was struck several times and life-saving measures were attempted; however, he was pronounced deceased at the scene.

Due to the nature of the incident, Chief Deputy Brian Henderson initiated an internal affair investigation.

OFFENSES: NONE

INVESTIGATION:

On August 25, 2023, Detective Leven was involved in an officer-involved shooting. On the same date, Chief Deputy Brian Henderson assigned the above-described incident to the Internal Affairs Unit for investigation. Detective Leven submitted to a drug urinalysis screening immediately after the incident. The result of the drug screening was negative, and Detective Leven was placed on administrative leave with pay. Sergeant Hachenberger also notified Detective Leven, through official correspondence, regarding the tolling of the internal investigation until the completion of FDLE's criminal investigation.

On September 15, 2023, Detective Leven completed his fitness for duty examination. He was evaluated by Dr. Gregory Landrum, Psy. D., DABPS., and cleared to return to work.

Sergeant Hachenberger obtained the firearms qualification records for Detective Leven through the Volusia Sheriff's Office Training Section. Sergeant Hachenberger observed the following -

Detective Leven successfully requalified in the use of his agency issued Glock 43X bearing BRSL630 as per the Volusia Sheriff's Office General Orders on January 23, 2023.

At the completion of his investigation, Special Agent Chris Shephard delivered his completed FDLE Investigative Summary, along with a complete copy of the related police use of force case file, to the Volusia Sheriff's Office Internal Affairs Unit. This comprehensive case file (OR-27-0439) concluded, stating the following –

“This comprehensive investigation into the use of force incident includes a crime scene examination, a review of statements provided by witness officers, a review of physical evidence, and FDLE's analysis of that evidence. FDLE submits this investigative summary to the office of the State Attorney for their review and disposition.”

On January 4, 2024, Sheriff Chitwood received a letter from State Attorney R.J. Larizza regarding the Office of the State Attorney's review of the use of force on August 25, 2023. State Attorney Larizza wrote:

"Dear Special Agent Shephard;

This letter is to advise that this office has reviewed all of the investigative reports, officer statements and witness statements provided by your office regarding the "police use of force" involving Sgt. Justin Allen of the DeLand Police Department and Detective William Leven of the Volusia Sheriff's Office that occurred on August 25, 2023.

Based on a review of the investigation and the information provided, no further action is warranted by this office."

CONCLUSION:

On January 5, 2024, this investigation was presented to the Sheriff and his administrative staff. After review, the Sheriff determined the deputy's use of deadly force was **Justified** to defend themselves from serious bodily harm and to prevent imminent death or great bodily harm to the public. In addition, no violations of General Orders were observed.

EXHIBIT(S):

- A. Report of Investigation
- B. Official Correspondence
- C. Office of the State Attorney R.J. Larizza Clearance Letter
- D. FDLE Report OR-27-0439
- E. Digital Evidence

WITNESSES: Per FDLE

Law Enforcement Witnesses

Florida Department of Law Enforcement – Brevard/Volusia Field Office

6769 North Wickham Road #B104, Melbourne, Florida 32940 – (321) 752-3107

SAC Lee Massie
SA Chris Shephard (Case Agent)
SA Scott Ratliff

SAS Andrew Watts
SA Lisa Gundrum

Volusia Sheriff's Office
123 W Indiana Ave, DeLand, Florida 32720

Detective William Leven
Sergeant Miguel Kent

Deputy Wesley Blum

Civilian Witnesses

Chase Knight
1555 North Silverstone Court,
Orange City, FL 32763

Dana Knight
1555 North Silverstone Court,
Orange City, FL 32763

Christopher Knecht
1440 Skyridge Drive,
Deland, FL 32720

William Egloff
125 Giel Drive,
Deland, FL 32720

Rebecca Heintzman-Bradley
2234 Springs Landing Boulevard,
Longwood, FL 32779

Jalen Klepser
1775 East Kicklighter Road
Lake Helen, FL 32744

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true to the best of my knowledge and belief.

AND

I, the undersigned, do hereby swear, under the penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the suspect of the investigation of any rights contained in ss. 112.532 and 112.533, Florida Statutes.

DETECTIVE: [Signature] DATE: 02/20/24
Sergeant Thomas Hachenberger, #8186
Internal Affairs Detective

STATE OF FLORIDA
COUNTY OF VOLUSIA

Sworn to (or affirmed) and subscribed before me by means of physical presence or online
Notarized this 20th day of February, 2024 by Sergeant Hachenberger

[Signature]

SIGNATURE OF NOTARY PUBLIC-STATE OF FLORIDA



PRINT, TYPE, OR STAMP COMMISSIONED NAME OF NOTARY PUBLIC

PERSONALLY KNOWN OR PRODUCED IDENTIFICATION

TYPE OF IDENTIFICATION PRODUCED

APPROVED BY: [Signature] DATE: 02/20/24
CHIEF DEPUTY BRIAN HENDERSON
VOLUSIA COUNTY, FLORIDA