



VOLUSIA SHERIFF'S OFFICE

MICHAEL J. CHITWOOD, SHERIFF

Office of Chief Deputy Brian M. Henderson - Internal Affairs

REPORT OF INVESTIGATION

REPORT NUMBER: IA 23-013

PERIOD COVERED: October 19, 2023

DATE REPORTED: October 23, 2023

SUBJECT(S) NAME: Deputy Douglas Meyer, #9250

INVESTIGATING OFFICER: Sergeant Thomas Hachenberger, #8186

BASIS FOR INVESTIGATION:

On October 23, 2023, Heather Mitchell submitted a citizen's complaint involving Deputy Douglas Meyer. Heather completed the complaint on behalf of her 17-year-old son, Zachary Mitchell, who was the subject of a traffic stop Deputy Meyer had conducted on October 19, 2023, in the 200 block of North Airport Road, New Smyrna Beach. According to Heather, her son was pulled over at gunpoint by Deputy Meyer, who began screaming at Zachary before using an excessive amount of force by slamming Zachary onto the hood of his patrol vehicle. Heather explained Deputy Meyer used foul and inappropriate language throughout the traffic stop, including a phone call made to Zachary's father, Steven Mitchell. Heather felt that Deputy Meyer's actions during the traffic stop were harassing in nature and an excessive use of force.

OFFENSES:

GO-026-02.V.C.5.g. - Failure to Follow General Order, Standard Operation Procedure, or Order - Employees shall adhere to all official general orders, standard operational procedures, and orders, and shall faithfully execute all the duties and responsibilities of their assigned position.

GO-026-02.V.D.1.b. - Courtesy - Employees shall be civil and respectful toward each other and toward the public in general. They shall be especially courteous to visitors, guests, speakers, and instructors.

GO-026-02.V.D.7.a - Use of Force - Deputies shall only use that degree of force necessary to perform official duties in strict accordance with general orders *GO-001-01 Use of Force Guidelines*, *GO-001-02 Firearms*, and *GO-001-03 Use of Less-Lethal Weapons and Devices* of this Manual.

GO-026-02.V.D.9.p - Use of Equipment: BWC - Employees shall ensure proper maintenance and utilization of the VSO BWC (body-worn cameras) for its intended purpose and in accordance with general order *GO-041-20 Body Worn Cameras*.

GO-026-02.V.G.1.c - General Proficiency - Repeated failure to maintain necessary skills, knowledge and abilities after counseling and instruction shall result in increasing the severity of disciplinary actions.

INVESTIGATION:

On October 26, 2023, Chief Deputy Brian Henderson assigned the incident to the Internal Affairs Unit. This report details the Internal Affairs investigation conducted by Sergeant Thomas Hachenberger.

Sergeant Hachenberger obtained and reviewed Heather's complaint, completed on a Volusia Sheriff's Office Citizen's Complaint Form. The complaint was submitted on October 24, 2023, at 1345 hours. The following are the details of the complaint.

My son, Zachary R. Mitchell (D.O.B. 3/15/2006) was traveling home from work when he was pulled over at gun point by Deputy Meyer. Deputy Meyer was screaming at him, pointing his gun at Zachary and ordering him out of his vehicle. Zachary was terrified and listened to the deputy. Once out of the vehicle Deputy Meyer used excessive force, slamming Zachary on the hood of the vehicle. Zachary asked what was going on and why he was going through this. Zachary referred to the deputy as "officer" and Deputy Meyer responded saying, he was a "fucking deputy". Deputy Meyer asked Zachary who's car he was driving and Zachary responded that it is titled in his father's name, but that it was Zachary's car. At this point Deputy Meyer called Zachary an entitled piece of shit, and saying multiple times that Zachary is living off of Daddy's money. For the next fifteen minutes Deputy Meyer threatened to impound his car and when Zachary asked why Deputy

Meyer said, "because I can you entitled piece of shit". Deputy Meyer proceeded to call Zachary's father, on the phone call Deputy Meyer screamed at Steven Mitchell not allowing Steven an opportunity to speak. Deputy Meyer then ended the call when Zachary stated he wasn't doing anything wrong. Deputy Meyer continued to berate my son for another five minutes. Deputy Meyer then said to Zachary, "I have calmed down, I am not going to impound your car and you can go". Zachary called me after the incident and I called dispatch requesting a phone call from Deputy Meyer's supervisor. I spoke with Sergeant Wingard and he said he would review the body cam and get back with me. I also requested a copy of the body cam footage. The following night, Friday, October 20, 2023 an officer or deputy (not sure) showed up to my exhusband's house at 9:30pm. His address is 532 Venetian Palms Blvd NSB. The officer shined a flashlight in Steven Mitchell's face demanding to know where Zachary Mitchell was and requesting to speak with Zachary. The officer then proceeded to state that Zachary Mitchell was just speeding through Venetian Bay in his grey BMW at 100mph. Steven stated that this is not true and that Zachary's BMW was in the garage, and that Zachary was at a friend's house and not home. The officer left, and my exhusband called me very upset and concerned that Zachary is being targeted. I called dispatch and requested a call from Sergeant Wingard. Sergeant Wingard returned my call and said he would look into this next week once Biketoberfest was over. I asked Sergeant Wingard if he reviewed the body cam, Sergeant Wingard first said the body cam malfunctioned and later on the call he stated the body cam was not on.

Sergeant Hachenberger requested an audit of Deputy Meyer's body-worn camera for the period of the incident through Volusia Sheriff's Office IT. While reviewing the audit results, Sergeant Hachenberger noted Deputy Meyer's BWC had been powered off near the end of his previous shift on October 19, 2023, at approximately 0116 hours. The BWC was powered on during Deputy Meyer's following shift on October 19, 2023, at approximately 1617 hours, nearly 53 minutes after Deputy Meyer conducted the traffic stop. The audit results confirmed there was no BWC footage of the traffic stop or the interaction between Deputy Meyer and Zachary.

Interview with Heather Mitchell

On November 13, 2023, at approximately 0906 hours, Sergeant Hachenberger conducted a sworn recorded interview with Heather Mitchell. The interview was conducted at the Sheriff's Office Administrative Building at 123 W. Indiana Avenue, Deland. Sergeant Hachenberger, Lieutenant Calkins, and Heather Mitchell were present for the interview. Below is a synopsis of the audio-recorded interview:

Heather confirmed she was not present during the traffic stop; however, she explained she was contacted by her son, Zachary Mitchell, via telephone after the incident "Zach called me Thursday right after the incident occurred. It was around 3:30 pm eastern 1:30 mountain and he was

terrified. He called me and said he was on his way home from work, he pulled into Venetian Bay and a deputy came up behind him, he was Zach said he was not speeding. The deputy had his lights on, pulled Zach over at gunpoint telling him to get out of the fucking car, his words I'm not trying to be vulgar by any means. Zach then he was kind of racing and ranting and then you know as he was speaking to me cuz he was still scared but he said he got out of the car he told the gentleman I'm putting my hand on the right side to undo because he was worried he was going to get shot. Once he was removed out of the car Zach was slammed onto the hood of the car by the deputy. He asked the deputy what am I being pulled over for officer? And he says I'm not an officer I'm a fucking deputy you know shut up. He said I thought you had, were shooting a gun. He patted him down and then he said whose car is this? And he said well I'm a minor it's my father's and he's like oh daddy's money you must be you know you little punk piece of shit where's your license where's your registration. Just screaming expletives at him. Zach said I don't have my license I have a picture of it I just lost my wallet so he showed him the picture on his phone and he got his registration out of the car. By that time the deputy put his gun away. Zach was terrified. He, the deputy kept screaming at him it was more of just a you know you're a piece of shit do you even go to school? He's like I was just on my way home from work I work at a dental office. He's like well what about school and he's like well I do online school, he's like of course you do you're just entitled this that and the other. And then the deputy had Zach call my ex-husband at work and he said you know Zach said dad I'm with this gentleman I wasn't speeding and from what Zach told me the deputy started telling him he has a sports car and it's too loud and it's tuned. And my ex-husband I think questioned like well why did you pull him over if he wasn't speeding and wasn't doing anything it's 3:00 in the afternoon. And that's when Dep. Meyer hung up on my ex-husband. He kept telling Zach that he could impound his car and he's like I haven't done anything there's nothing wrong with my car. And he just kept you know basically messing with him. And then I guess from what Zach said at the end of the incident he's like ok my blood pressure's calm, I know where you live cuz Zach's like I'm right around the corner from my house. He's like I know where you live you live in here and so does your, your you know you have two homes in this neighborhood in Venetian Bay."

Heather explained after her phone call with her son, she contacted the Sheriff's Office Communications Center to speak with Deputy Meyer's supervisor, Sergeant Wingard, about the incident. *"Wingard yes, Sgt. Wingard called me back and I explained the whole situation to him, I thanked him. I'm like listen I greatly stand behind Chitwood he's done amazing things for this community the Sheriff's Department and everything I said but I want a copy of the body cam. This is not acceptable my son was terrified there was no reason to pull him over at gunpoint at 3:00 he wasn't even speeding and I feel like this was a targeted attack. Zach doesn't have a criminal history, I think he has one speeding ticket in total. It's not that he you know for 17 almost 18 years old I don't think that's you know a huge thing. So Sgt. Wingard said he would call me back. He said it was bike week I said I completely understand this does not take precedence over anything else and I told him call me over the weekend whatever you need cuz he said he was gonna be busy with*

Biketober fest. I said or Monday I just want this on record and I want, I want the body cam footage."

Heather stated she spoke to Sergeant Wingard again the following day after the New Smyrna Police Department had responded to her ex-husband's home, attempting to contact her son *"So they left. Dep. Wingard called me again, not, Sgt. Wingard called me again that evening cuz I called into dispatch to say what's going on, and he just said that at that point I said you know I don't know what's happening here but I you know did you receive the body cam and what were your findings because that will clarify all this on one minute and he said that the body cam malfunctioned and then later on the call he said the body cam was not turned on. I know the stance of the Sheriff's Department on that and to me I find that very ironic that one, body cam wasn't on, two my son wasn't cited for anything and three if he thought that my son had a gun why wasn't the car even searched. So that is why I made this complaint."*

Heather explained she felt her son was being targeted by law enforcement and mentioned recent Facebook posts on a community Facebook page detailing a grey car speeding and backfiring through the area. Upon the interview's conclusion, Heather stated she had no further information regarding the investigation.

Interview with Zachary Mitchell

On November 13, 2023, at approximately 0920 hours, Sergeant Hachenberger conducted a sworn recorded interview with Zachary Mitchell; the interview was conducted at the Sheriff's Office Administrative Building at 123 W. Indiana Avenue, Deland. Sergeant Hachenberger, Lieutenant Calkins, Heather Mitchell, and Zachary Mitchell were present for the interview. The following is a synopsis of the audio-recorded interview:

Zachary was asked to explain what happened during the traffic stop, to which he replied: *"So I was on my way home from work it was right at like 3, 3:30 pm and then passing like where the market is and then I look in my rear view mirror and there's a cop car flying up on my rear."* Zachary later confirmed Deputy Meyer had activated the emergency lights of his patrol vehicle as he positioned the patrol vehicle behind Zachary's vehicle. Zachary continued explaining, *"So I pull over and then he takes me out of the car at gunpoint he's like let me see your hands. I'm like alright so I show my hands and I'm like I'm gonna undo my seatbelt and then I went to undo the car but I forgot that I have to unlock the car in the middle so I was like give me a second I'm gonna hit that. So I hit that and then I step out of the car. He grabbed me it was either by my neck or my shirt and he threw me onto the hood of his car patted me down and then he was like where's your registration at?"* Zachary later stated Deputy Meyer holstered his firearm before grabbing him and did not enter his pockets while patting him down. After Deputy Meyer holstered his firearm, he told

Zachary, *"I thought you were shooting out of your car."* Zachary then said to Deputy Meyer, *"I was like alright I mean there's no weapons the car backfires a little bit but that's about it."*

Zachary was asked to describe being slammed onto the hood of Deputy Meyer's patrol vehicle. Zachary stated only his chest area hit the hood and Deputy Meyer *"made sure like I knew that he was like in authority."* Zachary also advised he sustained no injuries during the incident. Zachary continued to recount the incident: *"I went and got that I was like I don't have my ID on me but I have a photo of it so I gave him that and he wrote down the numbers and he's like give me a minute. And then he was like whose car is it? It's my father's, he was like oh so you're one of those kids you have daddy's money you're entitled you think you're owed everything. And then I tried to ask him a question I was like what am I being pulled over for like what did I do wrong officer? And he's like I'm a fucking deputy not an officer get that right. I mixed it up a couple times he just kept on saying that."*

When Sergeant Hachenberger asked Zachary if Deputy Meyer walked up to his vehicle during the initial portion of the traffic stop, Zachary stated, *"He was about 10, 15 feet back he was like right near the hood or the bumper of his car and he was pointing the gun at me he said let me see your hands and get out of the vehicle. So I was like alright then I got out of the vehicle, patted me down and searched me and then he was telling me that he has the right to impound my car for up to 72 hours just because he feels like it. And I was like alright but I didn't do anything wrong I live right here I can just take it to my house real quick and he was like no. He called my dad and then he started talking to my dad and I told my dad I wasn't speeding or anything. That upset him because I interrupted him a little bit so he just hung up on my dad, went back to his car."*

Zachary estimated the phone call with his father lasted approximately 30 to 45 seconds and later went into further detail about the conversation between Deputy Meyer and his father: *"He was like I'm here with your son he was being an idiot letting his car backfire through the neighborhood. He tried to tell my dad I was speeding but I had multiple cars in front of me so I was doing the speed limit. And then my dad was basically like what was he doing wrong and he just hung up on him since my dad was trying to like be on my side like what did my son do wrong."*

Zachary continued providing his account of the incident, explaining, *"It seemed like he was taking a little while in there and then he just kept on calling me names. He was like where do you go to school and I said I do online so I can work full time with my dad. He was like oh well if you're gonna be if you wanna act like an adult then you should take responsibility like an adult. He said you need to be a kid you're too young."* Zachary stated during the conversation with Deputy Meyer *"He's just like telling me everything he could give me a ticket for on my car and that he's like well how are you gonna get around since you're not gonna have a vehicle it's gonna be impounded. I was like I don't know man. And then he, he just kept on asking like about the*

school and then and he said my blood pressure went down I'm not impounding your car anymore. If I see it again I'm gonna impound it instantly and yeah."

When Zachary was asked if Deputy Meyer used profane language during the traffic stop, he stated, *"Oh yeah, yeah he told me like shut the fuck up when it first all happened I tried to ask him a question like what am I being stopped for, shut the fuck up."*

Zachary estimated the traffic stop lasted approximately 25 to 30 minutes and Deputy Meyer issued him no citations.

Interview with Steven Mitchell

On November 17, 2023, at approximately 1005 hours, Sergeant Hachenberger conducted a sworn recorded interview with Steven Mitchell. The interview was conducted at the Sheriff's Office Administrative Building located at 123 W. Indiana Avenue, Deland. Sergeant Hachenberger, Lieutenant Calkins, and Steven Mitchell were present for the interview. Below is a synopsis of the audio-recorded interview:

Steven recalled receiving a phone call from his son, Zachary, on October 19, 2023. Steven said he answered the phone and explained *"And it was from my son. So he usually doesn't call me so I picked it up and he said he'd been pulled over by the police. He told me he did nothing wrong but, and the police officer would like to speak to me."*

Steven said the conversation with the officer was approximately one minute long and stated *"So uh, so I the police officer came on the phone and he was in a rage. I couldn't really make out all the details what he was saying cuz every other word was the F word. He was very angry and what I got out, all I could get out was I'm gonna get the car towed and your fucking son and he was in a total rage. And then he went on a rage and he stopped and he handed the phone back to my son. I said Zach are you ok and he said yes and I said if you need anything just call me if you, you know a ride home let me know. And that was the end of the conversation. I couldn't really make out what he was said it was just he was very angry. Shouting at me."* Steven later explained he *"couldn't really make out all the details what he was saying cuz every other word was the F word."*

Steven advised he had no further contact with Deputy Meyer and had no additional information regarding the incident.

Interview with Sergeant Wingard

On December 5, 2023, at approximately 1005 hours, Sergeant Hachenberger conducted a sworn recorded interview with Sergeant Wingard. The interview was conducted at the Daytona

International Speedway complex located at 1801 West International Speedway Boulevard, Daytona Speedway. Sergeant Hachenberger, Lieutenant Calkins, and Sergeant Wingard were present for the interview. Below is a synopsis of the audio-recorded interview:

Sergeant Wingard, Deputy Meyer's supervisor, said he was familiar with the traffic stop conducted by Deputy Meyer and stated *"During Biketoberfest I was notified by VCSO or VSO dispatch that there was a telephone handled call waiting for me."* Sergeant Wingard advised prior to contacting Heather, Deputy Meyer approached him and mentioned the pending complaint was in reference to a traffic stop he had made. Sergeant Wingard explained *"prior to the to me calling Ms. Mitchell before, a short time before I called her when dispatch notified me that there was a phone call waiting for me he approached me and basically said yeah that's about me. I stopped a guy in my neighborhood that I thought was shooting at me as he drove by. And so basically just said that's my complaint."*

Sergeant Wingard stated Deputy Meyer continued explaining the incident *"...he was sitting at the stop sign at Airport Road I do not remember the cross street that he was pulling out of but he said as a car drove by he heard what he thought was gunshots coming at him as the vehicle went by. He said he pulled out behind it, performed a traffic stop. He told me that he said his gun was at low ready not pointed at the young man. And I do not remember if he told me he placed him on the hood of the car but he said he secured him."* Sergeant Wingard said he asked Deputy Meyer if he had activated his Body Worn Camera and Deputy Meyer responded *"if he didn't turn it on that his signal side arm device would have activated his camera."*

Sergeant Wingard said he then contacted Heather *"I called the complainant and I don't remember exactly what time it was it was somewhere after dark probably around 8 pm. And I spoke to the lady I believe her name was Heather Mitchell while I was standing in the median of US 1 in front of the Iron Horse Saloon during Biketoberfest event. She informed me that her son Zachary who I determined through conversation with her was a juvenile, 17 years old, was driving his vehicle that afternoon on Airport Road in New Smyrna in the Venetian Bay subdivision. And she said her son was pulled over by Dep. Meyer, that he performed a traffic stop on Airport Road. He pulled his gun out on her son ordered him out of the car and according to her slammed him on the hood of the patrol car. And was inquiring as to why you know he was being shot at or he, Dep. Meyer said that he thought he was being shot at."*

Sergeant Wingard continued describing the conversation between him and Heather stating *"Yeah so ok on Thursday night when I talked to her I only talked to her. On, and in the conversation with Ms. Mitchell I said listen I said this is the first I'm hearing of this, I said I don't have all the answers I'm not going to say anything other than I'm gonna look into this and I said I will give you a call back tomorrow and let you know what I found out because I wanna watch the video to find out what exactly happened because I told her I said you weren't there I wasn't there, ok so I'm gonna look at all the facts that I can gather before I tell you anything. So I did try and find the video, there was no video."*

Sergeant Hachenberger asked Sergeant Wingard if Heather had mentioned a phone call involving her ex-husband, he responded *"Yes. She did say that during the, during the interaction according to her son told her sometime in the 15 or 20 minutes that, that Dep. Meyer had Zachary stopped he did call the dad who owns the car apparently and they basically according to her who was told by her son that he verbally berated the father for allowing him to modify the car, drive a car like this, and it was you know basically he handled it all on the phone call."*

The following day after their initial conversation, Sergeant Wingard called Heather back to speak more about the incident *"So then the next day I called her back. She basically recited well the next evening I called her back I was sitting in the district 3 north briefing room and she told the whole story again. In the meantime she three way called her new husband and I do not remember his name. Into the phone call so I had a conversation with myself, her and the new husband which will be the stepfather. And she reiterated the whole thing. And I told her you know I told her that there was no video that you know I informed her of how to you know how to file a formal complaint because she was adamant that she wanted to make a complaint. And basically that's, that's pretty much it."*

Sergeant Wingard explained he then notified his chain of command of the incident and had no additional information in reference to the investigation.

Interview with Deputy Meyer

On December 8, 2023, at approximately 1357 hours, Sergeant Hachenberger conducted a sworn recorded interview with Deputy Meyer. The interview was conducted at the TCK County Administrative Building at 123 W. Indiana Avenue, Deland. Sergeant Hachenberger, Lieutenant Calkins, Deputy Meyer, and Attorney Bryan Lambert were present for the interview. Below is a synopsis of the audio-recorded interview:

Before conducting the interview, Deputy Meyer had the opportunity to review all relevant material obtained during the investigation. Deputy Meyer signed a copy of his Garrity Warning, acknowledging his understanding of the document in the presence of the previously mentioned parties. Sergeant Hachenberger read Deputy Meyer a Volusia Sheriff's Office Administration of Oath / Perjury Warning. Deputy Meyer and Sergeant Hachenberger signed the document in the presence of the same previously mentioned parties.

Deputy Meyer began the interview explaining he has been a law enforcement officer for approximately three years, and he was assigned to the VSO's motor unit on October 19, 2023, as part of an assignment for Biketoberfest. Deputy Meyer recalled conducting the traffic stop in the 200 block of Airport Road and when asked what the basis for the stop was, he explained *"The basis of the traffic stop was I believed the driver was shooting a weapon from his vehicle."* Deputy Meyer then provided more detail *"My perception of the discharge was I was sitting at the stop*

sign here on Casello leaving my neighborhood to go north on Airport. As I was sitting at the stop sign I observed one vehicle coming up slowly in the southbound lanes of Airport and another car coming up quickly behind it. When I made my left look to see if traffic was clear to make my right hand turn I looked back to the right. As that car 2 door car passed in front of me I heard a loud pop, my windows were rolled down. So in that instant me knowing and my training experience from military and law enforcement with a gunshot I believed a gunshot was fired from that vehicle. Made my right turn per the force watch came up to the next round about made a left came back and then and started my traffic stop from there.”

Deputy Meyer was asked if he requested any backup units due to a firearm possibly being discharged after which he said *“I did not. I immediately turned around and went after the vehicle because it was such a quick bam bam bam I just did not have enough, I was looking for my own safety and making sure the vehicles were off the road in park without any other incident happening. So I, I keyed up on my portable, at the time that was on my left hip but it was off because I had my in car on. So I had keyed up and then not hearing it key up as I was getting out of my car to ask for back up I noticed my radio was off didn’t turn it on but I was already in contact with the driver and at that point I was giving my commands.”* Deputy Meyer also added *“I did not cuz it was so quick that I was able to determine that he was not shooting from his vehicle and that vehicle was actually backfiring in the sounds of gunshots that at that point I realized that there was no threat, no need for back up, no need for anything else.”*

Sergeant Hachenberger asked what Deputy Meyers’ commands consisted of. Deputy Meyer stated *“Upon stepping out of my vehicle I stepped out with my left foot and as doing so I had my hand on my weapon. I drew my weapon to a high or a low high ready somewhere in the range of my chest. Told the driver put his hands out the window shut the vehicle off. Came up, still at the low ready never once pushed out my firearm in protection of myself. Observing my surroundings observing (unintelligible) inside the vehicle in plain sight he said he had no weapon he had his hands up I could tell he did not have a weapon and had him step out of the vehicle. I then holstered my weapon, reached out with my left hand opened up his door, he undid his seatbelt and then I physically controlled him back to the hood of my vehicle.”* Deputy Meyer described his physical control of Zachary as *“My physical control as he stood up and faced the back of his vehicle facing the front of mine. I open handed C handed him on his right bicep on the back side of his arm and I guided him to the back of my vehicle. As trained.”*

Deputy Meyer continued providing his account of the incident and said *“When I got back to my vehicle I stood in front of my vehicle, I placed my hand on his back shoulder blade and I moved him to the four position to place him off balance as trained to make sure he would not if he had something and wanted to resist me he had no ability to do so and I had the upper hand. Following that I proceeded to with open hand stand behind him and did a quick sweep of his basketball short waistline feeling for anything that felt like a firearm. Finding nothing I stopped my search because I have no legal bounds to go any further in my search of him for anything else.”*

Deputy Meyer was asked if Zachary was forcefully thrown onto the hood of his vehicle and he replied *"Absolutely not, I, no his arms were always extended out on the hood. Kind of in just a off balance stature of just having both his hands on the hood of my car center in front of the Ford oval is where I usually put everybody. When I do that kind of I do the same thing for everybody."* Deputy Meyer also explained *"Nothing, no nothing was ever forcefully he was placed in the upright position in front of my, in front of my car. And I just guided him as trained to put him in a position hands on the hood lean over a little bit so I can see if anything falls out of your shirt."* Deputy Meyer also stated Zachary was not placed in handcuffs at any point and he did not sustain any injuries, nor did he have any complaints of injury.

When asked if he used any profanity or foul language while in contact with Zachary, Deputy Meyer said *"I might have I was a military sailor for a while and I may have dropped a few F bombs in there."* Deputy Meyer stated Zachary did refer to him as officer leading him to correct him; however, he denied saying he was a *"fucking deputy."* Deputy Meyer further explained *"I'm sure this was one of those lines where hey this is fucking stupid why is your car making gunshots like quit being stupid like why we making bad decisions stuff like that."*

Deputy Meyer was then asked to explain his interaction with Zachary once he had patted him down. Deputy Meyer stated *"Interaction with him I asked him if he had his license he said no it wasn't on him cuz he had basketball shorts on and he was returning home. I don't remember where he was saying he was coming from but he was in shorts and a t-shirt. So I asked him do you have, or do you have anything on you as an ID, he goes well my phone has my driver's license on it. I go oh ok. so I took his phone and I took it back to my vehicle cuz I asked him if I could take it he said yes so I took it with his picture, went back to my car ran it in DAVID. When I was done I handed his phone back because it had gone to a black screen and had closed out so I had no need for his phone. I made sure his license was correct I verified him, called Zach back to my driver door of my car while I was sitting in it with my left foot on the floor in a relaxed position and proceeded to have a conversation with him. Finding out he was 17 years old working for his father as a dentist. He went on to tell me he made a thousand dollars a week, he raced his BMW, he had a tuner on there if the exhaust was a problem he would detune it right then and there to get that situation taken care of. I told him no but because the way his car is set up it can be towed. And I also before coming back in the initial talk I did tell him that his car was basically being illegal and it was up to be towed and I was going to tow it at the time based on the gun and all that other stuff just you know the severity of what could happen. So with him back at the car I started to explain to him hey you're 17 years old what, what's, you know lets be a kid lets you know I started being more of the father figure because I have my own kids and I wanted to treat him like I would have wanted to be treated by an officer or deputy. You know not write me a ticket but if I can get an ass chewing rather than have a financial or something with my license I'd rather take that. So in lieu of towing a car, pretty much went on to say hey there's other decisions you can make that are gonna change your life. And that's pretty much the conversations that we had. I learned what sports he likes that he races his car he works for his dad and makes good money and he said if a*

ticket was due he'd be taking care of it it wouldn't be his mommy and daddy. I did say he was entitled. Because of him going around thinking he can do whatever he wants and get away with it. And I told him that is not a good mindset to have and I did call him entitled. And not fucking entitled as per their interviews. I never once used any language directed at him to degrade or you know make him seem inferior."

Deputy Meyer said he instructed Zachary to contact a parent at which time he spoke to his father, Steven, on the telephone. Deputy Meyer described the conversation with Steven and said *"It was very very, it was very short probably like I said a minute maybe less than a minute on the phone with him. He was at work. I told him that his vehicle was pulled over and I believe his son to be shooting out of his car. Gave the reason for my stop because the son he said he lived around the corner from where we were at. But he said that the car was set up by his son and there was really nothing he was gonna do to fix anything that I was talking about."* When asked if he used any profanity during the phone call with Steven, Deputy Meyer explained *"I think it was still ramped up from the initial contact so I may have been, I'm a very loud person I can't help that. I'm very loud deep, deep rustic voice so someone may perceive on a phone especially while on speaker I wasn't to my face with the phone it was on speaker with Zach pretty much there standing in front of me so I was having to raise my voice so if it was perceived as me being loud abrupt obnoxious but I don't believe any profanities were shared directly toward anybody maybe just again this is fucking stupid why are we doing this."*

When asked about his Body Worn Camera, Deputy Meyer confirmed he had it with him and explained his normal routine consisted of him powering it on as he is leaving his residence. Deputy Meyer further advised *"In this instance I don't know but by going by what was provided from the BWC audit I had not turned it on. So I may have reached up done something and maybe failed to turn it on yes. But I cannot definite say yes or no but per the audit I don't, I don't recall."* Deputy Meyer said he believed his BWC was powered on at the time of the incident and believed it was recording.

Deputy Meyer was asked if the force that he used while escorting Zachary to his patrol vehicle was proportional to what he was perceiving. Deputy Meyer replied *"Yes. Oh it was just a, it was a gentle not a slam not a nothing to push, I am pushing 300 pounds he was probably 120 maybe wet. So I'm perceiving that any force I would put on him was probably gonna be amplified because of his smaller stature. But no it was just a release and it was pushed over to just push him off put his hands on the hood and then I proceed down my back with my open hand or his back my open hands and then check the waist. I do the same search on everybody every time."* Deputy Meyer also added *"And I perceived no excessive force was ever used."*

When asked if there was anything he would change or would have done differently during the traffic stop, Deputy Meyer responded *"Hindsight 20/20 if I could do it again I would do a lot of things differently. One being I was trying to more teach than actually do paperwork on somebody"*

like this. Looking back maybe I should have wrote him the tickets and just left it at that, said have a good day. Could I have been a little less loud and maybe a little more at his level, yes. I mean yeah there are some things that I'd probably go back and do again. If I had seen the car and known it was a backfire I probably wouldn't even looked twice I probably would have waived and kept going because it was a nice car. But because of my training experience at that one, because most cars like that have multiple pops. They let off the gas or whatever and it's pop, pop, pop it's annoying. But that was not a normal exhaust sound that was a very loud single shot that sounded to me like a firearm."

Deputy Meyer was asked if he violated the following General Orders, and his responses are detailed below:

GO-026-02.V.C.5.g – Failure to Follow General Order, Standard Operating Procedure, or Order	Yes
GO-026-02.V.D.1.b – Courtesy	Yes
GO-026-02.V.D.7.a – Use of Force	No
GO-026-02.V.D.9.p – Use of Equipment: BWC	Yes
GO-026-02.V.G.1.c – General Proficiency	No

This Internal Affairs investigation was presented to Chief Deputy Brian Henderson and the executive command staff. Upon completion of the presentation, Chief Deputy Henderson sustained the following General Order Violations:

- GO-026-02.V.C.5.g – Failure to Follow General Order, Standard Operating Procedure, or Order
- GO-026-02.V.D.1.b – Courtesy
- GO-026-02.V.D.9.p – Use of Equipment: BWC

EXHIBIT(S):

- A. Report of Investigation
- B. Official Correspondence
- C. VSO Citizen's Complaint Form
- D. CAD History

- E. VSO Show-Of-Force Form
- F. BWC Audit
- G. Transcript of Interview with Heather Mitchell
- H. Transcript of Interview with Zachary Mitchell
- I. Transcript of Interview with Steven Mitchell
- J. Transcript of Interview with Sergeant Jeffrey Wingard
- K. Transcript of Interview with Deputy Douglas Meyer
- L. Facebook Posts Provided by Heather Mitchell
- M. Digital Evidence

WITNESSES:

Volusia Sheriff's Office

123 West Indiana Avenue

Deland, FL 32720

Sergeant Jeffrey Wingard

Deputy Douglas Meyer

Civilian Witnesses

Heather Mitchell

3550 Romea Circle

New Smyrna Beach, FL 32168

Zachary Mitchell

3550 Romea Circle

New Smyrna Beach, FL 32168

Steven Mitchell

532 Venetian Palms Boulevard

New Smyrna Beach, FL 32168

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.

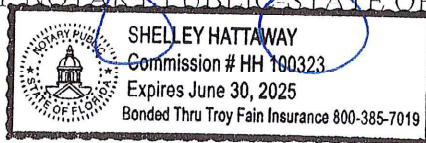
DETECTIVE: [Signature] DATE: 2/28/24
Sergeant Thomas Hachenberger, #8186
Internal Affairs Detective

STATE OF FLORIDA
COUNTY OF VOLUSIA

Sworn to (or affirmed) and subscribed before me by means of physical presence or online
Notarized this 28th 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: 02/24/24
CHIEF DEPUTY BRIAN HENDERSON
VOLUSIA COUNTY, FLORIDA