Office of the State Attorney 7th Judicial Circuit Flagler, Putnam, St.Johns and Volusia Counties Investigative Report

SAIDB-120215007

February 15, 2012

Date:

SYNOPSIS: On February 3, 2012 Investiga		
investigation at the request of the Volusia C	,	,
they had received a complaint against an e	mployee identified as [Deputy Sheriff
(D/S) Travis Deane. The complaint alleged	that on November 5, 2	011 D/S Deane
served alcohol to persons under the age of	21 at his residence in	Deltona,
Florida. The persons served are	DOB	(18 years of
age on November 5, 2011) and	DOB	(17 years
of age on November 5, 2011). The alcohol	0 0	Beer,
Strongbow Cider and Jell-O shots containing	ng unidentified liquor.	

<u>DETAILS:</u> Investigator Bisland initially met with Sergeant Tom Tatum of the Professional Standards Division of the VCSO who advised that he initiated an administrative investigation into the allegations against D/S Deane. The administrative investigation was focused on the provision of alcohol to persons under 21 years of age, the unauthorized use of a proprietary data base (D.A.V.I.D.) and an arrest made by D/S Deane. Sgt. Tatum explained that VCSO Administration was requesting that the State Attorney's Office initiate a criminal investigation into the alleged alcohol violation.

Consequently this investigation was initiated and the VCSO Administrative investigation was suspended pending the outcome of this criminal investigation. As of February 3, 2012 Sgt. Tatum had conducted interviews of civilian witnesses only. No law enforcement officers had been interviewed. On February 8, 2012 Investigator Bisland was provided copies of the sworn statements of and Wade Hunter. Also provided by Sgt. Tatum were documents from Facebook accounts and VCSO records related to an off-line search of the D.A.V.I.D. system and photographs.

Investigator Bisland completed a review of the sworn statements and document evidence in this case on February 15, 2012. At Investigator Bisland's request Sgt. Tom Tatum telephonically contacted D/S Travis Deane on February 15, 2012 at approximately 4:00pm and advised him that the VCSO was temporarily suspending the Administrative investigation into allegations for which he had been previously served notice. Additionally, Sgt. Tatum advised D/S Deane that information developed to date was turned over to the State Attorney's Office for a criminal investigation and that Investigator Bisland would be contacting him. Subsequently Investigator Bisland called D/S Deane at approximately 4:10 pm on February 15, 2012. Investigator Bisland introduced himself to D/S Deane and advised him that Investigator Bisland was conducting misdemeanor criminal

Investigator Jack Bisland SA727

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investigation of an alleged violation of F.S.S. related to providing alcohol to minors of which he was the focus. Additionally, D/S Deane was advised that Investigator Bisland would like an opportunity to conduct an interview of him regarding the allegation. D/S Deane stated, "Criminal?" I think I should contact my Union Representative. Investigator Bisland asked that D/S Deane call Investigator Bisland back after speaking with his Union Representative and inform Investigator Bisland of his decision regarding providing a statement. D/S Deane agreed to do so and asked, "Can you tell me more about this?" Investigator Bisland responded the allegation is that he provided alcoholic beverages to minors in November of 2011 at his residence. D/S Deane further asked, "When you say minor are you referring to persons under 18 or 21"? Investigator Bisland advised to persons under the legal drinking age of 21 years. This concluded the conversation. Within the hour D/S Deane called Investigator Bisland and state that he spoke with his Union Representative and his official statement is, "I have no statement; I am invoking my 5th amendment right". Investigator Bisland thanked D/S Deane for getting back and advised that the investigation would be continuing.

Investigator Jack Bisland SA727

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Office of the State Attorney 7th Judicial Circuit Flagler, Putnam, St.Johns and Volusia Counties Investigative Report

Date:	February 28, 2012	SAIDB-120215007

SYNOPSIS: On February 28, 2012 Investigator Bisland submitted a charging affidavit complaint to the Misdemeanor Division of the State Attorney's Office, charging Travis Deane with Giving Alcohol to Persons Under 21 Years of Age F.S.S. 562.11(1)(a) and Open House Party F.S.S. 856.015(2); both misdemeanors of the second degree. The case was assigned to ASA David Cromartie in consideration of charges.

DETAILS: The following individuals are also witnesses in this case:

- Sergeant Tom Tatum Volusia County Sheriff's Office (VCSO)
- Investigator Glen Bennett VCSO

Both participated in the interviews of Hunter,

The original Facebook posting's, photograph's and document evidence related to the D.A.V.I.D. system are all being maintained as evidence by VCSO.

This investigation is completed.

7th. Judicial Circuit 707 Arrest # Bk # _____ Pg #1 of 4 Charging Affidavit - Volusia ARREST 🗆 NOTICE TO APPEAR 🗀 AFFIDAVIT 🗵 C.C. 🗀 Court Case ADULT I JUVENILE Number: Agency (ORI) FL: Agency Case 5 State Attorney's Office SAIDB120215007 Number UCR: FCIC/NCIC Check? Yes ⋈ No □ Date Time of OBTS# Arrested: Arrest: Arrested DDRESS OF ARREST: Number: Name DEFENDANT Travis James Deane (L,F,M) A.K.A.: Sex: Male Race: White Driver's Lic/ DOB: 07/22/1982 Year Age: 29 D500-810-82-262-0 State: FI 2014 S.S. #: ID No Expires: Height: Weight: Hair: Eyes: POB 6'00' Statement: Bown (City, St, Country) Yes 🗌 No 🔯 Scars, Marks, Business & Citizenship: Yes ⊠ No □ Deputy Sheriff Volusia County Tattoos: Occupation: Yes ☐ No Ø Probation: Yes □ No Ø Sexual Predator: Deaf/Mute: English: Yes ⊠ No □ Yes ☐ No ☒ Address-Mailing/Permanent (STREET, APT, NUMBER) (CITY) (STATE) ZIPCODE RESIDENCE PHONE Deltona Fl 32738 Address-Local (STREET, APT. NUMBER) (CITY) (STATE) ZIPCODE RESIDENCE PHONE Same Address-Other(Employer/School) (STREET, APT. NUMBER) (CITY) (STATE) ZIPCODE BUS/SCHOOL PHONE VCSO 123 W. Indiana Ave Deland FΙ 32720 (386)736-5961 DOMESTIC CHARGES Attachments: Affidavit(s) Statement(s) NTA Schedule Report Traffic Infraction(s) DUI YES 🔲 Total 2 VIOLENCE? Charges Charge: FEL MISD ORD #1 FS/ORD: Citation No.: Bond: Giving Alcohol to persons under 21 you 562.11(1)(a) Charge: FEL ☐ MISD ☒ ORD ☐ #2 FS/ORD Citation No.: Bond: Open House Parties 856.015(2) Charge: #3 FEL MISD ORD FS/ORD: Citation No.: Bond: CO-DEFENDANT Co-Def #1. Arrested? Y \(\) N \(\) Fel \(\) Misd. \(\) Traf. \(\) Ord. \(\) NTA\(\) Co-Def #2. Arrested? Y 🔲 N 🗀 Fel. 🗀 Misd. 🔲 Traf. 🛄 Ord. 🗀 NTA 🗀 #1 NAME(L,F,M) Race: DOB: Age None #2 NAME(L,F,M): Age:

NARRATIVE The undersigned certifies and swears that there is probable cause to believe the above named defendant, on the 5th day of November, 2011, at approximately 11:00 a.m. \(\sime\) p.m.

Travis Deane gave and served for consumption, alcoholic beverages to persons under the age of 21 years, identified as 18 years of age on November 5, 2011) and DOB (17 years of age on November 5, 2011) at his residence located at Deltona, Volusia County, Florida. The alcoholic beverages provided were Yuengling Beer (4.4% Alcohol by Volume), Strongbow Cider (Alcoholic dry cider beverage 4.5% Alcohol by Volume) and Jell-O shot's containing an unidentified alcoholic (liquor) beverage. This activity is in violation of Florida State Statute 562.11 (1) (a), misdemeanor of the second degree. Additionally, on that same date, Travis Deane, having control of his residence located at Deltona, Volusia County, Florida allowed an open house party to take place at that location. Travis Deane allowed and personally facilitated alcoholic beverages to be possessed and consumed by the described minors at his residence and failed to take reasonable steps to prevent the possession and consumption of alcoholic beverages in violation of Florida State Statute 856.015 (2), a misdemeanor of the second degree.

SEE CONTINUED PROBABLE CAUSE AFFIDAVIT BY INV. JOHN BISLAND ON PAGES 2-4.

Deltona, Fl within Volusia County, violated the law and did then and there:

NOTICE TO APPEAR	MANDATORY	YOU NEED NOT APPEAR IN COURT BUT MUST COMPL	VILLED LEDIE AND C	20.0mg
NOTICE TO AFFEM	APPEARANCE [20515
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BEFORE THE COURT AS REQUIRED	OR PAY THE LISTED FINE	I MAY BE HELD IN CONTEMPT OF COURT AND A WARR	ANT FOR MY ARREST WILL	RE ISSUED
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			Disp.	
		SIGNATURE OF JUVENILE PARENT OR CUSTODIAN	CITATION No.	
SIGNATURE OF DEFENDANT	D. 170			
SIGNATURE OF DEPENDANT	DATE	RELATIONSHIP TO JUVENILE		
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This 81 day of fch . 2012	undersigned	I swear/affirm the above statements are correct and true.		Rt Thumb
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mune and				
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Personally Known Produced Identif	lication 2	Investigator John Bisland	SA727	
Type of Identification:		Jan Congaco Volin Diolana	SAIL	
Type of Identification: SAO. TAPE	21/6/1701			
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& facility:

_	rrative 707-B	☐ Arrest ☑ Affidavit	Adult Juvenile					
	ipplement	Notice to Appear		Court Case Number:		Page	# 2 of	4
	dant Name: vis James Deane			SAIBD-120				
	ARGES DOMESTIC YES	Attachments: Affi	davit(s) 🔲 Stateme		Report Traffic Infrac	tion(s)	Total	
#1	Charge: Giving Alcohol to persons un			MISD 🛛 ORD 🗀	FS/ORD:	Citation No:	Charges	Bond:
# 2	Charge: Open House Parties			MISD 🖾 ORD 🗀	562.11(1)(a) FS/ORD:	Citation No:		Bond:
#3	Charge:			MISD ORD	856.015(2) FS/ORD:	Citation No:		Bond:
Tra (VC) De:	Your Affiant is a certified law enforcement officer, who is currently employed by the State Attorney's Office 7th Judicial Circuit of Florida. Your Affiant has been employed by this agency for approximately 1 3/4 years and has been a Law Enforcement Officer in the State of Florida for 34 years. NARRATIVE Travis James Deane (herein after referred to as Travis Deane) is employed by the Volusia County Sheriff's Office (VCSO) as a Deputy Sheriff currently assigned to the uniform patrol division in West Volusia County, Florida. Travis Deane was hired as a Deputy Sheriff on July 14, 2008. The facts and circumstances in support of probable cause of the described offenses are based on the sworn statements							
On or about July 13, 2011 Travis Deane was re-assigned to a patrol zone in the Pierson area of Volusia County by his employer, the VCSO. While assigned to that area of responsibility Travis Deane came to meet while patronizing the Pierson Family Restaurant located at 302 South Center Street, Pierson, Florida 32180 in her employment capacity as a waitress at that establishment. Travis Deane became a frequent customer of the Pierson Family Restaurant, patronizing it several times a week and often twice a shift. Travis Deane and became friends in the ensuing weeks and Travis Deane provided with his personal cellular telephone number and they also became "Facebook friends" which enabled them to communicate via the internet and exchange messages, photographs and comments with each other. An off line search of historic activity of the Mobile Desk Top Computer issued to Travis Deane by the VCSO, which is assigned the unique number 162.143.54.34 revealed that on August 20, 2011 at 2141 hours the name was queried through the D.A.V.I.D. system. D.A.V.I.D. is an acronym for the Driver And Vehicle Information Database administered by the Department of Highway Safety and Motor Vehicles and made available for use to Law Enforcement Agencies for official purposes only. This query provided Travis Deane with personal information to include her photograph, name, address, social security number, driver's license number and date of birth; which revealed that she was 18 years of age at that time. Additionally, a review of the Computer Assisted Dispatch records of the VCSO for the specific date and time, August 20, 2011 at 2141 hours, determined that Travis								
an "	o and subscribed before me, the undersigned that day of fee Busholis	or service that w	ould have qu	ents are correct and true	" query in	the D.A.V	.I.D. sy	stem as
Notrey I Persona	Public Law Enforcement Officer D thy Known Produced Identification D	NAMEORI	_ `	SER'S AMPLAINAN	TS SIGNATURE	MBER		

Na	rrative 707-B	Arrest	⊠ Adult					
Su	pplement	Affidavit Notice to Appear	☐ Juvenile	Court Case Number:		Page	# 3 of 4	
	Defendant Name: Travis James Deane Agency Case Number: SAIBD-120215007							
_	ARGES DOMESTIC YES	Attachments: Aff	idavit(s) 🔲 Statemer		Report Traffic infrac	tion(s)	Total	_
# 1	Charge: Giving alcohol to persons un			MISD 🖾 ORD 🗋	FS/ORD:	Citation No:	Charges: 2 Bond:	
# 2	Charge: Open House Parties	Total Stage		MISD Ø ORD	562.11(1)(a) FS/ORD:	Citation No:	Bond:	_
#3					856.015(2) FS/ORD:	Citation No:	Bond:	_
,,	Charge; —		FEL	MISD ORD				_
Tra Inv	a date prior to October 20, luding 18 year old aditional (after) Halloween I rite-Only Event	which read a	as follows:			ook to at k	east 58 persons	
	house in Deltona	,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,					
sho	u've been invited to my Ha ould have yuengling and strood, liquor, etc) you can brin	ongbow on tap	Jello shots po	ssibly. Maybe	even have the hot to	ub ready. A	a costume. I Inything else	
Do	nations welcome, shit's exp	ensive.						
Bot	th and fellow P epted the invitation; confirm	ierson Family R ning their attend	estaurant emp lance, again v	oloyee, Wade I ia Facebook.	lunter (21 years of	age) were i	invited and	
On November 5, 2011 Wade Hunter drove and Boltona, Florida arriving at the party at between 10:00 and 11:00 pm. Upon arrival the three entered the residence and were greeted by Travis Deane and hellos were exchanged and and Wade Hunter were in the garage standing next to what has been described as a kegerator and Travis Deane prepared a plastic cup of the contents described as Strongbow, which is a brand of alcoholic dry cider manufactured in England by H.P. Bulmer. Web research by your Affiant discovered that alcoholic strength of Strongbow is 4.5% ABV or 9 proof. Travis Deane then handed the cup directly to consumption stating "Taste this" and the alcoholic drink and passed it to taste. Travis Deane asked if she liked it to which she responded "It's okay". Travis Deane then stated "Well if you don't want it you don't have to drink it" and drinking it. believed the drink to be Strongbow Cider or a Strongbow/Yuengling beer combination. Yuengling beer was also readily available at the residence for consumption. Was present and stated that she did have a sip of the cup of what she described as beer as well as a Jell-O shot. Stated she consumed a Jell-O shot which was blue/green in color and tasted the alcohol however could not identify what type of liquor/alcohol was in the Jell-O shot. She consumed the Jell-O shot in the presence of Travis Deane who she stated may have handed it to her directly from the refrigerator. And Wade Hunter were in the garage standing next to what has been described as been and was introduced to Travis Deane. After arrival manufactured in England Wade Hunter were in the garage standing next to what has been described as been and was introduced to was introduced to was introduced to what has been described as been and was introduced to was introduced to what has been described as been as well as a Jell-O shot. State of Travis Deane and was introduced to was introduced to Wall has been described as been and was present and stated that she consumed two Jell-O shots, one when almost ever								
this 2 Name: Nota	o and subscribed before me, the undersigne 877 bay of 128 Beed Sold		15	ents are correct and tru	ZZZ ITS SIGNATURE		Right thumb	
	lly Known 🛮 Produced Identification (Identification S.A., T. 1865	NAME	RINTED) Toh.	Richard	ID NU	MBER		

Na	rrative 707-B	Arrest	Adult					
	pplement		Juvenile	Court Case Number:		Page	# 4 of 4	
	Defendant Name: Travis James Deanae Agency Case Number: SAIBD-120215007							
CH	ARGES DOMESTIC YES	Attaviunents: Affi	davii(s) 🔲 Stateme		Report Traffic Infrac	ction(s)	Total Charges: I	
#1	Charge: Givin alcohol to persons und	er 21 years of age	FEL 🗆	MISD ☑ ORD □	FS/ORD: 562.11(1)(a)	Citation No:	Bond:	
#2	Charge: Open House Parties		FEL 🗆	MISD ☑ ORD □	FS/ORD: 856.015(2)	Citation No:	Bond:	
#3	Charge;		FEL 🖸	MISD ORD	FS/ORD:	Citation No:	- Bond	
Tracon her Face Nov VC ninj	Wade Hunter advised that he did not personally observe Travis Deane hand last taste the "Cider", which he too tasted. Wade Hunter also remembered consuming a Jell-O shot in which he remembered tasting the alcohol. Wade Hunter characterized some of Travis Deane's statements that night as; being in a help yourself atmosphere, what's mine is yours. And Wade Hunter knew none of the other guests at the party. None of the three ever heard stating that her Facebook profile has her birth date and year posted. Travis Deane ask them or anyone their ages. It is stated that Travis Deane was aware of her age from past conversations at the Pierson Family Restaurant as well as stating that her Facebook profile has her birth date and year posted. It is posted to the party of the party. This photograph is posted on Wade Hunter's Facebook page which has a comment posted from Travis Deane dated November 30 at 7:58 pm which states "5th of November." Also posted on Facebook is a photograph of plastic cups that contain beer on the hood of the marked VCSO patrol car. A photograph of plastic cups that contain beer on the hood of the marked VCSO patrol car. A photograph of plastic cups that contain beer on the hood of the marked VCSO patrol car. A photograph of plastic cups that contain beer on the hood of the marked VCSO patrol car. A photograph of the party of the party of the night:)", dated November 5th at 11:19 pm via mobile.							
Consumed a taste of the beer/cider and one Jell-O shot; all of which were provided by Travis Deane on November 5, 2011 at his residence in Deltona, Volusia County, Florida. Travis Dean was aware that was 18 years of age from having run her name in the D.A.V.I.D. system in August of 2011, through personal conversations with was 17 years of age however failed to inquire her age prior to providing her alcohol. Travis Deane has been employed by the VCSO as a Deputy Sheriff since July 14, 2008 and through his training and experience is very aware that the legal drinking age in the State of Florida is 21 years of age. Wade Hunter, and and remained at the describe party for approximately 45-60 minutes and departed.								
Name: Notary Persona	and subscribed before me, the undersigned by the subscribed before me, the undersigned by the subscribed by the subscrib	2		CERS/COMPLAINAN	27	MBER	Right thumb	