

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT,
IN AND FOR VOLUSIA COUNTY, FLORIDA

VSO Case Number
20-19044

IN RE: PETITION FOR RISK PROTECTION ORDER

AGAINST {Name of Respondent} [REDACTED]

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Senior Deputy Sturup, in my position as {job title} Deputy Sheriff with the {name of law enforcement officer/agency} Volusia Sheriff's Office, swear and affirm that the following facts are true and correct.

1. {Name of Respondent} [REDACTED] poses a significant danger of causing personal injury to himself/herself or others by having a firearm or any ammunition in his/her custody or control or by purchasing, possessing or receiving a firearm or any ammunition. The following specific statements, actions, or facts give rise to a reasonable fear of significant dangerous acts by the respondent:

SEE FULL NARRATIVE ATTACHED

YES Additional pages are attached.

2. {Name of Witness} [REDACTED] provided the following information based on his/her personal knowledge:

SEE FULL NARRATIVE ATTACHED

YES Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1 & 2

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****BWC Recording****

On 10/19/2020 at approximately 2030 hours, Deputy C. Sturrup responded to ██████████ ██████████, New Smyrna Beach in reference to a suicidal subject. Per ██████████ ██████████ (R1), she and her boyfriend - ██████████ (V1) were engaged in a verbal altercation. During the verbal altercation, ██████████ (V1) made statements such as "I can not go on like this. I don't matter". ██████████ (R1) said she heard three gunshots after she left the residence and was afraid ██████████ (V1) hurt himself with the firearm.

Upon arrival, Deputy C. Sturrup made contact with ██████████ ██████████ (R1). ██████████ ██████████ (R1) advised she and ██████████ ██████████ (V1) live at the residence together. ██████████ ██████████ (R1) said ██████████ (V1) suffers from alcoholism and narcotic addictions. She further explained in detail about a recent burglary which occurred at the residence upsetting ██████████ ██████████ (V1). ██████████ ██████████ (R1) said ██████████ (V1) made several statements such as "I can not go on like this. I don't matter". She further stated ██████████ ██████████ (V1) did not want to live anymore. ██████████ ██████████ (R1) said she left the residence and as she was driving down the driveway, she heard three gunshots and was afraid ██████████ (V1) hurt himself with the firearm. Per ██████████ ██████████ (R1), ██████████ (V1) was in the master bedroom with a loaded ██████████ shotgun when she left the residence. ██████████ ██████████ (R1) said she then began receiving multiple text messages from ██████████ (V1) expressing being miserable, and suicidal insinuations.

Volusia Sheriff's Office then made contact with ██████████ (V1) via phone. ██████████ (V1) confirmed all the information provided by ██████████ (R1). He further stated he also suffers from bipolar disorder and has been having a difficult day. ██████████ (V1) stated he used the ██████████ shotgun to fire three rounds into the ground off his porch. ██████████ (V1) agreed to exit the residence and met the deputies in the driveway, where he was secured. Deputy C. Sturrup did not observe any signs of exterior trauma (physical injury) on ██████████ (V1). ██████████ (V1) appeared to be emotional regarding the recent events (residential burglary and verbal altercation).

██████████ (V1) refused to be transported to a medical facility for a psychological examination. Due to statements made by ██████████ (V1), Deputy C. Sturrup determined there was a likelihood without care or treatment he could cause serious bodily harm to himself or others, as evidenced by recent behavior. Due to ██████████ (V1)'s actions and intoxication level, Deputy C. Sturrup believed Robert ██████████ (V1) was unable to determine for himself whether a psychological examination was necessary. Deputy C. Sturrup took ██████████ (V1) into protective custody under provisions of a Florida Baker Act. ██████████ (V1) was transported to Halifax Medical Center for further evaluation and treatment.

██████████ (R1) completed and signed a VCSO written statement. (see attached copy). ██████████ (R1) granted Deputy Sturrup permission to photograph the text message conversation between her

AFFIDAVIT CONTINUATION

FROM SECTION 1 & 2

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and [REDACTED] (V1). Both [REDACTED] (R1) and [REDACTED] (V1) were provided with a Volusia Sheriff's Office Risk Protection Order Notification form. [REDACTED] (R1) allowed Deputy Sturup permission to enter the basement safe room which was sealed by a large metal safe door accessible by a code only [REDACTED] (R1) has access to. With [REDACTED] (R1) permission, Deputy Sturup documented by photograph the 58 firearms and shelvings full of ammunition located in the basement safe room including shotguns, rifles and handguns. Deputy Sturup collected the black and brown [REDACTED] 12 gauge shot gun- (Serial number [REDACTED]) which was located on the table in the living room loaded with two rounds. Deputy C. Sturup submitted one unloaded black and brown [REDACTED] 12 gauge shot gun- Serial number [REDACTED] (item #1) and two [REDACTED] buck shot rounds (item #2) into the District Three South evidence locker. Deputy C. Sturup uploaded the BWC Recording (item #3) to Evidence.com. Deputy C. Sturup submitted digital photographs (item #4) into the online photograph management system. [REDACTED] (V1) signed and received a Risk Protection Order / Baker Act Firearms and Ammunitions Receipt. Deputy Sturup completed a Risk Protection Order Packet which was provided to Sgt. J. Hillyard to be forwarded to the RPOSubmissions email for further review. Deputy Sturup contacted VSO Teletype and requested a criminal history check for [REDACTED] (V1), which revealed the following: As of 10/19/2020, The defendant has 0 felony convictions, 0 misdemeanor convictions and 0 prior failure to appears. Per Deputy Becker, [REDACTED] (V1) indicated his concealed weapons permit was expired. Deputy Sturup checked through Volusia Sheriff's Office teletype which indicated [REDACTED] (V1)'s did not have a concealed weapons permit issued under his social security number. Case status: Closed

