

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

IN RE: PETITION FOR RISK PROTECTION ORDER
AGAINST {Name of Respondent} [REDACTED]

VSO Case Number
230005062

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} Deputy Sheriff Stewart Girdwood, 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:

On March 15th 2023, at approximately 0017 hours, Deputies responded to [REDACTED] in reference to a suicidal person. Prior to deputies' arrival, central dispatch advised [REDACTED] (D1) was armed with a handgun. As Deputies arrived on scene, they observed three vehicles leaving [REDACTED]. It was later discovered [REDACTED] was the sole occupant of the black in color Honda Civic, which was observed leaving the area at a high rate of speed. Deputies then made contact with

2 Additional pages are attached.

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

[REDACTED] the mother of [REDACTED] refused to provide any written form of statements to Deputies while on scene.

0 Additional pages are attached.

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██████████ (R1) who advised the following:
██████████ stated her son ██████████ has been having manic episodes recently stemming from a preexisting medical condition. ██████████ further explained, ██████████'s psychosis became extremely severe tonight and he was observed pacing back and forth in their residence stating people were "out to get him". ██████████ explained she attempted to calm ██████████ down, however she was unsuccessful as ██████████ was having hallucinations of people trying to "get him." ██████████ stated as ██████████ was pacing throughout the house during his manic episode, he stated he was going to kill himself. ██████████ advised she observed ██████████ in possession of a handgun within their residence which was concerning as he was not mentally stable. ██████████ explained she attempted to speak with ██████████ to convince him to get psychologically evaluated, however ██████████ disagreed and lashed out in a fit of rage, at which point ██████████ contacted law enforcement for assistance.

On 03/15/2023 at approximately 0021 hours, Sergeant Ray responded to the area of ██████████ ██████████ Deltona in reference to an armed suicidal subject, identified as ██████████

Upon arrival, Sergeant Ray met with several deputies who advised they had been in contact with ██████████'s mother via telephone in reference to suicidal statements he was making. Sergeant Ray then observed several vehicles backing out of the driveway of the aforementioned address. The three vehicles traveled southwest on Haversham Rd, then onto Brayton Circle, where they approached and stopped at the intersection of Brayton Circle and Haversham Rd. Deputies attempted to make contact with ██████████ who was driving a black Honda passenger vehicle bearing Florida license plate: ██████████. ██████████, the driver and sole occupant of the vehicle, then drove around the other two vehicles and drove northeast on Haversham Rd.

Sergeant Ray followed the vehicle to the intersection of West Finland Dr. and Saxon Blvd, where the vehicle then traveled west onto Saxon Blvd. Sergeant Ray verified the attached license plate was that of ██████████'s vehicle, at which time based on statements made by ██████████'s mother, attempted to conduct a traffic stop to check the well being of the occupant. The vehicle turned onto Interstate 4 eastbound, and Sergeant Ray closely followed in his Volusia Sheriff's Office issued vehicle, which displays agency insignias on both sides, as well as the rear of the vehicle. The vehicle is also equipped with emergency lights, which were illuminated by Sergeant Ray at this time. The vehicle continued onto the on ramp to Interstate 4, merging into traffic as Sergeant Ray followed. The vehicle then began to speed up, at which time Sergeant Ray turned off his

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his vehicle's emergency lights, maintaining the speed limit as ██████████ continued to accelerate, eastbound on Interstate 4.

Sergeant Ray advised Central Dispatch via radio the vehicle had not stopped and was continuing eastbound towards Deland. Deputy Morgan responded to Interstate 4/Howland Blvd in an attempt to acquire the vehicle. Sergeant Ray asked the aforementioned information be relayed via radio to VSO Districts Two (2) and Three (3). Sergeant Ray further advised ██████████ was thought to have a firearm in his possession based on statements made to the ██████████ call taker by ██████████

Lieutenant Teske observed the vehicle traveling eastbound on Interstate 4 past the E New York Avenue off ramp in Deland at a high rate of speed, and de-activate the vehicle's lights in an attempt to avoid further detection by law enforcement.

Deputy Whitson was able to re-acquire the above vehicle at the Interstate 4/Interstate 95 interchange. Deputy Whitson advised central dispatch that the vehicle was exiting Interstate 95 at the W International Speedway Blvd. off ramp. At that intersection, Deputy Whitson activated his emergency lights, signaling ██████████ to stop. ██████████ failed to stop for Deputy Whitson, and continued driving eastbound on W International Speedway Blvd. Deputy Bergeron deployed his agency-issued Stop Sticks a short distance later, which deflated one of ██████████'s tires. ██████████ continued driving eastbound on W International Speedway running several steady red traffic lights, before making a u-turn at Hagen Terrace and traveling westbound. Deputy Whitson was able to deploy his agency-issued Stop Sticks at the intersection of Midway Dr/W International Speedway Blvd at 0046 hours, and deflate a second tire on ██████████'s vehicle. ██████████ continued driving westbound on W International Speedway Blvd. at a slow rate of speed (approximately 30 miles per hour). ██████████ suddenly made a u-turn at Tomoka Farms Road, and began traveling eastbound again on W International Speedway Blvd. at approximately 25 miles per hour.

Deputies continued to follow ██████████ at a safe distance with no emergency equipment activated. Daytona Beach Police Department officers were able to get ahead of ██████████ and control multiple intersections in an attempt to mitigate risk to the motoring public. ██████████ continued driving eastbound at approximately 20 miles per hour, before a Daytona Beach Police Department officer deployed his agency-issued Stinger tire deflation devices, which deflated a

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third tire on ██████████'s vehicle. ██████████ then brought the vehicle to a stop in front of Daytona International Speedway near Nascar Drive, where a felony stop was conducted on the vehicle.

██████████ was initially non-compliant with Deputies, however after a short time, a Daytona Beach Police Department hostage negotiator arrived on scene and was able to convince ██████████ to surrender himself to deputies without further incident. ██████████ was taken into custody, searched, and placed in the rear of Deputy Morgan's patrol vehicle, where he was then transported back to District Four for paperwork.

An inventory of ██████████'s vehicle was completed, which yielded two handguns, one .380 caliber and one 9 millimeter caliber, as well as several hundred rounds of ammunition. The vehicle was turned over to ██████████ with ██████████'s permission captured on Deputy Morgan's body worn camera.

A criminal history for ██████████ was queried through the VSO Teletype Unit, which revealed one prior charge for fleeing/eluding law enforcement in Volusia County, which was nolle prosecuted.

██████████ advised Deputy Morgan that he did not plan to harm himself with the firearms in his vehicle, however admitted he told ██████████ that he no longer wanted to live due to the severe amount of stress in his life. Deputy Morgan asked ██████████ if he still felt this way to which he admitted he did.

Based on the totality of the investigation, a risk protection order was completed by Deputy Girdwood, and ██████████'s firearms and ammunition were seized for safekeeping, pending the outcome of a risk protection order hearing. Deputy Bergeron submitted the firearms and ammunition into the District Four evidence locker and completed the VSO property sheet.

██████████ was charged with two (2) counts of fleeing/attempting to elude law enforcement, issued citations: AHCDZ2E and AHCDZ3E, and was later transported to the Volusia County Branch Jail without further incident.

3. Affiant is is not aware of any existing protection order governing the respondent under any applicable statute.

_____ Known protection orders are attached

4. The quantities, types, and locations of all firearms and ammunition the petitioner believes to be in the respondent's current ownership, possession, custody or control are as follows:

Quantity	<u>1</u>	Type	<u>S&W M&P .380</u>	Location	<u>3887 Tiger Bay Rd</u>
Quantity	<u>1</u>	Type	<u>CZ Shadow</u>	Location	<u>3887 Tiger Bay Rd</u>
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____
Quantity	_____	Type	_____	Location	_____

_____ Additional pages are attached.

AFFIANT HEREBY CERTIFIES UNDER PENALTY OF PERJURY THAT THE STATEMENTS AND FACTS IN THIS AFFIDAVIT AND IN ANY ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Dated: 03/16/2023 Signature of Affiant: *Stewart Girdwood*

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 16 day of March, 2023, by Deputy Sheriff Stewart Girdwood
Affiant's name

SW 8658
Signature of Attesting LEO Witness

Deputy Sheriff Stephen Woodin
Print name of Attesting LEO Witness

OR

Signature of Notary Public

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known or Produced Identification

(Type of Identification Produced)