

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

VSO Case Number
21- 12758

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

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, {full legal name} AUSTIN ROSA, in my position as {job title} DEPUTY with the {name of law enforcement officer/agency} VOLUSIA SHERIFF 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 ATTACHED PAGES

1- 3 Additional pages are attached.

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

SEE ATTACHED PAGES

1- 3 Additional pages are attached.

AFFIDAVIT CONTINUATION

FROM SECTION 1 & 2

PAGE 1 OF 3

BODY WORN CAMERA

On July 9th 2021 at approximately 2124 hours, Deputies were notified of a suicidal person at ██████████ DeLand (Daytona Park Estates). Central advised responding Deputies that it was called in by a third party ██████████ (R1) who was not on scene, but advised while on the phone with ██████████ (VI) he told him he would shoot himself in the head and that he was going through a PTSD situation.

Deputies immediately arrived in the area of ██████████'s house, and staged and put together a contact team and formulated a plan of approach.

Sergeant Tucker was provided with ██████████'s wife ██████████'s (OI) contact information, and started to communicate with her, and asked to where ██████████ was and if he had access to his firearms at the time of communication. She advised Sergeant Tucker that ██████████ was in the house and he did not have any access to his firearms because she took them and hid them behind the washer and dryer. Sergeant Tucker told ██████████ that we would approach the house and he would let her know when to come outside so we can make contact with ██████████ in a safe manner.

Deputies approached the house from the front, and Sergeant Tucker made the call to ██████████ to step outside. When ██████████ stepped outside ██████████ followed behind her. Deputies approached and made contact with ██████████ in the driveway of he residence.

Deputies spoke to ██████████ and explained to him why we were there. While talking to ██████████ he would tell Deputies that PTSD is serious and he has been trying to start a movement, because after law enforcement officers retire all they do is think about the terrible things they have observed during their careers. He further explained that he has changed his behavior over the last few weeks in a negative way and started to smoke cigarettes, which he has never done before but because it helps him with his PTSD and it is the only real thing that could actually keep him calm so he started to do it. ██████████ then explained to deputies that he was not suicidal nor does he want hurt anyone else, that he was just proud that we are looking out for a fellow brother in blue. After asking ██████████ questions he just spoke about his thirty- three year career in law enforcement and everything he has done.

During the investigation Deputy Rosa made contact with ██████████ to see if she could provide more information on ██████████'s behavior and what she has observed, and she stated that over the past three weeks her husband ██████████ has been distressed, angry, crying, and has lost twenty pounds within the last few weeks. ██████████ stated this is all stemming from his career, and that she observed her husband posting numerous videos to express his anger. ██████████ described the videos to be full of rage, profanity, and strange thoughts. When Deputy Rosa asked ██████████ what she meant by strange thoughts, she said ██████████ talks in a third person, and does not make any logical sense and will continue to talk in riddles to people as if he is leaving a puzzle for people to figure out. ██████████ also started to observe that ██████████ has not been sleeping, and has been interacting with family in a negative way and this is not him. ██████████ also made the

AFFIDAVIT CONTINUATION

FROM SECTION 1 & 2

PAGE 2 OF 3

the comment to [REDACTED] that if he was not smoking, he would of shot himself in the head by now. She advised that he has stated he is on a mission and claims God is guiding him in a direction he needs to go.

[REDACTED] provided Deputy Rosa with an example she was fearful [REDACTED] was going to harm himself, and said [REDACTED] has been wanting to go on a camping trip and be in the woods alone. Since [REDACTED] was fearful he would cause harm to himself she reached out to Mission 22 which is a veteran support group for help, and they told [REDACTED] to keep him from going because he is only going camping for one reason and she prevented him from going with the advice from Mission 22.

[REDACTED] advised she does not fear for her or her family's safety, that she just needs to get recourses to help her husband.

Deputy Rosa then made phone contact with [REDACTED] who initially called for law enforcement, and he spoke to Deputy Rosa and advised he is in fear that [REDACTED] is going to kill himself. When Deputy Rosa asked [REDACTED] why, he stated while he was on the phone with [REDACTED] tonight, [REDACTED] asked [REDACTED] what would he do if he killed himself right now. [REDACTED] replied to [REDACTED] and said he would be devastated because he is a good friend. [REDACTED] then continued to tell [REDACTED] that he started to smoke cigarettes on a daily basis lately, and [REDACTED] asked him what was going on in which he said PTSD. [REDACTED] told [REDACTED] to stop smoking and put the cigarette down that it is no good for him, that he should chew gum that its better. [REDACTED] replied if I put this cigarette down to chew gum I am going to shoot myself in the head. That's when [REDACTED] called law enforcement.

As Deputy Rosa continued to talk to [REDACTED] he was advising that [REDACTED] has been posting odd things on his social media that people don't care, and that his brothers let him down, and was posting word puzzles for people to figure out what he was saying. [REDACTED] said this is all out of character for [REDACTED] [REDACTED] continued to make it known to Deputy Rosa that he fears [REDACTED] will hurt himself.

Deputy Rosa did find [REDACTED]'s Facebook account, and observed [REDACTED]'s most recent post which sates, "Be prepared: I'm going to speak of something very important, Please view without your children first. Then decide if you want them to view later with you. Please explain everything to them. Overcoming obstacles in life and do something of good. God Bless You all."

Deputy Rosa also observed [REDACTED]'s most recent video, where you can hear him talk about PTSD and then break down crying and then will stop talking for a brief period of time. He is also observed in the video talking in riddles and not making sense.

With the information provided and [REDACTED]'s change of behavior he was placed in protective custody under the Baker Act.

[REDACTED] provided Deputy Rosa with a sworn written statement.

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AFFIDAVIT CONTINUATION

FROM SECTION 1 & 2
PAGE 3 OF 3

The conversation via phone was captured on Deputy Rosa's body worn camera.

[REDACTED] stated she will hold on to [REDACTED]'s firearms until she gets advice from her father who lives out of town.

Deputy Rosa completed a TRPO and submitted it for review due to [REDACTED] wanting to cause harm to himself involving the use of a firearm, and also possesses several unknown firearms do to a career in law enforcement.

[Empty lined area for additional text]

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

0 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>7</u>	Type <u>UNKOWN</u>	Location <u>INSIDE THE RESIDENCE</u>
Quantity _____	Type _____	Location _____
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: 07/09/2021

Signature of Affiant: D/S A.R 9223

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization,

this 09 day of JULY, 2021, by D/S A. ROSA
Affiant's name

CA #9276
Signature of Attesting LEO Witness

D/S D. CLEM
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)