

7th. Judicial Circuit 707
Charging Affidavit - FLAGLER

Arrest # _____

Bk # 20-1475

Pg #1 of 4

| | | | | | |
|---|--|---|--|---|--|
| ARREST <input checked="" type="checkbox"/> NOTICE TO APPEAR <input type="checkbox"/> AFFIDAVIT <input type="checkbox"/> C.C. <input type="checkbox"/> | | ADULT <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/> | | Court Case Number: 2020 CF 000667 | |
| (ORI) FL: 0 1 8 0 0 0 0 | | Agency Name: Flagler County Sheriff's Office | | Agency Case Number: 2020-00071743 | |
| FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | OBTS# <u>1801058035</u> | | Date Arrested: 08/02/2020 | |
| ADDRESS OF ARREST: ROYAL PALMS, PKWY, Palm Coast, Florida, 32164 | | Arrested By: Kotowski Philip | | ID Number: 899 | |
| DEFENDANT | | Name (L.F.N.): SMITH, TRAVIS, SCHRIEVER | | A.K.A.: | |
| DOB: 12/10/1983 | | Age: 36 | | Sex: Male | |
| Height: 5 11 | | Weight: 165 | | Race: WHITE | |
| Sears, Marks, Tattoos: | | Business & Occupation: | | Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | |
| Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | Sexual Predator: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | |
| Address-Home Permanent: 20 ROCKNE LN | | Palm Coast Florida 32164 | | RESIDENT PHONE: (386)986-7738 | |
| Address-Local: 20 ROCKNE LN | | PALM COAST Florida 32164 | | BUS SCHOOL PHONE: | |
| Address-Other (Employer/School): | | (CITY) (STATE) ZIP CODE | | BUS SCHOOL PHONE: | |
| CHARGES | | DOMESTIC VIOLENCE? YES <input type="checkbox"/> | | Total Charges: 02 | |
| #1 Charge: BATTERY - SIMPLE | | FEL <input type="checkbox"/> MISD <input checked="" type="checkbox"/> ORD <input type="checkbox"/> | | Bond: None | |
| #2 Charge: CHILD ABUSE PHYSICAL OR MENTAL INJURY | | FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> | | Bond: None | |
| #3 Charge: | | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> | | Bond: | |
| CO-DEFENDANT | | Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd <input type="checkbox"/> Traf <input type="checkbox"/> Ord <input type="checkbox"/> NTA <input type="checkbox"/> | | Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd <input type="checkbox"/> Traf <input type="checkbox"/> Ord <input type="checkbox"/> NTA <input type="checkbox"/> | |
| #1 NAME (I.F.N.): | | Race: | | Sex: | |
| #2 NAME (L.F.N.): | | Race: | | Sex: | |
| NARRATIVE | | The undersigned certifies and swears that there is a probable cause to believe the above names defendant, on the <u>2nd</u> day of <u>August</u> , 2020, at approximately <u>01:10</u> <u>X</u> A.M. <u></u> P.M. at <u>ROYAL PALMS PKWY BELLE TERREPKWY</u> within <u>Flagler</u> County, violated the law and did then and there. | | | |
| On August 2, 2020 at 0017 hours, I, Deputy Kotowski, responded to the intersection of Belle Terre Pkwy and Royal Palms Pkwy, in reference to a physical disturbance. | | | | | |
| Upon my arrival, I observed a male, later identified to me as Travis Smith (12/10/1983) on top of another male, restraining him, later identified to me as [REDACTED] (02/27/1973). I immediately gave Travis commands to get off of [REDACTED], to which Travis initially was uncompliant. I drew my department issued Taser X2 and aligned both red dots on Travis, giving him another verbal command | | | | | |
| Supervisor Approved: Parthemore, Daniel 08/02/2020 | | | | | |
| NOTICE TO APPEAR | | MANDATORY APPEARANCE <input type="checkbox"/> | | YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/> | |
| I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED. | | FINE AND COSTS AMOUNT: | | CITATION No. | |
| SIGNATURE OF DEFENDANT | | DATE | | RELATIONSHIP TO JUVENILE | |
| Sworn to and subscribed before me, the undersigned, this <u>02</u> day of <u>08</u> , 2020. | | I swear affirm the above statements are correct and true. | | RI Thumb | |
| Name: <u>DFC [Signature]</u> | | OFFICER'S COMPLAINT'S SIGNATURE | | CITATION No. <u>899</u> | |
| Notary Public: <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> | | NAME (PRINTED) | | ID NUMBER | |
| Type of Identification: | | <u>D/S P. Kotowski</u> | | <u>899</u> | |
| OFFICIAL USE ONLY | | Home Number & facility: | | | |

707 - COURT COPY

Witness/Victim/Evidence Form 707-A

Arrest Adult
 Affidavit Juvenile
 Notice to Appear

Court Case Number:

Pa #2 of 4

| | | | |
|--|--|--|--|
| Defendant Name: SMITH, TRAVIS, SCHRIEVER | | Agency Case Number: 2020-00071743 | |
| Name (L,F,M) | Vic <input checked="" type="checkbox"/> Wit <input type="checkbox"/> | Age: 34 | DOB: 03/10/1986 |
| Address (#, Street, City, State) | Race: WHITE | Sex: M <input type="checkbox"/> F <input type="checkbox"/> | SSN: - |
| Bus/School Address: | Relative/Contact Address: | Home Phone: (612)707-9578 | Statement: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Relative/Contact Name: | Relative/Contact Address: | Zip: | Bus Phone: |
| Name (L,F,M): KASTL, ANDREW, CHARLES | Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/> | Age: 34 | DOB: 03/10/1986 |
| Address 20372 JUNE GRASS DR BIG LAKE, Maine | Race: WHITE | Sex: M <input type="checkbox"/> F <input type="checkbox"/> | SSN: - |
| Bus/School Address: | Relative/Contact Address: | Home Phone: (612)707-9578 | Statement: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Relative/Contact Name: | Relative/Contact Address: | Zip: | Bus Phone: |
| Name (L,F,M): | Vic <input type="checkbox"/> Wit <input type="checkbox"/> | Age: | DOB: |
| Address (#, Street, City, State): | Race: | Sex: M <input type="checkbox"/> F <input type="checkbox"/> | SSN: |
| Bus/School Address: | Relative/Contact Address: | Home Phone: | Statement: Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Relative/Contact Name: | Relative/Contact Address: | Zip: | Bus Phone: |
| Name (L,F,M): | Vic <input type="checkbox"/> Wit <input type="checkbox"/> | Age: | DOB: |
| Address (#, Street, City, State): | Race: | Sex: M <input type="checkbox"/> F <input type="checkbox"/> | SSN: |
| Bus/School Address: | Relative/Contact Address: | Home Phone: | Statement: Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Relative/Contact Name: | Relative/Contact Address: | Zip: | Bus Phone: |
| Name (L,F,M): | Vic <input type="checkbox"/> Wit <input type="checkbox"/> | Age: | DOB: |
| Address (#, Street, City, State): | Race: | Sex: M <input type="checkbox"/> F <input type="checkbox"/> | SSN: |
| Bus/School Address: | Relative/Contact Address: | Home Phone: | Statement: Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Relative/Contact Name: | Relative/Contact Address: | Zip: | Bus Phone: |

EVIDENCE COLLECTED

| Description of Evidence | Date Recovered | Model Serial/I.D. Number | Drug Amount |
|-------------------------|----------------|--------------------------|-------------|
| Owner(Name) (Address) | (Phone) | Value | |
| Description of Evidence | Date Recovered | Model Serial/I.D. Number | Drug Amount |
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| Description of Evidence | Date Recovered | Model Serial/I.D. Number | Drug Amount |
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| Description of Evidence | Date Recovered | Model Serial/I.D. Number | Drug Amount |
| Description of Evidence | Date Recovered | Model Serial/I.D. Number | Drug Amount |
| Description of Evidence | Date Recovered | Model Serial/I.D. Number | Drug Amount |

I certify that the foregoing is a complete list of witnesses/victims & evidence known to me.

Investigating Officer: D/Sgt [Signature] ID Number: 899 Agency: FC50

707-A - COURT COPY

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Page # 3 of 4

| | | | |
|--|---|---|----------------------------|
| Defendant Name: SMITH, TRAVIS, SCHRIEVER | | Agency Case Number: 2020-00071743 | |
| CHARGES | DOMESTIC VIOLENCE? YES <input type="checkbox"/> | Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> | Total Charges: |
| # | Charge: | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> | FS/ORD: Citation No: Bond: |
| # | Charge: | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> | FS/ORD: Citation No: Bond: |
| # | Charge: | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> | FS/ORD: Citation No: Bond: |

to get off of [REDACTED] Travis then stated "You ready for him?" and removed himself from [REDACTED] attempted to stand up, to which I gave him lawful commands to stay on the ground. Corporal Parthemore then arrived on scene and secured [REDACTED] in handcuffs.

Once [REDACTED] was secured, Corporal Parthemore gave Travis a lawful command to get on the ground, to which Travis complied and was subsequently secured in handcuffs. I stood [REDACTED] up, and took him to the rear of my patrol vehicle. [REDACTED] was assessed by medical personnel, and did not require transport to the hospital. I then released [REDACTED] from handcuffs, and placed him on the push bar of my patrol vehicle. I interviewed [REDACTED] about what occurred, to which he stated he was a Lyft driver, and was providing a ride for two adult males, and one juvenile male from Flagler Beach to 20 Rockne Ln. [REDACTED] stated Travis began to ask him about the partition in the vehicle, and became upset, attacking him by grabbing him in a chokehold, while the vehicle was still in motion. [REDACTED] also stated there was a dinging noise coming from the rear of the vehicle, due to one of the rear doors being ajar. Travis began to accuse [REDACTED] of intentionally creating the noise, to which [REDACTED] explained that one of the rear passengers opened the door.

Travis then ripped the partition down, and immediately starts to attack [REDACTED] striking him several times in the right side of his face with a closed fist. [REDACTED] vehicle then swerved, while Travis put [REDACTED] in a chokehold, causing the vehicle to almost crash and go across the median, from the northbound lane, into the southbound lane. [REDACTED] and Travis both exit the vehicle, when they began to fight outside of the car. [REDACTED] also stated Travis spit on him, to which I observed [REDACTED] to have spit under his eye. [REDACTED] informed me that he had video footage of the incident, as he has an interior facing dash camera in his vehicle. [REDACTED] provided me with the video, which correlated with all events that he stated to me. [REDACTED] completed a voluntary sworn written statement, and was provided with a victim's rights brochure. Photographs of [REDACTED] injuries, to include a hematoma to the right side of his forehead, were taken and will be uploaded to AEGIS, along with the video footage of the incident. [REDACTED] completed a public records exemption form.

Corporal Parthemore spoke to Travis, who stated that [REDACTED] was driving recklessly, blowing through red lights, and Travis felt that his life was in danger, so he attempted to subdue him after

| | | |
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| Sworn to and subscribed before me, the undersigned this <u>02</u> day of <u>09</u> , 20 <u>20</u> | I swear/affirm the above statements are correct and true | Right thumb |
| Name: <u>D/FC 219</u> | <u>D/FC</u> <u>P. Kotowski</u> <u>899</u> | |
| Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personality Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> | OFFICER'S/COMPLAINANT'S SIGNATURE: | |
| Type of Identification: | NAME (PRINTED) <u>D/FC P. Kotowski</u> | ID NUMBER <u>899</u> |

707-B - COURT COPY

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear

 Adult
 Juvenile

Court Case Number: 2020-00071743


| | | | |
|--|---------|--|----------------------------|
| Defendant Name: SMITH, TRAVIS, SCHRIEVER | | Agency Case Number: 2020-00071743 | |
| CHARGES | | DOMESTIC VIOLENCE? YES <input type="checkbox"/> Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> | Total Charges: |
| # | Charge: | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> | FS/ORD: Citation No: Bond: |
| # | Charge: | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> | FS/ORD: Citation No: Bond: |
| # | Charge: | FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> | FS/ORD: Citation No: Bond: |

██████████ ripped down the partition and was being verbally aggressive towards Travis. Upon review of the video footage, it was determined that Travis was being dishonest, and provided an inaccurate statement of the events. It should be noted, Travis was highly intoxicated throughout the duration of the incident.

The two other passengers in the rear of the vehicle, Andrew Kastl (03/10/1986) and ██████████ (2013), did not have any involvement in the incident, however Andrew is heard saying on the video "Get that motherfucker". It should be noted, ██████████ is a juvenile, whose life was endangered by Travis's actions due to Travis attacking ██████████ while ██████████ was in operation of the vehicle in motion, causing him to go over the median, and having the potential for an accident to occur. It should also be noted, ██████████ appeared to be visibility upset after the incident, was crying and stated "I just want to go to sleep".

Andrew and ██████████ are visiting Travis from Maine, and were staying with him at his residence at 20 Rockne Ln. Deputy Finn and I attempted to speak to Travis about providing Andrew and ██████████ access to the residence, to which Travis stated "Go fuck yourselves" and refused to provide a key, or location for a key. Deputy Finn provided Andrew and ██████████ a courtesy ride to the Hampton Inn, where they agreed to stay for the evening.

Based on the totality of the circumstances, and the video footage, Andrew was placed under arrest for battery and child abuse. Andrew was transported to the Flagler County Inmate Facility without incident.

| | | |
|--|---|----------------------|
| Sworn to and subscribed before me, the undersigned this <u>02</u> day of <u>04</u> , 2020. | I swear/affirm the above statements are correct and true. | Right thumb |
| Name: <u>DPC</u> <u>219</u> |  | |
| Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> | OFFICER'S/COMPLAINANT'S SIGNATURE | |
| Type of Identification: | NAME(PRINTED) <u>D/S P. Kotowski</u> | ID NUMBER <u>899</u> |

707-B - COURT COPY