
City of Daytona Beach PD Trespass Appeal

City Commission Chambers, 301 S Ridgewood Ave, Daytona Beach, FL 32114

Robert J. Riggio, Special Magistrate

October 28, 2025 Minutes

Attendees:

Robert J Riggio, Special Magistrate

Staff present:

Ms. Melissa Diaz, Assistant City Attorney

Officer Brian Morales Daytona Beach Police

Ms. Lena Rankin, Board Secretary

Ms. June Barnes, Rental Program Coordinator

Mr. Joe Graves, Audio/Visual

Mr. Xavier Campbell, Audio/Visual

Approval of Minutes by:  Special Magistrate

Mr. Riggio called the meeting to order at 10:40 a.m.

Mr. Riggio stated that the meeting was scheduled for 10:30 am and the Petitioner is not present. He asked if the Petitioner had been notified.

The Board Secretary stated that he was notified.

Mr. Riggio approved the minutes from the August 26, 2025 meeting.

Mr. Riggio called Case #1.

The Board Secretary swore in members of staff who will be testifying.

CASE # 1 - TA-10-25-04 – Damarious J. Langston is appealing the trespass warning issued for **315 Pearl St, Joe Harris Park**, a City-owned property, pursuant to City Ordinance 86-43.

ACTION TO BE TAKEN: Consideration of Petitioner's Request for Appeal of the Trespass Warning.

Mr. Riggio read Mr. Damarious J. Langston's Appeal into the record. He stated that he believe this does not constitute as an appeal due to there not being any facts being raised or legal arguments being made. Mr. Langston was trespassed for being there after hours.

Ms. Melissa Diaz stated that it was correct. The City has some incident reports and signs at Joe Harris Park.

Mr. Riggio asked if the arresting Officer was present.

Officer Carlos Queliz came forward and was sworn in by the Board Secretary.

Mr. Riggio went over the evidence that was provided in his book. He asked Officer Queliz to explain why he gave Mr. Langston the trespass warning.

Officer Queliz recalled the incident in question, explaining step by step what occurred.

Mr. Riggio stated that he was confused why Mr. Langston didn't leave when he was given the opportunity to.

Officer Queliz stated he gave him a chance to leave and wouldn't. He asked him if he was a student there and he believed Mr. Langston stated no.

Mr. Riggio stated in his appeal he stated that he was a student.

Officer Queliz stated that even if he was a student there, they are well educated when the park closes. They patrol the park heavily due to shootings and drug activity.

Ms. Diaz presented the park sign along with the online posting of park hours for the record.

Mr. Riggio read the sign for the record.

Mr. Langston arrived and came forward.

Mr. Riggio explained that the hearing was supposed to start at 10:30 am and we waited until 10:40 am to give him more time. He explained what was already gone over. He asked Mr. Langston to explain his appeal.

The Board Secretary swore in Mr. Langston.

Mr. Langston explained that the officers thought something else was going on and they didn't give him time to explain what he was doing in the park after hours. He is a student and was trying to go back to his dorm and must have had to sit down for a second.

Ms. Diaz stated that is irrelevant, the signs state no one is to be in the park after hours.

Ms. Diaz presented Mr. Langston with Exhibit A.

Mr. Langston explained it was a miscommunication and wouldn't happen again. He is a student at the school and needs to walk through the park to get to and from classes.

There was discussion on the name that was given to officers on scene.

Officer Queliz explained his recollection of the interaction.

Mr. Riggio stated this is a 2-year trespass.

Officer Queliz stated that is an error and should only be one year.

Ms. Diaz stated that the corrections would be made to be a 1-year trespass.

There was discussion on the route Mr. Langston could take instead of going through the park to get to and from classes.

Mr. Langston stated that school activities are held in the park as well.

Mr. Riggio clarified that the trespass happened at 12:32 am and there were no school events happening at that time.

Officer Queliz explained that yes, the trespass was at 00:32 am and Mr. Langston was on a bench sleeping.

There was further argument about the interaction and weather Mr. Langston was giving time to leave.

Mr. Riggio suggested community service to work off the trespass.

Ms. Diaz asked for a brief recess to discuss with Officer Queliz if that is an option.

Mr. Riggio called for a 2-minute recess.

Ms. Diaz explains that they will allow Mr. Langston to do 50 hours of community service.

There was further discussion on the paperwork that will be provided and need to be provided back to the Board Secretary.

DISPOSITION: It is hereby ordered and adjudged the Petitioner's appeal of trespass issued to him on September 9, 2025 pursuant to Ordinance 86-43 is denied. The trespass warning shall remain in full force and effect. The City is however willing to allow Mr. Langston to be in the park for school-sanctioned events. The City is willing to waive the trespass from the record upon completion of 50 community service hours, and proof is provided to the Board Secretary by a repairable non-profit by January 26, 2026.

The meeting was adjourned at 11:17 am.