

From: Todd Brown <tabrown@sa18.org>

To: VolusiaExposed.Com <volusiaexposed@cfl.rr.com>

Cc: jimmy.donn@bcso.us <jimmy.donn@bcso.us>, debra.holt@bcso.us <debra.holt@bcso.us>, scott@flafirm.com <scott@flafirm.com>

Subject: RE: Public Records Request - Gregory Edwards (jail video)

Date: Tue, 23 Jul 2019 16:21:53 +0000 (07/23/2019 12:21:53 PM)

Good Afternoon Volusia Exposed,

Security video from within the Brevard County Jail is exempt from public record under the provisions of FS.119.071(3), 281.301. I've attached the original notice that should have been included with our response to your earlier public records request.

I'm unclear if you're seeking items beyond the jail video. Please refer to the attached notice for more information on what has been provided to you at no cost. Those records represent the complete file excluding the jail video, that was provided to us by BCSO.

I can't speak to any aspect of the BCSO investigation and respectfully suggest that you contact Tod Goodyear with any questions.

Todd Brown

Media & Communications

Office of the State Attorney

18th Judicial Circuit

2725 Judge Fran Jamieson Way

Building D

Viera, Fl. 32940

(321) 617-7310

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From: VolusiaExposed.Com <volusiaexposed@cfl.rr.com>

Sent: Tuesday, July 23, 2019 12:00 PM

To: Todd Brown <tabrown@sa18.org>

Cc: jimmy.donn@bcso.us; debra.holt@bcso.us; scott@flafirm.com

Subject: Public Records Request - Gregory Edwards (jail video)

Mr. Todd Brown
Public Information Officer
18th Judicial Circuit SAO

Mr. Brown:

We (VolusiaExposed.Com) received and reviewed the information on the CD.
Thank you.

According to the BCSO investigative report - there was "BCJC Video" (labeled pg 32, paragraph 4, of Tab 1, and other references) taken within the confines of the jail.

We (VolusiaExposed.Com) would like to incorporate that video within our pending article.
Please accept this email as a public record request for that referenced jail video.

Surely your office reviewed the video - during your review of the Use Of Force incident.
Should your agency wish to declare a statutory exemption to our public record request - please indicate which statutory exemption is being declared.

We need the video to clear up some of our concerns of whether the BCSO effectively investigated the events surrounding Mr. Edwards in-custody death. The BCSO CRIMINAL investigation does not reference whether the jail conducted an administrative internal affairs (IA) investigation into the events surrounding Mr. Edwards' death.

Also, the video would clear up concerns of whether ALL participants to the event were properly identified, and interviewed by the BCSO criminal investigators.

Some may suggest the following:

1. F.S. 943.1395(5) requires such an administrative investigation (IA) to be conducted.
2. It is noted, that during the BCSO's CRIMINAL investigation - at least three (3) of the principle deputies involved, refused to provide sworn statements - as is their U.S. Constitutional right to do so. However, in an administrative investigation, we hold the OPINION - under our LIMITED understanding of the 1967 U.S. Supreme Court decision - Garrity v. New Jersey - that these principle deputies would have been MANDATED to provide sworn statements to BCSO internal affairs investigators.

These recorded statements would now be available for public record release.

3. Some may question, why the BCSO did not conduct the administrative internal affairs investigation - while allowing FDLE to conduct the CRIMINAL investigation. Some others may suggest, that the BCSO conducted ONLY a CRIMINAL investigation to assist the principle deputies in avoiding sworn statements being provided to investigators.

As state above, the BCSO CRIMINAL investigative report does not reference any IA investigation, and so far our PRRs for a copy of the BCSO internal affairs (IA) investigation has failed to provide us with a IA summary report. Further, we suspect that your office would not have released the CRIMINAL investigative file, IF the BCSO had an active administrative investigation in progress. Such a release of records would have crippled any on-going IA investigation.

Please use our below email address as our point of contact, and advise us in advance of any costs that are associated with this PRR.

Regards,

VolusiaExposed.Com
volusiaexposed@cfl.rr.com