

From: Dave Byron <dbyron@co.volusia.fl.us>
To: VolusiaExposed <volusiaexposed@cfl.rr.com>
Subject: Re: Undocumented rape at the Branch Jail
Date: Fri, 21 Sep 2012 13:10:20 -0400

The information you request from the jail has been located and is being redacted. I expect to get a copy late this afternoon. It should be ready for you Monday. The name of the inmate would have made this easier, as I understand it. Dave Byron

>>> VolusiaExposed <volusiaexposed@cfl.rr.com> 9/21/2012 12:05 PM >>>

Thank You Gary,

Mr. Byron - We find it extremely difficult to believe, especially based on the body of Deputy Lecates' report, that the jail did not investigate this incident further - or at the VERY LEAST, as per their own policies, generate an incident report (VCDC-401) on the situation, whereas a VCSO deputy was sent to conduct an investigation into the matter - per VCDC policy (301.02) - the VCSO is called when the allegation of sexual assault is "credible".

Is it the county's position that they (jail) had a "credible" allegation of two inmates sexually assaulting another inmate - and apparently, solely based on the victim's wishes not to seek prosecution, the jail did not generate even ONE piece of documentation on the incident??

If so, we have a MAJOR problem with that - because under the former Florida Administrative Code 33-8 investigative / inspection process (FAC 33-8), this sexual assault would have received an independent investigation by the Florida State Prison inspector - however, under the current Florida Model Jail Standards process (FMJS) - the jail is apparently allowed to not even document the incident.

Interestingly, the Daytona Beach News Journal, a few days ago, published an article discussing that the FMJS will shortly assume the responsibilities of juvenile inmates. Will sexual assaults on juvenile inmates housed within adult facilities also go undocumented and un-investigated?

VX

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On Fri, 2012-09-21 at 11:19 -0400, Davidson, Gary wrote:

> Yes, the attached pdf file is a true and accurate (redacted) copy of a report authored by Deputy Lecates documenting an alleged incident that was reported to us on July 28, 2011.

>

> Gary

>

> -----Original Message-----

> From: VolusiaExposed [<mailto:volusiaexposed@cfl.rr.com>]

> Sent: Friday, September 21, 2012 11:14 AM

> To: Davidson, Gary

> Cc: Byron, Dave

> Subject: Deputy Lecates' report - see attached

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>

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> Gary:

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> Can you confirm the accuracy of the attached July 28, 2011 report from Deputy Lecates? I am NOT asking you to confirm the details in the report, only that Deputy Lecates did author it and the dates are correct.

>

> Thanks

>

> VX

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