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Bcc: Redacted
Subject: Chief Arcieri / Public Record Request
Date: Fri, 16 Nov 2018 10:56:08 -0500

To: Officials with the City of Edgewater, Florida.

Date: November 16, 2018

Ref: Public Record Request
Chief Dave Arcieri's resignation

Please be advised – that our publication – <http://www.VolusiaExposed.Com> - anticipates posting an article regarding the recent resignation of Police Chief Dave Arcieri.

Please accept this email as a public record request for a copy of the “separation agreement” between the city and Chief Arcieri. (as mentioned in the Daytona Beach News Journal) <https://www.news-journalonline.com/news/20181115/rumor-prompts-investigation-leading-to-longtime-edgewater-police-chiefs-resignation>

The publication holds the OPINION that the City of Edgewater MAY have a legal responsibility to COMPLETE their internal INVESTIGATION.

IF the City suspects that Chief Arcieri was in violation of a Moral Character standard – as defined in Florida Administrative Code 11B-27.0011 – then we hold the OPINION that per Florida Statute 943.1395(5) – the City MUST complete – and if necessary forward their findings to the Criminal Justice Standards and Training Commission (CJSTC / FDLE) for proper processing.

(F.S. 943.1395(5) “The employing agency must conduct an internal investigation if it has cause to suspect that an officer is not in compliance with, or has failed to maintain compliance with, s. 943.13(4) or (7). If an officer is not in compliance with, or has failed to maintain compliance with, s. 943.13(4) or (7), the employing agency must submit the investigative findings and supporting information and documentation to the commission in accordance with rules adopted by the commission. The commission may inspect and copy an employing agency’s records to ensure compliance with this subsection.”)

Please see a **May 2010 FDLE / CJSTC Professional Compliance Memo – regarding “Separation Agreements”** with police officers suspected of Moral Character violations. <http://www.volusiaexposed.com/vcso/sawicki2/cjstcmay2010.pdf>

Please see the below web link to the Florida Police Officers' Moral Character Standards – ignore the highlighted areas – this particular copy was used in another unrelated VolusiaExposed.Com article. However, a violation of F.S. 112.313(6) is incorporated into these Moral Character Standards and MAY apply to Chief Arcieri. **Other Moral Character Standards may also applied.**
<http://www.volusiaexposed.com/corrections/sgtjenkins122016/11b270011.pdf>

(“**F.S. 112.313(6) MISUSE OF PUBLIC POSITION.**—No public officer, employee of an agency, or local government attorney shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others. This section shall not be construed to conflict with s. 104.31.”)

Lastly – the publication would encourage your office to review the CJSTC / FDLE mandates of any officer who resigns – retires while under internal investigation. Since Chief Arcieri's resignation letter was dated November 9, 2018 - it appears (without any further clarification from your office) that he resigned while under investigation.

Back last September – this publication questioned the retirement of a Flagler County sheriff deputy while under investigation. (see below web links). By his retirement - the deputy was apparently attempting to avoid his misconduct being reported (CJSTC 61 / 61A form) to the CJSTC / FDLE – for appropriate action being applied against his law enforcement certification.

After voicing our concerns - the FCSO filed a “revised” CJSTC 61/61A form reflecting that the deputy “retired” while being investigated for a moral character violation (see below web links).

We now advise your office of the same – and make this public record request for a copy of Chief Arcieri's CJSTC 61 and 61A forms filed by the city with the CJSTC.

<http://volusiaexposed.com/fcso/fcso92018.html>

<http://volusiaexposed.com/fcso/fcso92018/braycjstc61.pdf>

We look forward to our requested records - and any guidance / understandings your office may provide.

Regards,

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