

From: "Lehman, Stacy" <StacyLehman@fdle.state.fl.us>

To: 'VolusiaExposed' <volusiaexposed@cfl.rr.com>, "Zachary, Kandace" <KandaceZachary@fdle.state.fl.us>

Subject: RE: Possible Officer Misconduct

Date: Thu, 23 Jan 2014 14:42:32 -0500

I think it would be helpful to explain the role of the Criminal Justice Standards and Training Commission in relation to allegations of officer misconduct. The Commission has the authority to pursue possible disciplinary action against an officer's certification if, upon investigation by the officer's employing agency, the agency sustains a violation of the moral character standard as outlined in Florida Administrative Code. Florida Statutes and Florida Administrative Code directs the officer's employing agency to investigate and report any sustained moral character violations to the Commission for possible disciplinary action against the officer's certification.

We serve as staff to the Commission, but are not statutorily authorized to conduct investigations. Based on the information you provided, it does not appear that a moral character violation has occurred. However, I made contact with the State Attorney's Office concerning this situation. Assistant State Attorney David Smith stated that there was **no criminal intent or predicate for prosecution**. Additionally, the Flagler County Sheriff's Office determined that an **internal was not warranted** and handled the case as an **agency policy violation**. **Violations of agency policy do not require notification to the Commission**. Based on this information, there will be no action by the Commission at this time.

You may make a verifiable complaint against an officer, alleging that a moral character violation has been committed. This complaint will then be provided to the employing agency for investigation. They, in turn, will report the findings to us for possible presentation to the Commission. The verifiable complaint must contain an allegation of a moral character violation, the complainant's name, and the complainant's contact information.

If you have any questions or need additional information, my contact information is below.

Thanks,
Stacy

R. Stacy Lehman
Training and Research Manager

Professional Compliance/Trust Fund Auditing
Florida Department of Law Enforcement
850/410-8645

-----Original Message-----

From: VolusiaExposed [<mailto:volusiaexposed@cfl.rr.com>]
Sent: Wednesday, January 08, 2014 1:03 PM
To: Zachary, Kandace
Cc: Lehman, Stacy
Subject: Possible Officer Misconduct

Kandace Zachary
Research and Training Specialist
Florida Dept. of Law Enforcement

January 8, 2014

Reference : Possible Moral Character Violation

Dear Kandace:

According to the below FDLE hyper link – your office (CJSTC / FDLE) will review possible violations of officer misconduct that are highlighted within newspaper articles.

<http://www.fdle.state.fl.us/Content/getdoc/43da20cf-6996-4a1e-a7e1-015c53bda69e/PC-Process---Initiation-of-Misconduct.aspx>

Please review the below attached Daytona Beach News Journal article. This newspaper article details some possible violations of Florida Administrative Code 11B-27.0011.

<http://www.newsjournalonline.com/article/20140104/NEWS/140109749/1040?p=all&tc=pgall#gsc.tab=0>

The newspaper article questions whether these allegations of officer misconduct were properly processed by local authorities.

Interestingly, according to the article, the current sheriff of Flagler county states that he would have likely handled these allegations differently, if the allegations would have transpired under his current administration.

VolusiaExposed.Com will soon be posting our own article on this situation. Please advise us as to whether the CJSTC / FDLE will be opening a review into these allegations.

Regards:

VX

<http://volusiaexposed.com>

volusiaexposed@cfl.rr.com

cc – Stacy Lehman – StacyLehman@fdle.state.fl.us

bcc – several