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Bcc: REDACTED

Subject: RE: Possible Officer Misconduct

Date: Mon, 27 Jan 2014 09:27:27 -0500

Stacy Lehman
FDLE

Thank You for your review:

Here are our observations:

1. Your (CJSTC) own regulations allow for the reporting of an alleged moral character violations via newspaper articles. A Daytona Beach News Journal article has been forwarded to your office.

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

2. We seriously doubt that the trial judge attached to the Nunziato incident suppressed evidence merely because Deputy Nunziato violated a Flagler County Sheriff Department agency policy. Rather, we are of the opinion, that the trial judge suspected that the defendant's U.S. Constitutional Rights (with particular attention given to the **4th amendment**) were violated.

3. **What is next** - will violations of the first, second, fifth, sixth, eighth amendments by law enforcement officers be relegated to mere agency policy violations - based solely on the assurances of the employing law enforcement agency?

4. F.S. 943.1395(5) appears to give the CJSTC / FDLE the authority to "investigate" whether agencies are properly investigating and reporting moral character violations. We suspect that FDLE / CJSTC is failing to enforce part of it's mission to "police the police".

<http://www.fdle.state.fl.us/Content/getdoc/5b0ebc01-4a8e-4f81-9f70-b7760fa0f342/FDLE-Mission-Brochure.aspx>

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.

Regards;

VolusiaExposed.Com

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