

**OBJECTION TO ORDER TO PRODUCE RECORDS**

From: Cara Gittner, Officer  
Volusia County Division of Beach Safety

To: Joseph Pozzo, Deputy Director  
Volusia County Department of Public Protection

Re: Internal Affairs Investigation - 2011-09-297

I object to your ORDER TO PRODUCE RECORDS, dated December 7, 2011. This request for my cell phone records from the date of January 1, 2011 to October 18, 2011 while I was on duty with the Volusia County Division of Beach Safety, or working as an officer of the Volusia County Division of Beach Safety during off-duty details, violates Volusia County Division of Beach Safety Policy 27.01.36, this policy is to be conducted in accordance with CFA Standard 27.04 B, C, D. Per CFA Std. 27.04, B. Member photographs; C. Lineups; and D. Financial Disclosure Statements can be used in *internal affairs investigations*. According to this Commission for Florida Law Enforcement Accreditation Standard, cell phone records do not fall within one of the prescribed forms of evidence which can be requested.

DATED: December 12, 2011.

  
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Cara Gittner, Officer