

From: Davidson, Gary <GDavidson@vcso.us>

To: volusiaexposed@cfl.rr.com

Cc: Haught, Brandon <BHaught@vcso.us>

Subject: RE: request for public information

Date: Tue, 24 May 2011 14:15:32 -0400

In response to your question, I still maintain the position of Public Information Officer for the Volusia County Sheriff's Office. FYI, prior to yesterday, the most recent correspondence I had received from VolusiaExposed inquiring about this case was in an e-mail sent to me at 1:26 p.m. on March 29, 2011. (Both Pamela Renfro and Bernice Wendland were CC'd on this particular e-mail.) Within 32 minutes of receipt of your e-mail, you had received a reply from me regarding the status of the ongoing investigation along with an attached copy of the initial incident report. At that time, you were advised that I would maintain your request on file and re-contact you when the case is closed and the remainder of the Sheriff's Office records can be released. You then responded at 5:19 p.m. on the same day acknowledging receipt of my e-mail response.

While you are always welcome to re-contact me to inquire about the status of this or any other request, let me assure you that no follow-up inquiries are required in order for you to receive any records you may request through me. Having said that, please note that I can find no record of having received any follow-up e-mails from you inquiring about the status of this case or your records request since our March 29th exchange. However, I continue to monitor the status of the case, as promised, in order to comply with your request just as soon as the records become available and releasable under the applicable Florida public records laws. At this time, the case is still open/active and therefore the records are not releasable at this time.

On a purely personal note, I am a strong proponent and advocate of open records laws and free speech rights. As such, I fully understand and appreciate that VolusiaExposed has a point-of-view and is entitled to express its opinions on its web site and in any other forum it desires. And while we may disagree in our opinions, I believe that I have demonstrated a track record of courtesy, professionalism and responsiveness in responding to your inquiries and requests. My point is this: I do not quarrel with VolusiaExposed's right to access public records and freely and openly express its point-of-view. While I doubt you care, I nonetheless would like it known that I do have personal (not professional) objections to your habit of drawing conclusions that have no basis in fact. Please allow me to cite the following two examples:

-Back in December, when you were unable to locate an archived news release on our web site, you unfairly and unjustifiably maligned the reputation of the Sheriff's Office and its Public Information Unit by suggesting in an on-line posting that we had taken down the news release for nefarious reasons in order to shield our agency from public criticism. In fact, as you later learned, the news release continued to be accessible in our on-line archives and your inability to locate it was due to your attempts to link to an obsolete URL. A simple inquiry to my office regarding the location of the news release would have quickly

cleared up the matter for you and prevented unwarranted criticism of the Sheriff's Office. Instead -- for reasons of your own choosing -- rather than make a direct inquiry to my office, you decided instead to question our integrity on your web site with unsubstantiated insinuations that turned out to be wholly false.

-Based on the wording and tone of yesterday's e-mail, it can be inferred that you believe that I am consciously and intentionally not responding to prior e-mail messages from you and you state that this failure to respond is "quickly eroding our confidence in your office." In light of my past history of promptly responding to your previous e-mails, did you even consider the possibility that my "rather long silence" -- as you put it -- is out of character and therefore might be the result of your e-mail messages failing to reach me? After a few days passed without a response, did you consider a simple, friendly follow-up e-mail saying: "Hey Gary, you normally respond much more quickly to my e-mails. And yet, I haven't received a response to this last one, so I was wondering if you even received it?"

Warranted criticism is one thing. I think we've demonstrated in the past that we're big enough and professional enough to accept criticism when it's justified. After all, we're a very large organization. While we always strive to do our best, mistakes will happen from time to time. But criticizing unjustly based on assumptions that are lacking in factual basis is unfair and undeserved. Not only that, but in my personal view, it erodes the confidence and credibility of the entity that is engaging in the unwarranted criticism and also tends to dilute the effectiveness of their positions when they are found to be in the right.

Again, these are purely personal and unsolicited opinions that in no way affects the manner in which I carry out my duties and responsibilities as it relates to your organization. Rest assured that you will continue to receive the same courtesy, professionalism and responsiveness as you have in the past. Finally, if any e-mail messages from VolusiaExposed inquiring about the status of the Heidi Wooley death investigation and your related public records request somehow got lost, misplaced or fell through the cyberspace cracks, I sincerely apologize. However, there has been no conscious intent on my part to ignore any inquiry from you. As stated earlier, I responded extremely promptly to your March 29th e-mail and have no record of having received any from you since then. If you will re-send or forward any e-mails sent to me since March 29th, I will be happy to research the matter and try to find out what happened. As I'm sure you can imagine, I receive and respond to many, many electronic messages during the course of the work day. Therefore, it's not out of the realm of possibility that I received one from you and inadvertently deleted it without responding. If that was the case, it certainly was not intentional. In the meantime, I will continue to track the Wooley investigation as promised and will re-contact you when the remainder of the file is available for release.

Regards,
Gary

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

From: volusiaexposed@cfl.rr.com [mailto:volusiaexposed@cfl.rr.com]