

Subject: RE: PRR-120910-B: VolusiaExposed (re: Osowski docs)
From: "Bernice Wendland" <bwendland@co.volusia.fl.us>
Date: Fri, 10 Dec 2010 09:28:52 -0500
To: "VolusiaExposed" <Volusiaexposed@cfl.rr.com>
CC: "Nancye Jones" <NJones@co.volusia.fl.us>, "Pamela Renfro" <PRenfro@co.volusia.fl.us>, "Gary Davidson" <GDavidson@vcso.us>

We submitted your public records request to the Sheriff's Office and have received the following information:

Since Captain Osowski does not retire until Jan. 21, 2011, the requested CJSTC forms have not been created.

Regarding the traffic crash, the investigation is active and therefore the only record that's releasable at this time -- and only to certain entities -- is the initial crash report. All other records created pursuant to the active investigation are exempt from public inspection until such time as the investigation is concluded. Pursuant to F.S., Chapter 316.066 (3)(b), the crash report can only be immediately made available to certain parties enumerated in the statute. For all others, 316.066(3)(a) exempts the crash report from release for a period of 60 days after the date the report is filed. Among those entities entitled to immediate access to crash reports are certain broadcast and print media (newspapers qualified under Florida law to publish legal notices and free newspapers of general circulation, published once a week or more often, available and of interest to the public generally for the dissemination of news). Since VolusiaExposed.com doesn't meet the statutory definition for print media entitled to immediate access to crash reports, we are prohibited by law from releasing the crash report to the requester at this time.

The accident report was filed on November 25, 2010, and so it becomes available to you after sixty days (January 25, 2011.)

It will not be necessary to file another public records request. We will send you the report at that time.

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