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April 22, 2009

Mr. Thomas Rich
11870 Remsen Road
Jacksonville, FL 32223

Mr. Rich:

I am writing you on behalf of the Jacksonville Sheriff's Office (JSO) to respond to your complaint of April 7, 2009 inquiring into the appropriateness of the conduct of Detective Robert Hinson. To begin, I want to assure you that the JSO takes your complaint seriously, as it does with all complaints regarding officer conduct. As you are aware, the subject matter of your complaint received significant attention by the news media. Because of the media inquiries and the circumstances of your complaint, this matter has been reviewed at the highest levels of the JSO. As a result of this review, the JSO has concluded that Detective Hinson acted appropriately and within its guidelines.

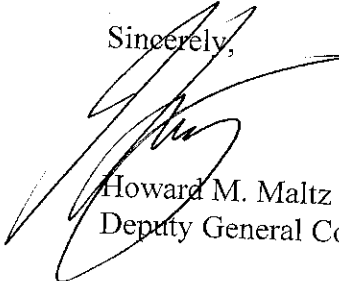
In your letter you specifically asked five questions. I will attempt to respond to these areas as follows:

1. Detective Hinson is a detective assigned to the Intelligence Division of the JSO. One of the primary responsibilities of Detective Hinson's assignment is the investigation of complaints of involving religious infrastructure in our community. This includes the churches, synagogues, mosques, and other religious institutions. Unfortunately, in our society there are individuals who threaten or otherwise engage in inappropriate conduct towards our religious institutions and therefore, the JSO must assign a detective to this important function. Regardless of Detective Hinson's religious affiliation, he would have been the detective assigned to investigate the matter that gives rise to your concerns. Had another officer received a similar threat, tip or similar concern, Detective Hinson would have ultimately been the officer assigned to investigate. There was nothing inappropriate with Detective Hinson conducting the investigation and there was no conflict of interest because he is affiliated with the particular church that was at the center of the investigation.

2. In the second part of your complaint, you complain that Detective Hinson's reports contained "very little detail." The original report would not contain the information you are citing. The purpose of this report is only to indicate that a report was made and an investigation begun. Further, Detective Hinson was aware of the anonymous blog site for quite some time. The subpoena was deemed necessary due to suspicious activity involving the church pastor and his wife. The pastor's wife was being followed by unknown individuals, photographs of their residence was posted on the internet and mail was stolen from their personal mail box during the investigation. The subpoena was necessary to determine if the web site and aforementioned incidents were related.
3. The third part of your complaint addressed disclosure of the identity of the web site owner. It is a common police practice to ask victims if they recognize persons of interest in an investigation to determine if they could be responsible for the alleged criminal acts and to warn them to be aware of their surroundings if they are being followed or their property is being stolen. It was a case of the investigating detective informing the pastor and his wife that there was nothing to connect you to the crimes in question but they might want to be on heightened alert if they saw suspicious persons around their home or if they thought they were being followed again. Further, upon completion of Detective Hinson's investigation, the results became public record under Florida's public records laws.
4. The next part of your complaint inquired regarding the "other two blogs." The other sites in question were initially subpoenaed as a result of the First Baptist Church investigation involving the First Baptist Church's pastor and his wife. The reasons for this investigation are discussed above. No information concerning these sites were shared with the First Baptist Church's clergy or administration.
5. With regard to the last issue raised in your complaint, if there was an open case involving you or your web site the JSO would be unable to release specific information to you. However, as of this time, I have been advised that there are no active cases involving you or your web site. Further, the JSO is not in possession of the Comcast subpoena that you are requesting. That subpoena was prepared by the State Attorney's Office. You should direct your public records request for the Comcast subpoena to the State Attorney's Office.

I want to thank you for taking the time to complete the complaint form that you submitted. As you can see from this response, and the responses you may have seen in the media, the JSO takes this issue very seriously and has fully vetted the issues you have raised. Although I can understand your concern, a complete review of this incident has revealed that Detective Hinson acted appropriately in his handling of this matter.

Sincerely,



Howard M. Maltz
Deputy General Counsel

HMM/csl

cc: Sheriff John Rutherford