



Billy Blume &lt;madvideos@gmail.com&gt;

## Potential Open Records Violation and Civil Rights Violations — Lakeland Police Department (LPD)

1 message

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Sat, Apr 26, 2025 at 7:47 PM

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## Summary of Potential Open Records Violation and Civil Rights Violations — Lakeland Police Department (LPD)

### Parties Involved:

Name	Email Address	Role
Billy F. Blume	<a href="mailto:madvideos@gmail.com">madvideos@gmail.com</a>	Public records requester and complainant
Jacob [REDACTED]	[REDACTED]	Subject of the police encounter
Yahbriella Riley	<a href="mailto:Yahbriella.Riley@lakelandgov.net">Yahbriella.Riley@lakelandgov.net</a>	Public Records Liaison, Lakeland PD
George Anthony	<a href="mailto:George.Anthony@lakelandgov.net">George.Anthony@lakelandgov.net</a>	Sergeant, Office of Professional Standards
Lakeland City Commission	<a href="mailto:CityCommission@lakelandgov.net">CityCommission@lakelandgov.net</a>	Copied on communications
Florida AG Citizen Services	<a href="mailto:citizenservices@myfloridalegal.com">citizenservices@myfloridalegal.com</a>	Copied on communications

### Timeline of Events:

- **September 16, 2024:** Billy Blume submitted an official open records request to LPD for:
  - Body cam footage from all officers present at his home on 9/15/24
  - CAD sheet related to the incident
  - Use of force reports
  - Officer identification
- **September 20, 2024:** LPD disclosed that the officers involved were **Officer Garibaldi #164** and **Officer Vanderpool #336**.
- **September 23-24, 2024:** Billy sent a follow-up request after no records had been released. Riley acknowledged Billy's request was #130 out of 150 requests and cited a backlog .
- **February 18, 2025:** Jacob [REDACTED] [REDACTED] emailed explicit permission along with authorization for the release of **unredacted footage and medical records** .
- **February 19, 2025:** Riley acknowledged receipt of Jacob's permission .
- **As of April 26, 2025:** No records have been released to Billy Blume, despite the legal requirements under Florida Public Records Act (Chapter 119).

### Incident Details:

#### September 15, 2024 — Initial Police Encounter:

- Jacob Blume and his girlfriend AW had a **verbal argument** at their home.
- Officer Smith arrived, immediately approached Jacob Blume, handcuffed and detained Jacob Blume without conducting a meaningful investigation.

- Officer Smith alleged Jacob "ran," though Jacob was merely retrieving his shoes. He did not run.
- 

### Legal Citations:

- **Florida v. Royer (1983):** Detentions must be supported by reasonable suspicion.
- **Terry v. Ohio (1968):** Pat-downs must be justified by articulable suspicion.

Jacob was patted down, handcuffed, and taken 20 yards away to a public sidewalk.

### Free Speech Violations:

- While detained on the sidewalk, Jacob engaged in a verbal exchange with a neighbor.
- Officer Garibaldi #164 forcefully grabbed Jacob's arms and pulled them behind his back — viewed as retaliation for speech.
- Billy Blume, recording the incident, warned his son to be quiet, fearing police retaliation.

**Officer Vanderpool #336** told Billy:

"You don't have a First Amendment right to talk trash."

Billy Blume was then threatened with arrest if he continued recording or speaking.

### Key Case Law:

- **Glik v. Cunniffe (2011):** Established the First Amendment right to record police.
- **Houston v. Hill (1987):** Prohibits arrest for merely criticizing police.
- **City of Cumming v. Smith (2000):** Recording police from private property is protected conduct.

### Escalation by Officers:

- Officer Garibaldi #164 aggressively approached Billy Blume, holding handcuffs and leaning 2 feet from his face, trying to intimidate him.
- Garibaldi verbally provoked Billy:  
"Are you gonna run your mouth or are you gonna shut up?"
- Officer Vanderpool #336 mocked Billy by saying:  
"Nobody cares that you record that,"  
followed by, "**Fuck you, dick.**"
- Officers Smith and Claxton made sarcastic remarks when asked if their body cams were active.

### Unlawful Baker Act Commitment:

- Jacob was transported under the Baker Act based on hearsay without evidence of danger to himself or others.
- He was released 17 hours later; medical staff confirmed concerns about LPD frequently abusing the Baker Act.

### Key Legal Standards:

- **O'Connor v. Donaldson (1975):** No confinement without proof of danger.
- **Addington v. Texas (1979):** Clear and convincing evidence required for involuntary commitment.

### Outstanding Records Requests (Unfulfilled):

- Body cam footage from all officers on scene
- Use of force reports for Officer Garibaldi #164 and Officer Vanderpool #336
- CAD sheet for 9/15/24 incident

- 911 call audio
- Incident reports
- Internal Affairs investigation documents

## Summary of Legal Concerns:

Issue	Violation Type
Excessive use of force on Jacob	Fourth Amendment Violation
Retaliation for speech and filming	First Amendment Violation
Unlawful Baker Act detention	Fourteenth Amendment Due Process
Withholding public records	Florida Public Records Act

## Summary: Potential Florida Open Records Violation by the lakeland Police Department in Florida

### Background:

- **Requester:** Billy F. Blume ([madvideos@gmail.com](mailto:madvideos@gmail.com)) Party to the incident
- **Subject of Records:** Use of force and false arrest incident involving Jacob [REDACTED] on 9/15/24 and follow-up complaints.
- **Agency:** Lakeland Police Department
- **Agency Contacts:**
  - Yahbriella Riley ([Yahbriella.Riley@lakelandgov.net](mailto:Yahbriella.Riley@lakelandgov.net)), Police Public Records Liaison
  - George Anthony ([George.Anthony@lakelandgov.net](mailto:George.Anthony@lakelandgov.net)), Sergeant, Office of Professional Standards

## Key Events and Communications:

### Exhibit 1 (9/15/24 - Original Complaint and Request)

- Billy Blume submitted an open records request for:
  - CAD sheet
  - Body cam footage (SGT Hall, Officer Garabaldi badge 164, and another unidentified officer)
  - Use of force report (badge 164)
- Also filed a formal complaint against the involved officers for excessive force and retaliation based on First Amendment protected filming.
- Confirmation of receipt was acknowledged by Yahbriella Riley, noting a possible 30-business day timeframe .

### Exhibit 2 (9/23/24 - Follow-Up Request)

- Billy submitted a second request due to delays, seeking:
  - Body cam footage from a separate 1/15/24 incident involving badge 164.
  - Use of force report regarding the September 2024 incident involving Jacob Blume .
- Yahbriella Riley responded 9/25/24, stating Billy's request was #130 in a backlog of 150 requests .

### Exhibit 3 (Internal Affairs Delay & Permission Requirement)

- Riley requested that Jacob Daniel Blume submit written permission along with a copy of his ID to release unredacted footage and medical records per Florida law (F.S. 119.071 and F.S. 401.30(4)) .
- Billy continued following up and emphasized that the agency was far outside the "reasonable time" expected under Florida public records law.

## Exhibit 4 (Jacob's Permission Submitted)

- On **February 18, 2025**, Jacob [REDACTED] sent an email to Yahbriella Riley and Billy Blume, **explicitly granting permission** for the release of **all unredacted footage and personal medical records**.
- Riley acknowledged receipt the next morning, February 19, 2025.

## Current Status (as of today, 4/26/25):

- **No records have been released** by the Lakeland Police Department.
- **Jacob's authorization** for unredacted footage was provided over two months ago.
- Despite repeated follow-ups, no CAD sheets, body cam videos, use of force reports, or other related documents have been produced.
- There are concerns of intentional delay or withholding in violation of **Florida Public Records Act** (Chapter 119, Florida Statutes).

## Summary of Involved Parties:

Name	Email Address	Role
Billy F. Blume	<a href="mailto:madvideos@gmail.com">madvideos@gmail.com</a>	Requestor and Complainant
Jacob [REDACTED] Blume	[REDACTED]	Subject of records; authorized release
Yahbriella Riley	<a href="mailto:Yahbriella.Riley@lakelandgov.net">Yahbriella.Riley@lakelandgov.net</a>	Public Records Liaison, Lakeland PD
George Anthony	<a href="mailto:George.Anthony@lakelandgov.net">George.Anthony@lakelandgov.net</a>	Sergeant, Office of Professional Standards
Lakeland City Commission	<a href="mailto:CityCommission@lakelandgov.net">CityCommission@lakelandgov.net</a>	Copied on communication
Florida Attorney General's Citizen Services	<a href="mailto:citizenservices@myfloridalegal.com">citizenservices@myfloridalegal.com</a>	Copied on communication

## Important Points for Legal Argument:

- Repeated requests with specific statutory references (Chapter 119 F.S.) were ignored or delayed.
- Permission for unredacted material was properly submitted and acknowledged.
- No "statutory exemption" has been cited for withholding the records.
- Delay significantly exceeds the "reasonable time" requirement under Florida law.

Thank you  
Billy Blume