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IN THE CIRCUIT COURT OF THE
FOURTH JUDICIAL CIRCUIT, IN AND
FOR DUVAL COUNTY FLORIDA

CASE NO.:

CURTIS LEE, an individual,

Plaintiff,

v.

OFFICE OF THE STATE ATTORNEY,
FOURTH JUDICIAL CIRCUIT OF
FLORIDA,

Defendant.

COMPLAINT AND PETITION FOR WRIT OF MANDAMUS

Plaintiff, CURTIS LEE (“Plaintiff”), by and through his undersigned counsel, sues Defendant, the OFFICE OF THE STATE ATTORNEY, FOURTH JUDICIAL CIRCUIT OF FLORIDA (“SAO”), for violations of Article I, §21 of the Florida Constitution, Access to the Courts, and Chapter 119, Florida Statutes (“The Public Records Act”) and in support thereof states as follows:

1. This is an action brought pursuant to Art. I, §21, Florida Constitution to enforce Florida’s Constitutional right of Access to the Courts and to cause the SAO to properly provide constitutionally protected access to judicial proceedings within the Fourth Judicial Circuit of Florida.
2. This is an action also brought pursuant to § 119.11, Fla. Stat. § 86.01 *et seq.*, and Rule 1.630, Fla. R. Civ. P. to enforce Florida’s Public Records Act, to obtain a declaration of rights, status, and other equitable or legal relations.

3. Plaintiff requests that this Court enter a Judgment finding the SAO in violation of Art. I, §21, Florida Constitution, and Chapter 119, Florida Statutes, and issue an Alternative Writ in Mandamus pursuant to Rule 1.630, Fla. R. Civ. P. and any other remedy as the Court deems just and proper for the purpose of enforcing Plaintiff's Florida Constitutional right of access to the courts, attendance at and hearing judicial proceedings, and access to public records, and addressing violations of such rights.

4. The Supreme Court of Florida has determined that pursuant to Art. I, §21, Florida Constitution "all trials, civil and criminal, are public events and there is a strong presumption of public access to these proceedings." *Barron v. Florida Freedom Newspapers, Inc.*, 531 So. 2nd 113, 114 (Fla. 1988).

5. Furthermore, the public also has a non-constitutional common law right of access to judicial proceedings. *Bundy v. State*, 455 So. 2nd 330, 338 (Fla. 1984); See also *Barron*, 116, ("At the outset, we hold that both civil and criminal court proceedings in Florida are public events and adhere to the well established common law right of access to court proceedings and records.") Hence, this action also seeks to enforce Florida's common law right of access to judicial proceedings; to cause the SAO to properly provide such protected access to judicial proceedings, including attendance at and hearing judicial proceedings; and to address violations of such rights.

6. Public trials are a first principal of our judicial system, and a public trial "is essential to the judicial system's credibility in a free society." *Barron*, at 116.

7. Public attendance at and the ability to hear judicial proceedings contributes to ensuring that all participants in the proceedings perform their duties in a strictly conscientious manner. *Id.* at 117, quoting Wigmore, Evidence § 1834 (Chadbourn rev. 1976).

8. Persons who are not parties to a suit have a right and a need to attend and hear judicial proceedings so they have an opportunity to learn how they might be affected in the future and so they might know “what is going on.” *Id.*

9. If one cannot hear all of what is said at a judicial proceeding, one cannot know “what is going on.”

10. Plaintiff is, and has been for all periods relevant hereto, a Duval County resident and domiciliary who attends certain judicial proceedings frequently and on a regular basis.

11. The SAO is responsible for the prosecution of all state law crimes committed in Duval County, Florida.

12. As such, the SAO is responsible for ensuring that its attorneys act in such a way as to ensure the public’s right of access to the courts

13. Plaintiff requests that this Court compel the SAO to discharge its duty to ensure the right of the public to attend and hear all criminal judicial proceedings, and address past violations of the law.

14. This Court has personal jurisdiction over the SAO for the purposes of this action because the SAO conducts or has conducted its duties as prosecutor in Duval County, Florida; the judicial proceedings at issue were conducted in Duval County, Florida; and the violations of the public’s right to attend and hear judicial proceedings took place in Duval County, Florida. At all times relevant hereto, Plaintiff was, and continues to be, a resident of and domiciled in Duval County, Florida.

15. This Court has subject matter jurisdiction over this matter pursuant to Chapter 86, Florida Statutes.

16. This is an action for relief for violations of Art. I, §21, Florida Constitution. This Court has jurisdiction and authority to issue an Alternative Writ in Mandamus, pursuant to Rule 1.630(d)(2), Fla. R. Civ. P., for the purpose of enforcing Plaintiff's Florida Constitutional right of access to the courts and judicial proceedings. This Court has jurisdiction and authority to award damages and impose sanctions based on violations of the Florida Constitution, even if and to the extent some of those violations were belatedly corrected. *Morris Publ'g Group, LLC v. State*, 136 So. 3d 770, 776 (Fla. 1st DCA 2014).

17. Florida's Public Records Act is to be broadly construed in favor of transparent, open and honest government. *See Bd. of Trustees, Jacksonville Police & Fire Pension Fund v. Lee*, 189 So. 3d 120, 125 (Fla. 2016) (quoting *Lightbourne v. McCollum*, 969 So.2d 326, 332-33 (Fla. 2007)). Compelling compliance with Florida's Public Records Act is of critical public importance in preserving public confidence in government and the integrity of the government decision-making process.

18. The SAO has violated the Public Records Act in several ways, including via delayed responses to public records requests, incomplete responses to public records requests, applying improper charges for providing records in response to public records requests, and other improprieties.

19. Plaintiff is, and has been for all periods relevant hereto, a Duval County resident and domiciliary who submits public record requests frequently and on a regular basis

20. Plaintiff requests that this Court compel the SAO to discharge its duty to respond promptly and properly to public records requests submitted to them by members of the public, and address past violations of the law.

21. This Court has personal jurisdiction over the SAO for the purposes of this action because the SAO conducts or has conducted its duties as prosecutor in Duval County, Florida;; and the violations of the public's right of access to public records took place in Duval County, Florida.

22. Plaintiff requests that this Court set an immediate hearing pursuant to § 119.11(1), Fla. Stat., which states, "Whenever an action is filed to enforce the provisions of this chapter, the court shall set an immediate hearing, giving the case priority over other pending cases."

23. In the interests of judicial efficiency and to make best use of this Honorable Court's time and resources, Plaintiff requests any immediate hearing also address SAO's violations of Plaintiff's Constitutional and common law right of access to the courts.

24. Venue is proper in Duval County, Florida as the causes of action pled herein accrued in Duval County, Florida.

25. All conditions precedent to the bringing of this action have occurred or have otherwise been waived. Specifically, Plaintiff has complied with the provisions of § 284.30, Fla. Stat. if they are indeed applicable, in which event, service of a copy of this pleading on the Department of Financial Services is required. Plaintiff effected such service, and the Department thereby has notice and can participate with the SAO in defense of the suit and any appeal thereof with respect to attorneys' fees and/or otherwise.

26. Plaintiff does not concede the applicability of any pre-suit notice requirements, but states that he has also placed the SAO on notice of this lawsuit well in advance of its filing. Plaintiff identified the SAO's violations of the law to the State Attorney and to the SAO's custodian of public records, Miriam Nelson, at least 5 business days before filing this civil action. Plaintiff hereby intends to satisfy F.S. § 119.12(1)(b) in the event it applies.

COUNT I
VIOLATION OF THE FLORIDA CONSTITUTION, ARTICLE 1, SECTION 21

27. Plaintiff re-alleges paragraphs 1-26 as if fully set forth herein.

28. Plaintiff attended first appearance proceedings in Courtroom J-1 (“Proceedings”) more than two dozen times beginning in May 2018 and continuing periodically through shortly before the date of the filing of this Complaint. He plans to continue to attend such Proceedings for the foreseeable future.

29. Subsequent statements concerning such Proceedings are based on Plaintiff’s observations at such Proceedings, public records, and actions Plaintiff took.

30. Such Proceedings currently are, and for years have been, held twice a day in Courtroom J-1, which is a courtroom adjacent to the Jacksonville Sheriff’s Office (“JSO”) jail located in downtown Jacksonville, Florida, which is known as the Goode Pretrial Detention Facility.

31. Via these Proceedings, persons whom the JSO has recently arrested and booked in jail (on average, about 88 per day using 2019 figures) are first brought before judges (mostly Duval County Court Judges) in the morning and afternoon in J-1 Courtroom. Such persons are shown an audio-visual presentation concerning their rights, and the presiding judge publicly identifies the newly arrested persons and reads their charges. The judge then imposes bail in many cases, defendants are informed about the next steps in their cases, and they sometimes are otherwise processed (e.g. sometimes misdemeanor defendants are given, and take, opportunities to plea bargain in open court). Almost all these newly arrested persons lack private attorneys. Some are represented by the Public Defender’s Office (“PDO”).

32. An Assistant State Attorney (“ASA”) representing the SAO has appeared in all Proceedings. ASAs prosecute most cases on behalf of the SAO. Such ASAs regularly speak

during such Proceedings. The ASAs sometimes recommend bail amounts and plea deals, and occasionally recommend releases of arrestees on their own recognizance.

33. The ASAs often spoke during Proceedings without either leaning in to the microphone situated on the podium in front of them, or pulling the microphone toward their mouths. As a consequence, their statements, while likely audible to the nearby presiding judges, were often wholly or partially inaudible to Plaintiff and other persons in attendance at these Proceedings, and thus wholly or partially unintelligible.

34. The ASAs have sat and/or stood behind a podium on the left side of Courtroom J-1, (from the vantage point of the audience) during these Proceedings. Therefore, they were located much closer to the judges presiding in Courtroom J-1 than they were to the gallery in Courtroom J-1, in which the public and Plaintiff sat each time they attended Proceedings.

35. The ASAs sometimes discussed plea bargains with judges and counsel for the criminal defendants. Sometimes they engaged in sidebars about proposed plea bargains or perhaps other matters. The sidebars were conducted in such a way as to intentionally deprive Plaintiff and the public of the opportunity to hear the discussions

36. Most other public attendees at Proceedings have been friends and family of the newly arrested persons processed during Proceedings.

37. “The ability to see *and hear* a proceeding as it unfolds is a vital component of the First Amendment right of access” to the Courts. *Morris* 136 So. 3d at 780, quoting *Soc’y of Prof’l Journalists v. Sec’y of Labor*, 616 F.Supp. 569, 578 (D.Utah 1985). (Emphasis added.)

38. ASAs are essential and regular participants in such Proceedings and their remarks are keys to an effective understanding of what occurs during such Proceedings.

39. When persons attending Proceedings are unable to hear the ASAs' remarks, those persons are prevented from "ensuring that all participants in the Proceedings perform their duties in a strictly conscientious manner" and learning "how they might be affected in the future." Attendees at Proceedings thereby are denied the opportunity to "know 'what is going on'." They are, in effect, denied their Florida Constitutional and common law rights of full access to the courts. *Barron*, Supra para.6.

40. The inaudibility of the Proceedings exacerbates other violations of arrestees' rights including lack of legal representation, unnecessary shackling of non-violent arrestees, bail determinations that do not comply with Florida statutes, occasional pressures from presiding judges to defendants that they should plead guilty, etc.

41. Plaintiff has on numerous occasions via letter and/or e-mail notified the SAO and often others of these repeated and on-going violations of his and the public's right of access to Proceedings and other matters. Inter alia, Plaintiff requested the SAO to instruct and cause its attorneys to use microphones and cease being frequently inaudible and, in short, to fix the problem. The SAO mostly ignored Plaintiff, and the problems associated with ASA inaudibility at Proceedings have persisted uncorrected.

42. On July 23 and July 25, 2018, Plaintiff sent emails and letters to Melissa Nelson, State Attorney, Charles Cofer, Public Defender, and Mark Mahon, Chief Judge, 4th Judicial Circuit. **See Exhibit "A."** (which is here provided without the exhibits noted in its text), and **Exhibit B.** Plaintiff thereby described the misconduct of attorneys and public officials on and sometimes before July 20, 2018, in Courtroom J - 1. Such misconduct included the failures of the presiding judge, ASAs and others to speak into microphones and thereby be audible to Plaintiff, public attendees and most likely inmates. Plaintiff also described sidebar discussions

during such July 20, 2018 Proceedings, where he and others were not allowed to hear what was being said in Courtroom J - 1 by the ASA and others.

43. On October 16, 2018, State Attorney Nelson sent a letter to Plaintiff in response to his letter of October 1, 2018. In that letter, she stated that she had recently implemented a training system for appointed ASAs to improve their performance during court appearances, and particularly in making bail recommendations. She downplayed the issue of inaudibility of ASAs during Proceedings, writing:

Regarding your meeting request, John Kalinowski, Director of County Court, oversees the attorneys who regularly appear in J-1. I have asked him to follow up with you and set a meeting to discuss the concerns you have observed and subsequently brought to my attention. Mr. Kalinowski not only oversees the county court attorneys, but is also tasked with their training when they are hired. As some of your concerns may simply be lack of instruction or training, e.g. not speaking loudly or clearly into the microphone, he will be the appropriate person to address these issues with our attorneys.

See Exhibit “C.”

44. On November 10, 2018, Plaintiff again sent a letter to State Attorney Nelson reiterating his concerns relating to the conduct of Proceedings. He also noted that Mr. Kalinowski had not yet contacted him to set up a meeting. ***See Exhibit “D.”***

45. On December 6, 2018, Plaintiff again e-mailed State Attorney Nelson stating inter alia, “I have not received any response to my 11/10/18 letter. Neither you nor John Kalinowski has contacted me to set up a meeting.”. ***See Exhibit “E.”*** On the same date, Mr. Kalinowski contacted Plaintiff by e-mail and a meeting was set for December 18, 2018.

46. Plaintiff and Mr. Kalinowski met as scheduled. During the meeting, Mr. Kalinowski seemed uninterested, contributed little to the discussion, and made no commitment to look further into Plaintiff’s complaints or do anything to address the issues Plaintiff raised.

47. On February 16, 2019, Plaintiff sent a letter to Chief Judge Mark Mahon, 4th Judicial Circuit, Public Defender Cofer, and State Attorney Nelson, informing them about misconduct associated with Proceedings Plaintiff attended on February 11, 2019. ASAs and presiding Judge Bateh were not using the available microphones and were, thereby, inaudible to Plaintiff and other attendees. In addition, on some occasions, Judge Bateh held sidebars with attorneys including ASAs, which were inaudible to Plaintiff and other attendees, further violating their rights to attend and hear the Proceedings. While sidebars are appropriate in a jury trial where certain discussions cannot be held in the presence of the jury, they are unlawful in first Proceedings where the arrestees, their families, and the public, including Plaintiff, have a substantial interest in discussions held during the Proceedings. **See Exhibit “F”**

48. On March 8, 2019, Plaintiff sent a letter to Chief Judge Mahon, State Attorney Nelson, Public Defender Cofer and the JSO, complaining about violations of the law that occurred during Proceedings held on February 28, 2019, including the ASA's refusal to use the microphone situated on the podium in front of her, and her participation with an attorney and Duval County Court Judge Higbee in sidebar discussions. **See Exhibit “G.”**

49. In all circumstances in which Plaintiff observed the use of sidebar discussions in Proceedings, the sidebar discussions were clearly intended to be inaudible not only to all public attendees at the Proceedings, but also to all inmates then awaiting processing via the Proceedings.

50. Nevertheless, based upon prior and subsequent on the record remarks in Courtroom J - 1, it is clear that the publicly inaudible sidebar discussions during some Proceedings related entirely or mostly to plea deals regarding defendants. On other dates,

Plaintiff heard discussions in open Court during Proceedings, concerning plea deals, and no sidebar discussions occurred.

51. On May 8, 2019, Plaintiff met with State Attorney Nelson, Mr. Kalinowski, and Cindy Cribbs, Executive Assistant to State Attorney Nelson, and presented them an agenda of issues to be discussed. The agenda included a discussion point, in bold, which stated in part:

“Huge Problem - Judges often fail to use mikes . . . Ditto - ASAs. What about public attendees who are hard of hearing? What about ADA?”

This agenda and meeting again placed State Attorney Nelson on notice of the SAO’s violations of Plaintiff’s Florida Constitutional and common law rights of access to the courts. ***See Exhibit “G1.”***

52. On May 9, 2019, Plaintiff sent an email to several interested individuals memorializing the May 8, 2019, meeting and summarizing what transpired at the meeting. This email discloses that Plaintiff had provided the agenda to attendees at the May 8, 2019, meeting. ***See Exhibit “G2.”***

53. On June 3, 2019, Plaintiff sent a letter to Chief Judge Mahon, State Attorney Nelson, Public Defender Cofer, and the JSO concerning improper conduct at Proceedings held on May 31, 2019. The ASA in attendance did not speak into the microphone situated on the podium. He did not make any effort to pull the microphone toward his mouth or lean into the microphone. Plaintiff pointed out that such actions not only deny attendees the right to hear Proceedings, but also may be violations of the Americans With Disabilities Act (ADA). ***See Exhibit “H”***

54. On August 3, 2019, Plaintiff sent a letter to Chief Judge Mahon, State Attorney Nelson, Public Defender Cofer, and the JSO concerning Proceedings held on July 15, 2019.

Plaintiff complained, inter alia, about the SAO's participation in an inaudible sidebar discussion, and the ASA failing to use the microphone situated on the podium. He stated, inter alia,

Ms. Nelson – the SAO attorney present on 7/15/19, and most other SAO attorneys I have observed, intentionally and/or carelessly have refused to speak into the microphone, and thus were totally inaudible to me, the public, and inmates. I have repeatedly observed that the SAO mike is pushed about as far away from where the SAO attorney stands, as possible. We all have the right to hear as well as see first appearance proceedings.

Please instruct all attorneys who work such proceedings to pull mikes toward them or lean into the mikes. I am tired of not being able to hear SAO attorneys speak at first appearance proceedings.

Ms. Nelson and Judge Mahon - Do you realize that I could sue the SAO, judges and/or others for their abuses, and their violations of my rights, in connection with their conduct of first appearance proceedings? Why provide me the grounds to do this? Emphasis in original. See Exhibit "I"

55. On August 8, 2019, August 9, 2019, August 18, 2019, and August 19, 2019, Plaintiff communicated with State Attorney Nelson, Miriam Nelson of the SAO, and others again putting the SAO on further notice that ASAs repeatedly refused to use the microphones situated on the podium in front of them during Proceedings in Courtroom J-1, thereby being inaudible to Plaintiff and others. Plaintiff also noted that the ASAs were always unsupervised in Proceedings by higher level SAO officials, and threatened to sue. **See Composite Exhibit "J"**

56. On September 9, 2019, undersigned counsel sent a letter to State Attorney Nelson, among other officials, in which, among other things, counsel noted the repeated and continuing refusals by ASAs to use microphones during Proceedings, causing inaudibility. The letter indicated that Plaintiff planned to seek legal redress. **See Exhibit "K."**

57. On September 26, 2019, Stephen Siegel, First Assistant State Attorney for the SAO, contacted the undersigned counsel to seek a meeting.

58. This was the first SAO communication to this counsel or Plaintiff in over 9 months.

59. On September 27, 2019, Julie Taylor, Court Counsel for the 4th Judicial Circuit, sent an e-mail to Stephen Siegel informing him that she had sent an e-mail to the judges informing them of Plaintiff's complaints and asking them to "be aware of the need to use the microphones." She further added, "If possible, it might be helpful to ask your attorneys to do the same.". Mr. Siegel then sent an e-mail to Mr. Kalinowski that asked him to "Please remind your attorneys to speak up in J1 so that everyone can hear." **See Exhibit "L"**

60. On October 2, 2019, Plaintiff and undersigned counsel met with Mr. Siegel. At that meeting, Plaintiff, among other things, stated that there had been many violations regarding access to the courts based upon Proceedings being inaudible due to ASAs not speaking into microphones and not speaking loudly enough to otherwise be heard by Plaintiff and public attendees at the Proceedings.

61. Plaintiff also then requested that State Attorney Nelson and others generate a firm and unequivocal directive in writing to all ASAs that they be sure to speak into microphones to ensure that everyone in the courtroom during Proceedings can hear the ASAs clearly.

62. On October 4, 2019, undersigned counsel sent a letter to Mr. Seigel that, inter alia, memorialized what had been discussed at the October 2, 2019, meeting. **See Exhibit "M"**

63. On October 29, 2019, Mr. Siegel sent a letter to undersigned counsel in response, referring to the above matters. He also reported that since State Attorney Nelson had taken office, "we instituted an intensive training program for our newly admitted Assistant State Attorneys and continue to provide weekly training on a variety of topics. Our attorneys

understand their responsibilities during proceedings in J1 as well as the importance of public access to judicial proceedings” **See Exhibit “N.”**

64. The facts prove that the last quoted sentence was often untrue.

65. Mr. Kalinowski failed to provide any written direction to the ASAs reporting to him to use microphones during Proceedings, at least from September 1, 2019, through February 4, 2020. State Attorney Nelson and others likewise failed to provide similar direction. **See Exhibit “O,”** (letter dated March 2, 2020 in which the SAO states no such records exist)

66. On November 1, 2019, Plaintiff sent a letter dated October 31, 2019, to Chief Judge Mahon, State Attorney Nelson, Public Defender Cofer, and others concerning Proceedings of October 29, 2019. During said Proceedings, the ASA refused to speak into the microphone situated on the podium and was, therefore, inaudible to Plaintiff, other attendees at the Proceedings, and the arrestees attending such Proceedings. Plaintiff added,

“I have repeatedly observed that the SAO mike is located far away from where the SAO attorney stands. We all have the right to hear as well as see first appearance proceedings

Please instruct all attorneys who work such proceedings to pull mikes toward them or lean fully into the mikes. I am tired of not being able to hear SAO attorneys speak at first appearance proceedings.”

Emphasis in original. **See Exhibit “P”**

67. On December 27, 2019, Plaintiff wrote to State Attorney Nelson and Public Defender Cofer concerning Proceedings on December 23, 2019. At those Proceedings, an ASA made no efforts to use the microphone situated on the podium. The ASA neither pulled the microphone toward her, nor leaned into the microphone. At all times, the microphone was at least a foot away from her. As a result, the majority of her statements during the Proceedings were inaudible to Plaintiff and other attendees at the Proceedings. **See Exhibit “Q”**

68. On January 18, 2020, Plaintiff sent an e-mail to the SAO stating, inter alia, "Inability of inmates and the public to hear what the SAO attorneys have said in J1, has been a repeated problem. Apparently, none of you appreciate the importance of the problem." **See Exhibit "R."**

69. Pursuant to Plaintiff's public records request for the current SAO guide to how its employees shall handle Proceedings, the SAO provided to Plaintiff a document entitled: "Guide to First Appearance Court (J - 1) Spring 2020 Edition". Under the "Miscellaneous Final Thoughts" portion thereof, the SAO included at page 27 a bullet with this language directed to ASAs: "Speak clearly for the record. Use the microphones near the podium so that the public in the back can hear, and there is a clear record for the court reporter". (**See Exhibit "S"**- Excerpt from Spring 2020 Guide). However, when Plaintiff had requested from the SAO a similar guide as in effect in April 2018, the SAO provided him a smaller document that lacked any language concerning speaking clearly, audibility and use of microphones. **Exhibit "T"** shows that there was no such language under the "Miscellaneous Final Thoughts" portion of the Guide effective in 2018. Nor was there such language anywhere else in the Guide effective in 2018.

70. On March 2, 2020, the SAO responded to certain of Plaintiff's public records requests. It thereby indicated that any such Guide in effect during the period September 1, 2019, though February 4, 2019, lacked any references to SAO use of microphones or speaking clearly or loudly in Proceedings. **See Exhibit "O."**

71. Hence the SAO, only sometime after February 4, 2020, and for the first time, began formally instructing its ASAs in writing to speak clearly and use microphones during Proceedings.

72. The SAO's communications and actions in their entirety showed that the SAO failed to make any prompt and material efforts to preserve and protect Plaintiff's and the public's right of access to the courts and the Proceedings.

73. The SAO could have more assiduously and much earlier protected the rights of access to the courts held by Plaintiff and the public, with little effort and little or no cost. For example, the SAO could have responded to Plaintiff's complaints in July 2018, and taken prompt ameliorative action then. In the last 6 months of 2018 and at any time thereafter, the SAO could have taken simple and common sense actions. Examples include formally instructing the ASAs in writing to always speak directly into the microphone situated on the podium in front of where they stood or sat, moving the microphone to be much closer to the ASAs, tilting the microphone to make it easier to use, and the like.

74. The SAO could also have refused to engage in sidebar discussions during Proceedings, because they were inaudible to Plaintiff and other attendees at such Proceedings.

75. Instead, the SAO took no known substantive action such as those noted above, until February or March 2020, when it first issued written instructions to ASAs re: use of microphones and speaking clearly in Proceedings. Those instruction were contained in the "Guide to First Appearance Court (J - 1) Spring 2020 Edition". (*See Exhibit "S"* for relevant excerpt).

76. Despite having attended over two dozen Proceedings during the last two years, Plaintiff has not observed ASAs leaning into the microphone situated on the podium in front of them, or moving the microphone closer to their mouths.

77. The SAO is obligated to comply with Art. I, §21, Florida Constitution and common law, concerning the right of access to court proceedings.

WHEREFORE, and for the foregoing reasons, Plaintiff respectfully requests that this Court enter a judgment:

- a. Finding that the SAO violated Plaintiff's rights under Art. I, §21 of the Florida Constitution;
- b. Awarding Plaintiff his attorneys' fees and costs associated with this action; and
- c. Making appropriate findings and awarding any such other and further relief, including judgments, orders, and imposing sanctions, as this Court deems appropriate.

COUNT II
VIOLATION OF THE PUBLIC RECORDS ACT

78. Plaintiff re-alleges paragraphs 1-26 as if fully set forth herein.

79. Plaintiff is, and has been for all periods relevant hereto, a Duval County resident and domiciliary who has submitted, and submits, public records requests frequently.

80. On June 3, 2019, Plaintiff sent a letter to State Attorney Nelson, Public Defender Cofer and others that, among other things, posed some public records requests to the SAO. ***See Exhibit "H."*** The transmittal email of the same date further emphasized to the SAO that Plaintiff was then submitting public records requests. ***See Exhibit "U."***

81. For the next 2 months and 5 days, the SAO did not acknowledge such public records requests, or otherwise respond to them

82. On August 19, 2019, Plaintiff sent a letter to State Attorney Nelson regarding his August 8, 2019, letter to Public Records Custodian Miriam Nelson concerning such delinquency. Plaintiff notified State Attorney Nelson that public records request delinquencies supported a potential lawsuit. Plaintiff indicated his preference not to bring legal action, and demanded the still delinquent public records. ***See Composite Exhibit "J"***

83. On August 22, 2019, the SAO corrected a delinquency of more than 2 1/2 months (*See Exhibits H and U*), but in doing so falsely characterized the delinquency as having been much shorter. *See Exhibit “V.”* The SAO therein referred to a reminder about a delinquency (dated August 8, 2019, not August 12), as opposed to the original public records requests dated June 3, 2019.

84. In the October 29, 2019, letter from Mr. Siegel to undersigned counsel (*See Exhibit “N”*) Mr. Siegel stated, “I have worked with Mr. Lee over the last couple of years on issues ranging from the quality of our public records responses to bail and bond.”

85. On February 4, 2020, Plaintiff submitted public records requests concerning a number of matters. *See Exhibit “W.”* Inter alia, Plaintiff referenced the SAO’s provision of records to him on October 3, 2019, that contained many acronyms and with no key or other definitions or explanations concerning those acronyms. This forced Plaintiff to pose public records requests for documents defining acronyms, which he did on November 7, 2019. *See Exhibit “X.”* Plaintiff complained, inter alia, that the records the SAO had provided were partly unintelligible and, therefore he had not received complete responses to some of his public records requests.

86. The SAO then provided a document with acronym definitions on November 12, 2019. *See Exhibit “Y.”*

87. On January 15, 2020, the SAO responded to Plaintiff’s public records request by again providing documents which contained more and yet undefined acronyms. *See Exhibit Z at pages 3 – 4.*

88. Accordingly, Plaintiff had to request documents defining all such acronyms. Inter alia, he did so via his letter to the SAO dated February 4, 2020. *See Exhibit “W.”*

89. When a government agency such as the SAO responds to public records requests by providing records containing acronyms, without providing keys to all such acronyms, the agency provides records which are, in part, indecipherable to all or many persons requesting such records. Plaintiff, via his letter to the SAO, showed that the lack of a key or definitions rendered the SAO's documents partially unintelligible to him. Plus, the SAO's lack of consideration wasted Plaintiff's time and caused him to suffer delays in obtaining complete and fully intelligible responses to his public records requests.

90. On March 3, 2020, Public Records Custodian Miriam Nelson sent Plaintiff a list of "Common Terms" dated November 3, 2014, that is, at best, an outdated partial response to prior requests seeking definitions of acronyms. ***See Composite Exhibit "AA"***

91. In all or most public records requests Plaintiff submitted to the SAO, Plaintiff requested written estimates of costs and charges, if any, before he would decide whether or not he would accept estimates and pay for work performed by SAO employees.

92. In response, the SAO often provided Plaintiff with estimates and invoices that were unintelligible and capricious. The SAO never told Plaintiff what persons were performing the services and what that person was paid. The charges were never justified. A government entity should not submit estimates or invoices to submitters of public records requests for employee time in such a way as to deny the submitter information sufficient to ascertain whether or not the submitter is being unlawfully charged.

93. In his letter to the SAO dated November 7, 2019, (***See Exhibit "X"***), Plaintiff requested documents "verifying and justifying" certain hourly rates previously charged to Plaintiff.

94. The SAO's charges to Plaintiff concerning the costs of its employees' time (with no employee names provided) in responding to public records requests were capricious. The estimates and invoices the SAO provided Plaintiff in the period from July 2018 through February 2020 for the time of unnamed employees indicated an hourly rate equating to exact dollar amounts six times out of seven. Among these:

a. On July 19, 2018, the SAO charged \$12.00 per hour for employee time (type of employee unstated);

b. On February 4, 2019, the SAO charged \$36.00 per hour for an administrator's "extended project rate," with no explanation of what that means;

c. In October 2019 the SAO twice charged \$26.00 per hour for administrative time at the "extensive rate," with no explanation of what that means;

d. On October 24, 2019, the SAO charged \$50.00 per hour for ASA time;

e. On February 28, 2020, the SAO charged \$15.00 per hour at the "extended project rate – clerical" and \$39.00 per hour at the "extended project rate – administrator," with no explanation of what those rates mean.

95. SAO ASAs and administrators are paid on a salaried basis. The standard calculation for determining an hourly rate from an annual salary rate is to divide the employee's annual salary by 2,080 hours. Doing so rarely results in an exact dollar amount per hour. (In a large random sample this would occur 1% of the time.) Therefore, it appears the SAO used rounded or arbitrary rates perhaps to Plaintiff's detriment and never provided any details to enable Plaintiff to ascertain the amounts of such detriment, if any, and the propriety of the SAO's conduct.

96. On February 9, 2020, Plaintiff submitted public records requests concerning these and other matters. **See Exhibit “BB”**

97. On March 4, 2020, Public Records Custodian Miriam Nelson sent Plaintiff an e-mail explaining the basis for the rates charged or estimated, and including a Salary Report that lists the salaries of all employees within the SAO. **See Composite Exhibit “CC.”** While the e-mail was sent 25 days after Plaintiff’s February 9, 2020, public records request, Plaintiff originally requested this information in his October 31, 2019, letter to the SAO **See Exhibit “P”**.

98. Such email and records were provided late. The email continued to show that the SAO’s policy concerning charging for employees’ time in responding to public records requests was arbitrary, capricious, and unlawful.

99. To the extent that the SAO has provided estimates to Plaintiff or charged Plaintiff for the provision of public records without adequate explanations of the basis for these estimates and charges, the SAO has violated F.S. § 119.07(4)(d).

100. By delayed acknowledgments of public records requests, by delays producing some requested records, by failing to provide adequate explanations for such delays and failures, and by providing documents containing acronyms thus forcing requesters to seek additional definitional records, the SAO has violated the Public Records Act.

101. The records that Plaintiff has requested from the SAO are not subject to any statutory exemption and no valid claims of exemption were timely asserted.

102. Plaintiff is entitled to the recovery of his reasonable attorney’s fees pursuant to § 119.12, Fla. Stat. *See, e.g., Office of the State Attorney for 13th Judicial Circuit of Florida v. Gonzalez*, 953 So. 2d 759, 764 (Fla. 2d DCA 2007).

103. Section 119.12 is a means of compensating members of the public who have filed civil actions against agencies and individuals serving as public records custodians to enforce the provisions of Florida's Public Records Act.

104. Plaintiff is entitled to a refund of amounts that the SAO charged him in violation of the Public Records Act; i.e. amounts charged him in July 2018 and later.

WHEREFORE, and for the foregoing reasons, Plaintiff respectfully requests that this Court set this case for immediate hearing, giving it priority over other pending cases pursuant to § 119.11(1), Fla. Stat. and enter a final judgment:

a. declaring that the SAO failed to comply with its statutory duties pursuant to the Public Records Act;

b. awarding Plaintiff his attorneys' fees and costs associated with this action pursuant to § 119.12, Fla. Stat

c. awarding Plaintiff a reimbursement of all charges and fees paid beginning in July 2018 for public records provided to him by the SAO; and

d. making appropriate findings and awarding any such other and further relief, including judgments, orders, and imposing sanctions, as this Court deems appropriate.

COUNT III
WRIT OF MANDAMUS

105. Plaintiff re-alleges paragraphs 1- 77 as if fully set forth herein.

106. Plaintiff has a clear legal right, articulated by Art. I, §21, Florida Constitution, to access to the courts to attend and hear judicial proceedings.

107. Plaintiff has a common law right of unrestricted access to judicial proceedings.

108. The SAO is a government entity whose duty is to promptly comply with the Florida Constitution.
109. The SAO has failed to discharge its duty as a government entity to promptly provide access to the courts and effective attendance at judicial proceedings.
110. A writ of mandamus is required to compel the SAO to perform certain legally required and nondiscretionary duties pursuant to the Florida Constitution.

WHEREFORE, and for the foregoing reasons, Plaintiff respectfully requests that this Court immediately issue an Alternative Writ in Mandamus ordering the SAO to show cause as to why the SAO should not be ordered to enable effective attendance at judicial proceedings and, if no disputed factual issues are raised by the SAO's response, enter a final judgment including a writ in mandamus ordering the SAO to comply with its constitutionally imposed duties under the Art. I, §21, Florida Constitution, awarding Plaintiff his attorney's fees and costs associated with this action, Plaintiff having complied with § 284.30, Fla. Stat., if applicable, and making appropriate findings and awarding any such other and further relief as this Court deems appropriate.

Respectfully submitted by,

BROMAGEN, RATHET, KLEE & SMITH P.A.

/s/ Brooks Rathet
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Exhibit A

Via mail

Curtis W. Lee
7124 Claremont Creek Dr.
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904 – 619 – 2422
curtlee59@aol.com
July 23, 2018

The Hon. Charles Cofer, Public Defender
Public Defender's Office, Fourth Judicial Circuit (PDO)
407 N. Laura St.
Jacksonville FL 32202

AND

The Hon. Hark Mahon, Chief Judge,
On behalf of all Judges holding office in the Fourth Judicial Circuit ("FJC")
501 W. Adams St.
Jacksonville FL 32202

AND

Melissa Nelson, Esq., State Attorney,
State Attorney's Office, Fourth Judicial District (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Re: Systematic violations of the law by local Judges, misconduct by the SAO and PDO, related matters, my recommendations and plans, etc.

Dear Judges Cofer and Mahon, and Ms. Nelson:

I already wrote to all of you about the systematic violations of law and other abuses that occur daily in Jacksonville. Our local criminal justice system is seriously flawed; thousands of arrestees have had and are having their statutory and constitutional rights violated. This letter is intended to summarize matters, provide some documentation, and set forth my recommendations and plans. I write to all of you as you lead the 3 entities that are failing us, and you thus are the persons that can correct a rotten status quo.

I am out of town from July 26 until Aug. 11, 2018. If you wish to communicate with me then, please email me, or call my cell phone at 904 – 309 – 3013.

I will start with my recommendations, and follow with discussion about current abuses, etc. I believe some of my recommendations can be implemented within a week or two, and all my recommendations can be adopted within 90 days – many remedies simply entail instructing judges and staff what to start and stop doing, and following through. (I ask that the easier reforms not be held hostage to reforms that may take longer to effectuate.)

If I conclude that there is no interest in my recommendations and in correcting the abuses discussed herein, I will be forced to complain to other entities, as the status quo is disgraceful and unacceptable, and provably so. It is, in fact, truly disgraceful that judges here in Jacksonville, who should and do know the law, knowingly violate the law. If anyone does not fully understand my recommendations or the reasoning behind them, please contact me.

1. Recommendations.

- (1) That the SAO, to the extent it makes recommendations to judges at twice – daily first appearances, concerning bail and other conditions of pretrial release, always record its recommendations in writing, and always keeps those recommendations for time periods consistent with SAO norms and rules, as they are public records.
- (2) That judges likewise keep such records.
- (3) The SAO clearly has been submitting bail recommendations to judges in secret from time to time. This refusal of both parties – SAO and judges – to take such important governmental actions in open court is improper and should cease. Indeed, when I attend first appearances, I can see judges reading papers, some of which likely are or include such SAO recommendations, as the judge then discusses some but likely not all of those recommendations in open court, thus showing that they were previously secretly submitted. All SAO recommendations re: bail and other

conditions of pretrial release, whether in writing or verbally, should be made in open court. (The status quo prevents any outsider from evaluating SAO recommendations re: bail and other conditions of pretrial release, for bias etc.)

- (4) That more judges be assigned to handle the twice daily first appearances, so that they have time to actually comply with the complex requirements of FL Statutes section 903.046, concerning bail and other conditions of pretrial release. This law enumerates 13 criteria or sets of criteria that judges "shall consider" prior to making individual decisions on bail and other conditions of arrestees' pretrial release. I have repeatedly informed all of you that, based upon observations as well as public records requests, it is clear that all or most judges are totally ignoring their obligations under FL Statutes section 903.046, which means that they are violating state law. This is a daily disgrace.
- (5) That the FJC develop worksheets to assist judges in doing this, that judges use such worksheets re: every arrestee at first appearance, and that such documents shall be public records so that the public and others can know if judges are actually complying in full and in good faith with FL Statutes section 903.046. (Without such documents, there is no proof that judges are complying with the law, and given the past multiyear pattern of non – compliance, the public will rightly conclude that local judges continue to defy FL Statutes section 903.046.)
- (6) That setting of bail be reformed so that the economic bias inherent in the status quo is eliminated. See my letter to all of you and the Sheriff, dated 1/21/18, which has attachments, for more details re: this recommendation, and for more discussion re: the illegal and abusive nature of the status quo, and why such recommendations are apropos.
- (7) That local judges (a) stop violating the 6th Amd. to the U. S. Constitution and similar provisions of the FL Constitution, and stop in effect acting as both a judge, and the attorney, for the defendant – not only illegal, but a conflict of interest, (b) appoint the PDO as counsel to defendants at all twice – daily first appearances, and have the PDO accompany the defendant with opportunity to confer, as he or she stands at the podium at first appearance, prior to the judge asking defendants to enter pleas, and prior to the judge making decisions re: bail and other conditions to pretrial release, so that the PDO has a real opportunity to assist defendants in these matters, and (c) instruct judges to refuse to accept any pleas or make such bail and related decisions until the defendants have had a chance to confer with the PDO. (See *Rothgery v. Gillespie Co. Tx*, (554 US 191, 2008). The constitutional right to counsel commences at the start of first appearance. Judges in Jacksonville have violated said holding for about 10 years now. This is shocking and inexcusable. The Wikipedia summary of this case is appended; the full decision is too lengthy to append (49 pages).
- (8) That the PDO attorneys present at first appearances be proactive, represent the defendants at the first moment they are before the judge, and insist that judges comply with (7) above, and object if they do not, and move to vacate pleas and/or take other appropriate actions in the event of such judicial misconduct.
- (9) That judges not deprive arrestees of their constitutional rights to be present in court while judges make decisions re: them, simply because arrestees are chatting or otherwise engaged in minor misconduct. Other punishments can be meted out that do not entail loss of such rights. See page 4 at (b) for more detail.
- (10) That all defendants who fell victim to the above judicial abuses should have all pleas and adverse judicial decisions in their cases vacated, if their cases are closed. If charges still pend, the charges in their cases should be dropped.
- (11) That the judges, SAO and PDO should take all necessary action to study (or cause a study of) the costs to taxpayers of the bail status quo. NY City conducted a study that showed that its bail status quo cost its taxpayers about \$116 million per year. (I. e., many indigent arrestees were eligible for bail but could not post it, and thus spent extra days, weeks or months in jail, at taxpayer expense, in addition to suffering personally. The enormous cost to NY City taxpayers of its status quo, suggests that the costs to Jacksonville taxpayers likely total \$ millions per annum.)
- (12) All persons arrested for non – violent offenses and without a history of violence should not have their hands, arms, feet and legs shackled. This is harmful and humiliating and lacks justification re: most arrestees. All arrestees are harmed because a small minority were or might be violent. Collective punishment is immoral and Unamerican.
- (13) That microphones should always be on, and that judges should always speak into the microphone. I was unable to hear substantial portions of the July 20, 2018 afternoon first appearance, as Judge Floyd did not turn his microphone on for many minutes as at least 5 defendants were processed. This forced me to complain to a bailiff, who initially ignored me, until I got up and complained again, and told him that I was a retired attorney. This caused the bailiff to

actually get up and inform another bailiff who in turn informed a third bailiff so that. Finally, the microphone was turned on. Thereafter, Judge Floyd still frequently failed to speak into the microphone. Our constitutional rights are mocked when we cannot hear court proceedings. Plus, many family members and friends of arrestees were present that day, and they were unable to hear the proceedings also. I could see the dismay and aggravation in their eyes and body language. Consider rethinking the entire system of microphones in Courtroom J - 1 - where they are and their volume settings. Consider the needs of the public, and stop treating them so dismissively. (The SAO attorney on July 20 mostly failed to speak into his microphone, also. He, and all SAO attorneys, need to be better instructed.)

2. Discussion concerning current illegal and abusive conduct, and concerning some of the above recommendations.

I have attended 3 "First Appearances" this year, beginning on 5/21/18, in Courtroom J - 1, in downtown Jacksonville. I plan to continue to do so, and collect data and documents re: the many judges who are violating the law. Likewise, I will collect data and documents re: misconduct on the part of the SAO and PDO.

I will now discuss some low points of those first appearances - what I observed and read, and my objections to what happened, etc. I will not discuss other aspects of the July 20 first appearance as I have not yet had time to review my notes.

Unlawful and improper aspects of that 5/21/18 first appearance are also mentioned in the 2nd and 3rd attachments to this letter. As the enclosed transcript excerpt (along with my notes thereon) shows, (a) Judge Ferguson promised to appoint the PDO as defendants' counsel, but sometimes did not. (b) Judge Ferguson wrongly and repeatedly encouraged and induced persons without counsel present, to plead guilty (see bottom of the 1st and top of the 2nd page of the transcript excerpt). Mostly he was successful, which exacerbated the misconduct. (c) Judge Ferguson encouraged defendants to give up their 5th amendment rights if and to the extent they were charged with misdemeanors.

This conduct was unlawful and outrageous, and the defendants so victimized deserve relief.

The transcript of the 5/21/18 first appearance, morning session, is too lengthy to append - 102 pages. If anyone wants a copy, I can email it. Without limitation, as it is often hard to fully keep up with massive violations of the law such as occurred on 5/21/18, I call your attention to additional pages of said transcript, which show misconduct such as the following:

- Judge Ferguson at pg. 4 said that: "in most cases there was probable cause for the arrest." This was too quickly and carelessly concluded, and mocks defendants' rights. There is no proof he spent any time at all prior to so stating.
- Judge Ferguson at pp. 8, 9, 12, 16, 18, 24, 25, 28, 31, 41 etc., mentioned the SAO's bail recommendations. However, these recommendations were not announced in open court, which means that they were provided by the SAO to the judge in secret, probably before the first appearance commenced, and are thus unavailable to me or others. (The SAO separately admitted in writing that it does not keep copies of its written bail recommendations, and does not record its oral bail recommendations. This misconduct - which bespeaks contempt for the purposes behind the Public Records Act - has the effect, and perhaps was intended, to e.g. defeat third parties' efforts to see if SAO recommendations concerning bail and other conditions of pretrial release, are biased. Plus, doing as I suggest would be simple.
- The Judge at page 17 announced to arrestees: "If you're charged with a misdemeanor, feel free to tell me your side of the story, but if you're charged with a felony, you really need to exercise your right to remain silent." It is most troubling that a judge would encourage anyone - especially defendants who lack counsel - to waive his or her 5th amendment rights.
- See pages 20 - 21 of that transcript. Judge Ferguson called Albert Walden to the podium - where defendants are addressed by the Judge. The Judge told Mr. Walden, in part: "I'd like to resolve the misdemeanor this morning How do you plead . . ." Mr. Walden - who did not have the PDO as his counsel as the Judge did not appoint the PDO to represent him, and the PDO was not next to Mr. Walden and speaking with him about such matter - pled guilty. This was a crystal clear violation of the 6th amendment and the Rothgery holding. I criticize the PDO attorney present as well, as she stayed seated, and did not walk over to Mr. Walden and confer with him. Indeed, the PDO attorney present on 5/21/18 showed nochutzpah or creativity - the violations of law that I noticed should have been noticed by her also, and she should have acted. (Likewise, the SAO attorney should not have stayed silent either.) If the PDO attorney had objected, Mr. Walden's rights would be better protected, even had the objection failed on May 21.

- The same type of illegal conduct occurred re: the following arrestees/defendants, many of whom were then immediately sentenced, and none of whom had attorneys with them when Judge Ferguson asked them to plead. Ms. Bell pled guilty. (Transcript, page 32.) Ditto -- Ms. Scherzer at page 35. Ditto Murray Scott at p. 37, Vicki McGruder at 42 – 43, Vanessa Pinkston at 43 – 44, Ms. Harris at 48, Xavler Williams at 53 – 54 (he first pled not guilty, and then changed to guilty after being urged to do so by Judge Ferguson), and Gregory Williams at 55 (he pled no contest, whereas others pled guilty).
- Additional defendants, all again put on the spot by Judge Ferguson, and all lacking counsel, also were asked to plead by the Judge that day, and pled guilty. Robert Watkins (see transcript pp. 55 – 56), Zachariah Teeling (pp. 56 – 57), Philip Hargrow (pp. 57 – 58), Loran JoJola (p. 58), Joshua Powers (p. 67), Andrew Berry (p. 77), Hayward Biggins (p. 78), William Steward (p. 79), Scott Mitchell (p. 88), Tryron Hyatt (p. 89), Jamie Craft (p. 91 – he first pled no contest, and then the Judge queried – “Plead guilty?” – and Mr. Craft then pled guilty), Oliver Moore and Ms. Pinkston (pp. 94 – 96), and Sheldon Grant (p. 100).
- See pp. 72 – 74 of the transcript. Robert Baker, lacking counsel, denied committing battery and said that he just wanted to get back to work. After much salesmanship on the part of Judge Ferguson, Mr. Baker pled no contest. Mr. Baker, like the other defendants, lacked an attorney. Judge Ferguson engaged in massive misconduct here, by: (1) acting as judge and lawyer, re: Mr. Baker, (2) pushing Mr. Baker to plead to his detriment, and (3) ignoring Mr. Baker’s statement that he was innocent, and was only giving in for economic reasons. The judge should have rejected Mr. Baker’s plea, ROR’ed Mr. Baker and let Mr. Baker assert his claim of innocence without having to suffer further economic loss. *It is revolting and Unamerican for a judge to push a person who claims innocence, to plead anything but not guilty.*
- These constant and repeated acts of judicial misconduct are so troubling, and so tainted defendants’ rights, that all defendants processed on May 21, 2018 should have charges dropped, if they still pend, or have pleas and rulings vacated and records expunged, at no cost to defendants. The conduct of Judge Ferguson was Indefensible.

See my enclosed letters to Judge Cofer dated 5/24/18 and 7/1/18, which, respectively, detail the unlawful judicial conduct, and improper conduct of SAO and PDO attorneys, at first appearances held on 5/21/18 and 6/25/18. These documents discuss some details not mentioned above. Also – since I do not have the transcript of the 6/25/18 first appearance (afternoon session), I urge you to focus on these worst aspects of the 6/25/18 first appearance (afternoon session):

- (a) Judge Eckley ejected one arrestee, for apparently talking quietly to someone seated behind him. The offense was so minimal that I heard nothing. I believe his last name was Brooks. Judge Eckley then set bail for him, after she had forced him to return to the jail. Thus, she deprived Mr. Brooks of the chance to argue for lower bail or ROR. This was unfair and troubling. Mr. Brooks deserves to go free if charges still pend, or have his plea, charges and convictions, if any, vacated.
- (b) Judge Eckley accepted a plea from Henry Felder, who did not have any attorney present. Mr. Felder accepted the SAO offer of time served. The problem was that Mr. Felder stated that he took such actions as he needed to work. This statement in effect was – “I Henry Felder have to accept some sort of guilt and punishment because I am poor, need to get back to work right away and can’t assert my rights for these reasons.” The judge should have rejected the plea, and the PDO attorney should have intervened. Defendants who admit guilt for reasons other than their acknowledgment that they are guilty, need to be protected. The SAO attorney likewise should not have sat there silently. Felder also should have his plea, charges and conviction vacated.

Note that I am not necessarily catching 100% of the misconduct re: the first appearances on 5/21/18 and 6/25/18. What should disturb and frighten you, and motivate you to act, is that I was able to find numerous violations of the law committed by Judges, merely via attendance at 2 first appearances. (I just attended my third first appearance in 2018, 3 days ago, and am not now ready to comment on it.)

3. Conclusions, and going forward

I am 61 years old, well – informed, capable, independent and tenacious. I am prepared to spend much time and money (if need be) to correct the abuses and illegal conduct I here discuss. Thus, I suggest to all of you that it is wise, as well as necessary under the law and in order to make Jacksonville a better and less unjust place, for you to treat my complaints

seriously, and adopt the reforms I request, for the reasons I set forth. Given what I know and have done, which I suspect exceeds what most or all others have done, I suggest that you all should involve me in making reforms, assuming you will do so.

Please contact me promptly with any questions and concerns. Please recognize that I would much rather assist you in correcting illegal and unjust procedures, than take other actions. Please keep the following in mind, also. None of you have, in my view, any tenable defense should you decide to do nothing about these illegal and abusive aspects of the status quo, after having been informed of same. There is no upside for any of you to continue to ignore injustice in Jacksonville. Please don't defend an unjust status quo.

Thank you.

Sincerely,

Enclosures, printed two – sided. Handwritten markings thereon are mine:

- Wikipedia summary, *Rothgery v. Gillespie Co. TX* (554 US 191, 2008). (The Supreme Court opinion is lengthy – 49 printed pages. Hence, I provide this summary. All can and should read the decision, which can be found online.)
- Excerpt, transcript, first appearance, 5/21/18, morning session, Judge Ferguson presiding. (2 pages)
- My 5/21/18 letter to Judge Cofer of the PDO, concerning the 5/21/18 first appearance (a.m.) (2 pages)
- My 7/1/18 letter to Judge Cofer, concerning the 6/25/18 first appearance (p.m.) (2 pages)
- My 7/9/18 email to all of you, and others. (1 page)
- My 7/18/18 email to all of you, and others. (1 page)

Exhibit B

Gina Logan

From: curtlee59@aol.com
Sent: Monday, February 24, 2020 10:34 AM
To: herb@bromagenlaw.com
Subject: Fwd: enclosed letter, complaints re Judge, SAO atty, etc.
Attachments: Cofer, Nelson 72518.docx

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

To: mwnelson@coj.net; ccofer@pd4.coj.net
Cc: sslegel@coj.net
Sent: Wed, Jul 25, 2018 10:11 am
Subject: enclosed letter, complaints re Judge, SAO atty, etc.

Judge Cofer and Ms. Nelson:

Please read the enclosed letter, which complains about Judge Floyd and a SAO attorney whose name I do not have, thanks to his knowing refusal to speak into the microphone at first appearance on July 20, and thanks to Judge Floyd's frequent failures in such respects.

I also recently mailed to you my letter dated July 23, with attachments.

The first appearance process is rife with abuse, as the mailing to you also shows. It is my hope that we all can talk further about such matters, and that there will be prompt improvements to a rotten status quo where defendants' civil rights are routinely and systematically violated.

I will be out of town from tomorrow through Aug 11, but can be reached via email.

Curt Lee

Via email

Curtis W. Lee
7124 Claremont Creek Dr.
Jacksonville FL 32222
904 - 619 - 2422
curtlee59@aol.com
July 25, 2018

The Hon. Charles Cofer,
Public Defender
Office of Public Defender, 4th Judicial Circuit (PDO)
407 N. Laura St.
Jacksonville FL 32202

AND

Melissa Nelson, Esq.
State Attorney
State Attorney's Office (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Re: My attendance at First Appearance on 7/20/18, commencing at about 2:00 p.m. Judge Floyd presided. Some comments and concerns re: conduct of Judge, SAO and others

Dear Judge Cofer and Melissa:

This letter describes misconduct that occurred during first appearance in Courtroom J-1, on the afternoon of 7/20/18. Judge Floyd presided. I attended such proceedings on that day.

I caution that I am not certain I have spelled all names mentioned below, correctly. Judge Floyd's failure to turn on his microphone for many minutes, and the later frequent failures of the Judge, and the SAO attorney, to speak into a microphone, meant that I often missed portions of what was said. This continues to be a major problem. (See my 7/23/18 letter to both of you and Judge Mahon, which was mailed, and which you may already have received, for more detail.)

Judge Floyd, like Judges Ferguson and Eckley, never mentioned Florida Statutes 903.046, and never followed any of its requirements when it came to making bail decisions. Also, on 7/20/18, the PDO attorney never objected to violations of that statute, and never objected to any of the other abuses discussed here. This failure on the part of Judges to follow state law re: the setting of bails, is inexcusable, especially as it undercuts the civil rights of criminal defendants who often are indigent.

My other complaints and comments, to the extent I saw anything that did not seem right, are these:

- (1) The first defendant processed at this first appearance, where I could hear anything at all, because Judge Floyd finally turned on the mike, was Antonio Griffin. At least 5 other persons were processed before him, and I could not hear what was said and done. This was wrong, as previously discussed.
- (2) The processing of Mr. Griffin presented an interesting issue. The SAO and PDO lawyer were conferring with the Judge for several minutes, via a sidebar. I could hear nothing. I claim there is no justification for such discussions, which cannot be heard by public attendees and likely are not recorded by court reporters. Sidebars can be appropriate in trials, where matters are discussed that should not be heard by the jury. However, there is no jury at a first appearance. And, most likely, the Judge and attorneys were discussing a plea deal, during Court proceedings, and the SAO was making bail recommendations. These discussions and statements should have been held in open court, for all to hear, and recorded. If you disagree, please explain why.
- (3) Several defendants were subsequently processed. I missed large parts of what was said, even though the microphone was on, because the Judge frequently was not talking into it and compounded this misconduct by mumbling. The end result was that much if not most of what was supposed to be open court proceedings, were concealed from the public.
- (4) Re: Jonathan Ellory - Judge Floyd asked the SAO to recommend bail. The SAO attorney made no effort to speak into the microphone (and because this misconduct kept occurring, I think he intentionally refused to make this effort). Thus, I could not hear what the SAO attorney recommended. I suggest that, for this reason, and as further discussed, the SAO attorney in attendance at the 7/20/18 first appearance, afternoon session, be disciplined.

- (5) Ditto -- re: Arthur Laney -- the SAO attorney spoke about bail, I believe (thanks to later context). I could not hear as that attorney refused to speak into the microphone.
- (6) Re: Julius Smith -- Judge Floyd mumbled as he spoke. Thus, regarding this defendant, I was unable to hear all that he said. After the processing of Tyrone Davis, Judge Floyd was often inaudible as well. During the processing of Mr. Davis, the SAO attorney spoke, and was again inaudible. (Note -- this awful SAO attorney -- who appeared to intentionally refuse to use a microphone -- was bad in this respect, in comparison with the other SAO attorneys I witnessed as being present at first appearances. The other SAO attorneys spoke into the microphones and were audible.)
- (7) Re: the processing of Frederick Johnson and someone with the last name of Marshall -- Judge Floyd was again inaudible. Ditto: the next 2 defendants then processed. Ditto -- Pamela Scott.
- (8) Re: defendant Lavelle Pearson -- there was another improper sidebar amongst Judge Floyd and the PDO and SAO attorneys. The public could hear nothing. See (2) above for why such actions were improper.
- (9) Contrast such actions with communications between the PDO and defendants -- which are, sadly, rare at first appearances, thanks to misconduct such as what so frequently was practiced by Judge Ferguson. Such defendant -- attorney conversations are properly private.
- (10) I often saw Judge Floyd reviewing papers on July 20, 2018, as he discussed bail etc. I was too far away and the angle of my line of sight was not conducive, to see what those papers said. Therefore, I conclude, again, that the SAO secretly provided its bail recommendations to the Judge and the Judge alone. Yet those written recommendations are public actions and the refutations thereof are public records. Such end runs around the Public Records Act are improper as previously discussed.

+++++

I departed at about 3:33 p.m. on July 20, 2018. 21 defendants still had not been processed.

Thus, I conclude that Judge Floyd and the SAO attorney whose name I do not have, engaged in the above -- described misconduct. Please advise if you will be ordering a transcript of such proceedings, have questions, would like to meet or talk on the phone, etc.

My recommendations contained in my letter dated 7/23/18, if adopted, would prevent recurrence of such misconduct. Plus, Judge Floyd, like Judges Ferguson and Eckley, should be criticized to deter future misconduct.

Thank you. Please contact me with any questions or concerns.

Sincerely,

Exhibit C

Via email

Curtis W. Lee
7124 Claremont Creek Dr.
Jacksonville FL 32222
904 - 619 - 2422
curtlee59@aol.com
Oct. 1, 2018

The Hon. Charles Cofer,
Public Defender
Office of Public Defender, 4th Judicial Circuit (PDO)
407 N. Laura St.
Jacksonville FL 32202

AND

Melissa Nelson, Esq.
State Attorney
State Attorney's Office (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Re: My attendance at First Appearance on 9/28/18, in courtroom J-1, starting about 1:30 p.m. Judge Hudson presided. Some comments and concerns re: conduct of Judge, SAO, PDO etc..

How the SAO and PDO are ensnared in judicial violations of FL Statutes re: setting bail, and thus put themselves at risk. Recommendations.

Continued discrimination against men re: judicially imposed dress code.

Dear Judge Cofer and Melissa:

This letter discusses first appearance in Courtroom J-1, in the afternoon of 9/28/18. Judge Hudson presided. I attended such proceedings.

I would have preferred to wear shorts while attending, as I would have been cooler. But, in light of the previously posted discriminatory dress code promulgated by the Chief Judge or a subordinate, as well as the periodic discriminatory enforcement of said policy by a bad ISO bailiff, I did not, as I feared I would be barred from attending on 9/28/18. Yet a woman was admitted into the courtroom as a public attendee, wearing short shorts. I am tired of this governmental anti-male prejudice and disparate treatment. Bailiffs have carte blanche to discriminate.

First appearance had just started minutes before 1:30 p.m.. Yet other judges normally commence first appearances' afternoon sessions, after 2:00. Judge Flower commenced his first appearance (or at least the portion of it where he deigned to permit the public to attend) at about 3:15 p.m., on 9/6/18. This wide variance makes it hard for persons who plan to attend first appearances, to plan their days, and ends up wasting the time of all public attendees.

Judge Hudson, unlike some other judges, appears not to have violated any defendant's right to counsel, at least not on 9/28/18. I could not hear some names and remarks on occasion - the failure of persons to consistently speak into microphones continues to be a problem.

Judge Hudson repeatedly sought bail recommendations from the SAO, and adopted them without any changes, re: several defendants. At some other times, she appeared to have required bail in excess of the SAO recommendations.

As a result of the above, the following problems arise, and I can make a fuss about them. Relevant officials in Jacksonville seem to want me to do so, because none are pushing to change certain unlawful aspects of the status quo. (Private conversations may help, but are not systematic. They may not have lasting results, and they represent government actions that cannot be obtained or seen by others using the Public Records Act.) Here is a recitation of judicial misconduct that occurred on 9/28/18.

- (1) Judge Hudson, like other Judges, violated FL Statutes section 903.046 100% of the time on 9/28/18, re: setting bail. (I ask Ms. Nelson to read such statute.)
- (2) Because the SAO attorney regularly recommended bail on that day, without encouraging or urging Judge Hudson to abide by the requirements of said Statute, the SAO was complicit in Judge Hudson's violation of the law.

(3) Therefore, I ask the SAO to stop being complicit in such violations of law, which could be accomplished as follows:

- The SAO could stop recommending bail, to protect itself. (E.g., If I am forced to complain to others about the universal judicial practice in Jacksonville of violating FL Statutes section 903.046, I will be forced to state that the SAO, and the PDO, have not only done nothing to stop such unlawful conduct, but witness such violations of the law daily, and know of such violations as they have been previously apprised, and could have taken but did not take steps to stop such violations of the law.)
 - The SAO and PDO could state on the record that they urge the presiding judge to comply and articulate compliance with FL Statutes section 903.046, re: each defendant. If a judge violated the law during a trial, counsel would object. Why be silent when you two know, and SAO and PDO lawyers should know, that the judges are – before their very eyes – violating the law to the detriment of defendants?
- (4) As it is, when the SAO recommends bail, and a judge accepts such recommendation, the SAO thereby does nothing to undo the evils of the unlawful status quo, and as a result, the indigent may wallow in jail while more prosperous persons can secure their prompt release. If you read FL Statutes section 903.046 carefully, you will see that careful compliance with that statute likely would result in greater use of RORs.

These repeated, knowing violations of FL law by local judges and officials, all of them attorneys, is troubling and indefensible, and must stop. If you refuse to assist, you will continue to be on the wrong side of justice.

Judge Hudson did one other thing that offended me. She announced near the start of first appearance that she had found probable cause in all cases. This showed improper haste and caprice. There were at least 45 defendants seated in the Courtroom at the time of her remark. In my view, having attended first appearances, and reviewed many CORE records, it is clear that judges regularly violate Constitutional and statutory requirements relating to determination of probable cause, also.

Evil persists if those in power refuse to change despite knowing of those evils.

Please take the actions I have suggested, and please contact me with any questions or concerns. I continue to be willing to meet with persons who are interested in learning more.

Thank you.

Sincerely,

Cc: L. Buzzell, PDO
S. Siegel, SAO



STATE ATTORNEY'S OFFICE
FOURTH JUDICIAL CIRCUIT OF FLORIDA

MELISSA WILLIAMSON NELSON
STATE ATTORNEY

311 WEST MONROE STREET
JACKSONVILLE, FLORIDA 32202
(904) 255-3002
MWNELSON@COJ.NET

October 16, 2018

Curtis Lee
7124 Claremont Creek Drive
Jacksonville, FL 32222

RE: First Appearance/Bail

Dear Curt:

Thank you for your recent letter and your continued interest in improving our criminal justice system. You raise several points in your letter. As I have stated previously, I am committed to an equitable bail system in the Fourth Judicial Circuit. Last year, I began working with the Vera Institute of Justice on this very issue. Representatives from Vera have been collecting data will be making another site visit later this month.

As you note in your letter, Chapter 903, F.S., governs bail in Florida. By statute, the purpose of a bail proceeding is to ensure the appearance of the criminal defendant at subsequent proceedings and to protect the community against unreasonable danger from a criminal defendant. Since becoming State Attorney, I have implemented a rigorous training system for my appointed Assistant State Attorneys. The Assistant State Attorneys who appear regularly in First Appearance understand the principles stated in Chapter 903 and are charged with making appropriate bail recommendations based on those principles.

From your letter, I understand you are concerned about the dress code in First Appearance as well as the behavior of certain bailiffs. Although located at the Pre-Trial Detention Facility, Courtroom J-1 is a courtroom. The presiding judge governs matters within his or her courtroom, including the dress code and the conduct of the bailiffs.

In a previous letter, you asked whether the State Attorney's Office records or otherwise catalogues bail recommendations. When the State Attorney's Office designed and implemented its case management system in 2002/2003, it did not include a mechanism to capture bail recommendations.

Steve Siegel and personnel from the State Attorney's Office Information Services Department are working with our case management system vendor for a solution on how to best record and track Assistant State Attorney bail recommendations. My goal is to implement a policy whereby Assistant State Attorneys record all bail recommendations which then can be entered into our case management system. Once the data is recorded, the State Attorney's Office can create reports from this data which will provide greater insight into our practices. I hope to implement this process by the end of the current year.

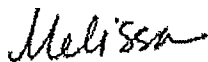
Regarding your observations of different First Appearance proceedings, many of the presiding judges set bail without requesting a bail recommendation from the State of Florida. Bail determinations are judicial determinations, and many of the judges in the Fourth Circuit impose bail without consultation from the State of Florida or the defendant.

Similarly, judges are required to make probable cause determinations. It has been my experience that judges who do not review the arrest docket in open court do so before taking the bench. The Jacksonville Sheriff's Office provides arrest documentation in advance of the First Appearance proceeding for this review. The same is true for a defendant's criminal history.

I cannot speak to the appropriateness of individual bail recommendations without specific examples. While a particular criminal charge may not appear to be a serious criminal violation at first blush, a defendant who regularly fails to appear for court appearances will generally receive a greater bail than one who does not. Moreover, reasonable people can disagree on what reasonable bail should be for a defendant's case. There is a remedy for this disagreement. Once bail is set in First Appearance, a defendant can challenge his or her bail amount through an appropriate motion.

Regarding your meeting request, John Kalinowski, Director of County Court, oversees the attorneys who regularly appear in J-1. I have asked him to follow up with you and set a meeting to discuss the concerns you have observed and subsequently brought to my attention. Mr. Kalinowski not only oversees the county court attorneys, but is also tasked with their training when they are hired. As some of your concerns may simply be lack of instruction or training, e.g. not speaking loudly or clearly into the microphone, he will be the appropriate person to address these issues with our attorneys.

Sincerely,



Melissa W. Nelson

cc: John Kalinowski
Miriam Nelson

Exhibit D

Via email

Curtis W. Lee
7124 Claremont Creek Dr.
Jacksonville FL 32222
904 - 619 - 2422
curtlee59@aol.com
Nov. 10, 2018

Melissa Nelson, State Attorney
State Attorney's Office (JSO),
311 W. Monroe St.
Jacksonville FL 32202

Re: Your letter dated 10/16/18, records requests, my response to your letter, meeting re: violations of law at first appearances, impact of same, etc.

Dear Melissa:

Thank you for your 10/16/18 letter. I was out of the country when you mailed it, and did not return until the evening of 11/5/18. It has taken me a few days to catch up with mail, email etc., and I am not yet entirely caught up.

Please email me the electronic version of your 10/16/18 letter. This is a public records request (PRR). Thank you for working towards a more equitable bail system. Please provide written communications between the SAO and Vera, re: such topic. This is a PRR also. The conditions I have imposed respecting past PRRs continue today. Most importantly, do not incur or assess any costs or charges, at my expense, without first providing me a detailed written estimate. The SAO has already ignored a previously asserted condition of similar ilk. I need to be sure the SAO will resume compliance.

Response to your letter, violations of law re: first appearances, impact of same, nature of meeting on such topics

Please give a copy of today's letter, to Mr. Kalinowski, as you discussed his role and the fact that he would contact me about a meeting. (He hasn't done so yet.) I hope you attend such meeting also, as you had promised me a meeting on first appearance matters (violations of law in connection with first appearances), when we saw each other at the JALA dinner.

Re: your 10/16/18 letter, paragraph 2 is partly in error. My observations suggest that the SAO fails to comply with FS 903.046. Re: par. 3, my last attendance at a first appearance revealed that the discriminatory sign about which I complained, had been removed. Re: par. 4, which straddles pp. 1 - 2 of your letter, I thank you. Re: par. 5, I understand what you say. I, however, believe that lawyers, including those at the SAO, are at least morally obligated to act if judges violate the law. Such things are best discussed in person, and I hope that you would listen to my ideas at a meeting. Re: par. 6, I think that probable cause determinations by judges are made far too quickly and have other flaws, but do not intend to work on such matters now. (I am already involved in many things.) Re: par. 7, I understand your point.

The facts suggest that you should attend such meeting, and get involved in addressing misconduct associated with first appearances. The harm that the status quo imposes is massive and occurs daily:

- Historically, the JSO has arrested about 30,000 persons per year, or more than 80 persons per day on average.
- Based upon my attendances at first appearances thus far, about 10 - 25 persons attend such first appearances, and there are 2 first appearances per day. Most attendees are defendants' relatives and loved ones.
- In total, over 100 persons, each day, are affected and harmed by the status quo in Jacksonville.

I am unable to think of a pattern of violations of law in Jacksonville, that is more massive. Further, these violations can be corrected if local officials decide to act. The massive violations of law principally are these:

- (1) Judges routinely violate FL statute section 903.046, and the SAO and PDO either contribute to such violations of law, or do nothing to reduce or eliminate them. Neither is admirable.
- (2) Some judges have violated defendants' constitutional rights to counsel. I have already written about this.
- (3) Some persons committed other misconduct re: first appearances, re: dress codes, handcuffs and eligibility to attend.

Discussion of matters set out in this letter would be the principal topics of the future meeting. I hope I have convinced you. Please respond soon. Thank you.

Sincerely yours,

Cc: Miriam Nelson

Exhibit E

Gina Logan

From: curtlee59@aol.com
Sent: Friday, February 28, 2020 9:38 PM
To: herb@bromagenlaw.com
Subject: Fwd: still waiting for meeting

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

To: mwnelson@coj.net
Cc: ccribbs@coj.net
Sent: Thu, Dec 6, 2018 9:42 am
Subject: still waiting for meeting

Melissa - I hope you need a nice Thanksgiving.

You had sent me a letter dated 10/16/18, to which I had responded on 11/10/18. My response had been delayed as I was out of the USA for 3 weeks.

I have not received any response to my 11/10/18 letter. Neither you nor John Kalinowski has contacted me to set up a meeting.

When we met at the JALA dinner, you had promised that we would meet this year, to discuss problems associated with first appearances of criminal defendants. I remain ready and able to meet, and will be in town every day for the rest of the year.

Please take a look at my Nov. 10 letter, and please let me know when we can meet. Thank you.

Please forward this email to Mr. Kalinowski, as I do not have his email address.

Curt Lee, 619 - 2422

Exhibit F

Via email

Curtis W. Lee
7124 Claremont Creek Dr.
Jacksonville FL 32222
904 - 619 - 2422
curtlee59@aol.com
Feb. 16, 2019

Mark Mahon
Chief Judge, Fourth Judicial Circuit
501 W. Adam St.
Jacksonville FL, 32202

The Hon. Charles Cofer, Public Defender
Office of Public Defender, 4th Judicial Circuit (PDO)
407 N. Laura St.
Jacksonville FL 32202

Melissa Nelson, Esq. State Attorney
State Attorney's Office, Fourth Judicial Circuit (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Re: My attendance at First Appearance on 2/11/19, in Courtroom J - 1.
Judge Bateh presided. Public records requests directed to Judge Mahon are
at the 7th full paragraph of page 3.

Dear Judge Mahon, Judge Cofer and Ms. Nelson:

I am disappointed that none of you responded (personally or via subordinates) to me re: my 2/4/19 letter to you re: misconduct associated with the 2/4/19 first appearance proceedings. I don't even know if you forwarded what I then wrote, plus the accompanying email, to Judge Charbula. Your apparent failures to act (or, alternatively, your taking actions while refusing to disclose same to me) are inappropriate and troubling, as you are well aware.

I am now informing you about misconduct associated with the first appearance on 2/11/19, handled by Judge Bateh. I arrived at about 2:13 p.m., expecting to attend the afternoon session of first appearance. However, the female security person who is the first security person the public sees at Courtroom J - 1 volunteered to me that Judge Bateh was still conducting the morning session of first appearance. Her tone was one of astonishment.

When I entered the Courtroom, the presumed JSO bailiff, an obese white man likely in his 50's or 60's who lacked a nametag or other visible identification, also told me the same thing, in a similar tone. The bailiff could not have heard what the security person told me.

I too was astonished, and disturbed, for these reasons and as will be further shown:

- (1) Judge Bateh's slowness likely meant that, on 2/11/19, the afternoon first appearances would start after 3:00, and end much later than normal, which might mean that some inmates approved for ROR might not be released until the next day, and that some inmates who could pay for a bail bond might not be released until the next day. (E.g., banks almost never have evening hours.) Both types of inmates/defendants would be so prejudiced as practical matters, because obtaining bail bonds can take hours, and the JSO takes additional hours to process releases of inmates. Judge Bateh in effect likely dashed the expectations of many inmates that they'd be released from jail on 2/11/19.
- (2) And/or, Judge Bateh's slowness likely meant that the luckiest of those inmates would be released late on 2/11/19 - much later than usual and much later than would have occurred had the Judge processed arrestees more timely and more in line with prevailing local norms.
- (3) Thus, via his slowness, Judge Bateh consigned inmates to many extra hours in jail, and perhaps in some cases, an extra night in jail.

The downtown jail, often called the PTDF, is a dirty, disgusting and dangerous place. How would you like to be an arrestee/defendant/inmate with your hopes dashed and family members up in the air and also having their time wasted, thanks to a Judge who, for whatever reason, was unconscionably slow? I.e., to have many hours or perhaps an extra night of

your life stolen without compensation. Putting yourself in someone else's shoes is a helpful way to understand the evils that occur when judges such as Judge Bateh are extremely slow in processing defendants.

Refusals to use microphones

As soon as I entered Courtroom J – 1, I noticed (and for most of the remainder of my attendance continued to notice) that the Judge, and the Assistant State Attorney (ASA) in attendance, were not using their microphones. They were speaking while the mikes were about 1 foot away from their mouths, which meant that the mikes might as well not have been there. The Judge and ASA were not leaning into the mikes or pulling the mikes closer to their mouths.

This continued misconduct meant that, for most of my attendance at such first appearance proceedings, I was able to hear either (a) none of the proceedings, or (b) mere snippets. Sometimes, what I could hear gave me a general idea of what was being said. However, even during the merely moderately inaudible portions of such first appearance proceedings, the fact that I could sometimes have a general idea of what was being said, should provide no comfort, because I am quite certain that persons who had not been attorneys for long periods, or otherwise lacked substantial experience in Courtroom settings, would not have understood what I did (i.e., "put two and two together"). Almost everyone who attended any of the first appearance proceedings I have ever attended, appears to have been a loved one of an arrested person, and not an attorney, and such attendees were truly harmed by the unlawful conduct of Judge Bateh and the ASA.

When I arrived in the Courtroom, one inmate was then being processed, with 6 other inmates still to be processed. I.e., these were the residue of the morning session of first appearance that was still occurring after 2:13 p.m. on 2/11/19.

After this inconsiderate and unlawful conduct of failing to use mikes persisted for a few minutes, I complained to the presumed ISO bailiff described above, at about 2:20 p.m. I told him that I and others in attendance could not hear proceedings because the judge was not using his mike, and would he the bailiff please pass the message onward so that the judge would know about this problem, and start using his mike? The bailiff smiled and shook his head, saying that "we've told him and told him and told him". Via use of those pronouns, the bailiff was referring to the judge. The bailiff remained seated, and via shrugging gestures indicated he could do nothing. My efforts to secure all attendees', and my, rights to observe judicial proceedings, were thus violated.

Assuming that the bailiff told me the truth, and why would he lie, Judge Bateh already knew on 2/11/19 that he was inaudible and thus violating the rights of persons attending Court proceedings, and he was thus knowingly violating the law. This is very troubling. Why don't any of you complain to higher authorities about Judge Bateh?

The Judge also acted inappropriately as follows. There were 4 separate occasions over the next 40 minutes where I witnessed the SAO and PDO attorneys having sidebar conversations with Judge Bateh. I could not hear the conversations, but it was visibly obvious that sidebars were occurring. I heard the Judge indicate he was going off the record once; in the other instances where sidebars occurred I could not hear such judicial statements, assuming they were made. These sidebars were knowingly concealed from public attendees in Courtroom J – 1 that day. No one can claim mere carelessness as an excuse. This conduct was inappropriate, because such sidebars – which related to plea bargains as shown below – are not properly excludable from the public's hearing. They are not appropriate sidebars such as those that can be appropriate in contexts of jury trials, where some discussions of law, e.g., re: the admissibility of certain evidence, must be kept from the ears of a jury.

From the occasional words I could hear just after the sidebars occurred, it was clear that the sidebars related to plea bargains. I.e., plea bargains were offered, considered and discussed immediately after the sidebars.

The public has the right to know, and should know, how judges and other public officials make decisions related to plea bargains. Discussing such matters and making such decisions in secret but otherwise in the context of open court proceedings, is unlawful. If any of you contends otherwise, please explain your reasoning in detail. Failures to do so will be construed as admissions that my assertions are correct.

What if you were a spouse, parent, child etc. of an arrested person and in attendance at the first appearance being discussed here? How would you like to be treated as Judge Bateh treated you? You would not have been able to hear most of what the Judge said, and further, to the extent you heard a few words, you likely would not have understood anything. You would have been explicitly denied a chance to hear discussions concerning plea bargains relating to your loved one, thanks to the Judge's policy of permitting such sidebars. You might very well end up with feelings of disgust for the criminal justice system.

At only one time during the entirety of my attendance at such first appearance proceedings, did I see Judge Bateh lean into the mike, and speak. For a minute or two, I could clearly hear the judge. Then the judge pulled back from the mike and resumed being mostly inaudible. This occurred shortly before 3:00 p.m.

I departed the Courtroom at about 3:00 p.m. on 2/11/19. 2 Inmates were then still present for processing via this hugely delayed morning session of first appearance proceedings.

During the entirety of my attendance, I heard no discussion about bail, and so I do not know the extent (if any) to which Judge Bateh violated FL Statutes 903.046. This illustrates a dangerous consequence of Judge Bateh's misconduct – denying me and others the ability to hear court proceedings means that we cannot be fully effective watchdogs (or watchdogs at all) should judges violate the law. Such misconduct undercuts efforts to complain to the FL Judicial Qualifications Commission, the media, etc.

The totality of Judge Bateh's misconduct strikes at the heart of the right of the public to observe judicial proceedings, and strikes at the heart of efforts to assure judicial accountability.

+ + + + +

It is time for all of you to start listening, and correct the misconduct that infuses first appearance proceedings. Corrective actions can be implemented at modest cost and with modest effort. Feel free to contact me for details.

Defending what is unlawful and indefensible, by failing to take corrective actions notwithstanding obvious unlawful official conduct, is unwise, at a minimum.

Since Chief Judge Mahon has explicitly denied me documents or information showing the work – related email addresses of judges including Judge Bateh, as well as email addresses of judicial assistants, I ask him to forward this document to Judge Bateh, along with the transmittal email, and to advise me once this has been done. Please consider this and the similar request I made via my letter of 2/4/19, to be public records requests of Judge Mahon – please provide documents showing (proving) such forwardings to Judges Charbula and Bateh, or if there are no such documents, please so indicate. If anyone proposes to charge me any \$, do not do so without first providing me a detailed written estimate, and obtaining my written assent.

It would have been easier if Judge Mahon simply answered today's question and my similar question in my 2/4/19 letter, but apparently he feels that he need not show such courtesy. But, Judge Mahon is obligated to provide public records.

It is my sincere hope that all of you cease the "see no evil", "head in the sand" approach taken to date, and work with me to improve the first appearance process. I spend my own time, and my own money, without hope of recompense, seeking to improve the status quo, because I care, because the federal and state Constitutions, and laws, should be respected and enforced, and because the status quo has so many serious problems. I act in good faith, and hope that all of you will respond in such fashion.

Judge Mahon – you have to date refused to meet with me, or even to have a phone call with me, about any of the many unlawful aspects of the status quo, that I have disclosed to you in writing. Yet, you meet and speak with others. This leads me to wonder – why single me out as unworthy of being met or having a conversation? Your assistant, who is younger than I, questioned my alleged lack of expertise, which was not only offensive, but erroneous. Were you, through her, saying that only experts have the right to meet you or get you on the phone to complain to you about violations of the law?

Please stop the discourtesies, Judge Mahon, and change your positions, at long last. (I am publicly out as a gay man. I sincerely hope that this is not the reason for the positions you have taken.) I have met with Ms. Nelson and Judge Cofer several times each, and all of those meetings have been cordial.

Thank you all. Please contact me soon with responses, questions and concerns, or if you contend I err in any respect.

Sincerely,

Cc: L. Buzzell, PDO, and J. Kallnowski, SAO

Exhibit G

Via email

Curtis W. Lee
7124 Claremont Creek Dr.
Jacksonville FL 32222
904 - 619 - 2422
curtlee59@aol.com
Mar. 8, 2019

Mark Mahon
Chief Judge, Fourth Judicial Circuit (FJC)
501 W. Adams St.
Jacksonville FL, 32202

Melissa Nelson, Esq., State Attorney
State Attorney's Office, Fourth Judicial Circuit (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Sheriff Williams, Jacksonville Sheriff's Office (JSO),
Lt. Paul Restivo, JSO Internal Affairs Department (IAD)
501 E. Adams Street,
Jacksonville FL 32202

Charles Cofer, Esq., Public Defender
Office of Public Defender, 4th Judicial Circuit (PDO)
407 N. Laura St.
Jacksonville FL 32202

Re: First Appearance on 2/28/19, Courtroom J - 1 (afternoon session). Judge Higbee presided. This is a complaint to JSO and its IAD, and a complaint about Judges Higbee & Mahon, the SAO and the PDO.

Dear Judge Mahon, Judge Cofer, Ms. Nelson and JSO officials:

I am disappointed to the extent I have not had responses to my prior communications to you re: misconduct on the part of governmental personnel. You should care that Judges, attorneys, JSO employees and others have repeatedly violated the law, and that this sorry state of affairs continues. I am now informing you about misconduct associated with the first appearance on 2/28/19, afternoon session, in Courtroom J - 1, Judge Higbee presiding.

I arrived at Courtroom J - 1 at about 1:35 p.m., expecting to attend such proceedings. I ask you all to read part I, as the facts therein pertain to my complaints about Judge Higbee, and Chief Judge Mahon, who knows about but won't ameliorate the repeated misconduct by Judges in the FJC. Indeed, Judge Mahon's inactions including refusals to meet, respond and inquire can only lead me, or any rational person, to conclude that he supports judges' repeated violations of many laws.

Judge Mahon has also intentionally refused to provide me the official email addresses of any judges who work in the FJC. Hence, I could only email this letter to Judge Higbee, should I correctly guess his email address. I prefer not to spend my time guessing and perhaps thereby communicating with the wrong person. Therefore, I ask Judge Mahon to forward this letter to Judge Higbee, and confirm same to me after he has done so.

I. Complaint to the JSO and IAD

At about 1:47 p.m., on 2/28/19, JSO bailiff Bowman, about whom I have complained already, admitted 2 attorneys to Courtroom J - 1, and refused to admit 7 persons, including me, who were then already in the waiting room adjacent to Courtroom J - 1. Again, JSO personnel discriminated in favor of attorneys and against the general public. I am aware of no law that permits a Courtroom to be open to attorneys but closed to everyone else. At about 1:48 p.m., Mr. Bowman started asking the other 6 waiting persons, but not me, "who are you here for?" Soon, another member of the public entered the waiting area, and Mr. Bowman asked her the same question.

At about 1:50 p.m. that day, Mr. Bowman was apparently done with his questioning, so he entered the Courtroom and locked the door behind him to exclude all us waiting, from entering the Courtroom. Some more persons entered the waiting area over the next several minutes. At about 2:02 p.m., I counted 11 persons waiting in the waiting area, plus me.

Between about 2:00 and 2:02 p.m., Mr. Bowman was back in the waiting area, reviewing papers and calling out names of persons who were to be processed at the first appearance proceedings. Members of the public lined up near him or approached him. At 2:02 p.m., he divided us into 2 groups – 5 persons attending on behalf of felony arrestees, plus me, could enter the Courtroom. 6 persons would have to wait in the waiting room (all of whom were black). Those 6 supposedly were attending on behalf of misdemeanor arrestees, and therefore Bowman barred them from the Courtroom, violating their rights.

As I entered the Courtroom at about 2:02 p.m., which can seat at least 22 persons, and after I noted that there were not any previously admitted persons sitting in the public part thereof, I truly was disgusted with the acts of Mr. Bowman, because those 6 persons forced to wait could easily have been invited into the Courtroom, and taken a seat. At the time of my entry, only us 6 favored persons were in the Courtroom's public seating area. So, I promptly complained to Mr. Bowman, making the points that there was plenty of room and the other 6 persons should be and were entitled to be allowed to enter. He refused to do as I suggested, stating "There is a reason I do what I do". He did not further explain this statement, which was, in effect, arrogant – Bowman felt himself entitled to decide who could enjoy their legal rights, and who could not.

If Mr. Bowman, in his mind, had the idea that he needed to delay the 6 persons from entry into the Courtroom, because there might not be enough seating space for those attending on behalf of accused felons, the facts here proved him totally and instantly wrong. But, even if 30 persons had then been present and had wanted to enter the Courtroom, Mr. Bowman still had no legal right to exclude anyone. If some persons were among the last to enter and wanted to stand, they should have that choice. Arrangements could easily have been made so that all could see.

Although I knew I was right, and that Mr. Bowman violated the rights of 6 members of the public, I did not press, because Bowman had, in the past, shown himself to be unpleasant, arrogant and racist, and he has the power to commit battery in the process of arresting someone or to order persons to leave the Courtroom. He does not merit those powers.

During the first appearance proceedings of 2/28/19, at about 2:15 p.m., I stepped into the waiting area for a short period and noted that such 6 persons earlier excluded by Mr. Bowman were still waiting for permission to enter the Courtroom.

At about 2:30 p.m., Mr. Bowman briefly left the Courtroom, and 3 of the persons who had been waiting, were finally allowed to enter Courtroom J - 1. He did the same thing at about 2:35 p.m. – 2 more persons entered. At both times, as well as before then, there was plenty of room in the public part of Courtroom J - 1, for all of them, and even more persons, to sit.

You now have received many complaints from me about Mr. Bowman. He needs to be seriously disciplined. Plus, if you don't fire him, you must reassign him. His recidivist violations of the law are troubling and have harmed dozens of persons (and that just reflects what I have personally witnessed). He should not be dealing with the public, as he harms the public.

I'll also take this opportunity to complain again about JSO rudeness at first appearances. I saw, at one point, an inmate – and all of them are fully shackled which is improper and a matter about which I previously complained – open the door to return to the jail, with difficulty thanks to the shackles. About 2 feet away, an older, white, bald and bearded bailiff stood. He was then doing nothing, but couldn't be bothered to open the door for the inmate. I see this type of JSO rudeness regularly. The JSO has a culture of rudeness. A person in full shackles is substantially impaired and should be helped.

II. Complaint about Judge Higbee, Chief Judge Mahon, the SAO and the PDO

Judge Higbee entered the Courtroom at about 2:04 p.m. on 2/28/19. I counted about 43 inmates (36 men, and 7 women) as present and waiting to be processed. (I can count the women easily – there generally are few women inmates at first appearances, and they are seated on the right side of the Courtroom from the vantage point of the public. The men are seated on the left side, are much more numerous, and are crowded together. From my standpoint, I can't always be sure of such count – big inmates can block my view of smaller ones.) As is often the case, the majority of the inmates present were black. (No one in office seems to want to do anything about the fact that black persons in Jacksonville are and regularly have been more than twice as likely as white persons, to be arrested. Does anyone really think that this does not reflect bias?)

The PDO attorney was present through the entirety of the proceedings while I was in attendance, but never made any efforts to object to or reduce the harms associated with the violations of the law on the part of Judge Higbee, discussed below.

Judge Higbee's systematic violations of law on this day included his total failure to comply with FL Statutes 903.046, in setting bail. (I only heard some of his bail decisions, due to his repeated inaudibility, but what I heard made it clear that Judge Higbee repeatedly failed to recite any rationale for any bail determinations. He often, however, said things like: "I'm inclined to set \$3,503 bond", etc. His repeated verbiage about what bail he was "inclined to set" reveals a lack of prior review, caprice,

laziness and contempt for his obligations under the law. I also heard no discussion from Judge Higbee about probable cause. Yet, he should have made probable cause determinations concerning each of the defendants he processed on 2/28/19.

Judge Higbee's other violations of the law on 2/28/19 that I witnessed, were these.

- (1) Judge Higbee almost never used the microphone. Ditto – the SAO attorney. In both cases the mikes were about 12 inches from their faces (my estimate from where I sat). The result – about half of the time, I could not hear what either person was saying. (When I could hear, it was because Judge Higbee decided to speak up. When he spoke in a normal to quiet tone, he was inaudible.) This is a violation of my rights, and the rights of others, to observe courtroom procedures. We lose that right if officials act in such a way so that it is impossible to hear (or hear clearly and fully) what is occurring in Court proceedings.

The practical impacts of this misconduct are apparent below (e.g., failures to hear parts of names or entire names, of defendants being processed), and are frequently not detailed here but only notes in my notes. About half of the time on 2/28/19, I was unable to hear all or parts of the names of defendants being processed.

- (2) Defendant Patricia Weyand (?) had a private attorney. Her case was addressed via a sidebar. The public could not hear a word. I repeat what I earlier said – sidebars are inappropriate and, I contend, unlawful, in a first appearance context. The public has a right to hear all aspects of such proceedings (in this case where all defendants were adults). Further, the fact that sidebars are appropriate at times in jury trials – because juries are not supposed to hear certain matters – does not pertain to first appearances. Juries are not present at first appearances, and judges do not hold trials then either (at least none that I have ever seen, and I have attended many first appearance proceedings).
- (3) A defendant with the last name of Benson (?) occasioned a sidebar – more reason to complain about Judge Higbee.
- (4) A tall black male defendant whose last name I could not hear, thanks to Judge Higbee's contempt for the public in so often refusing to use his mike or to speak up, had an obese middle aged white male attorney. This judge, the SAO and that attorney had a sidebar discussion which, again, was inaudible, and was designed not to be audible to the public. More reason to complain about Judge Higbee.
- (5) Re: a female defendant with the last name of Torres – there was another sidebar involving the PDO, SAO and Judge. This too was inaudible by design. More reason to complain about Judge Higbee.

I departed at about 3:02 p.m. I counted 18 defendants who then were still awaiting processing.

I ask that all of you start taking my concerns seriously, and adopt my recommendations. Sometimes outsiders see things better than insiders do. Collectively, all of you have turned a blind eye to constant violations of the law by judges and others, which of course leads me to conclude that your conduct has been seriously flawed. I have already started to, and will continue to, exercise my other rights, which have the potential to be embarrassing and costly. I urge you, instead, to engage in a total rethinking of the first appearance process, to assure that the rights of defendants and the public are no longer violated.

If any of you believes that I err in any way, please explain in detail. Your failures to respond, and to defend yourselves, suggest that you know I am right and that you have no excuses. (This is a logical conclusion on my part.)

Finally, when will Chief Judge Mahon start taking actions to reduce and eliminate the widespread local violations of the law by local judges? To know about, and yet do nothing about, widespread violations of the law by judges, is thoroughly reprehensible conduct, and even more reprehensible when the party knowing but not acting is the chief judge. Would you, Judge Mahon, attend a first appearance with me, to see for yourself how horrible so many of them are?

I ask the same question of the rest of you. About 30,000 defendants per year are mistreated currently. Plus, thousands of members of the public have their rights violated each year. The status quo is unjust and cannot stand. Burying your heads in the sand will not change this.

As always, I am happy to confer with all of you. Please respond soon. Thank you.

Sincerely,

Cc: L. Buzzell, PDO, J. Kalinowski, SAO, and J. Taylor, FJC

Agenda, 5/8/19 meeting with SAO
Main Topics – Bail reform, First appearance proceedings.

- (1) Other entities interested/concerned. Northside, NAACP, faith community, ACLU etc. Overarching objective – build support to force Judge Mahon, other judges and JSO to reform first appearance proceedings and cease unlawful conduct. Inside vs. outside approaches.
- (2) SAO status, bail reform. Have any changes been made? Will they be made? When, how?
- (3) Need for bail reform is greater as the JSO in 2018 increased its arrests and jail bookings by more than 8% vs. 2017. (Product of JSO employing more officers.). 52 % of arrestees were black. (78% of juvenile arrestees were black in 2017) Blacks spend more time in jail. About 60% of those arrested were only arrested for misdemeanors. Blacks are 2.16 times as likely to be arrested, as are white residents of Jax.

Unlawful first appearance proceedings

- (4) Public has right to attend Court proceedings generally. (Common Law, FL and US Constitutions, case law, judicial rules, etc.) Yet this is often denied in part re: first appearances (criminal arraignments).
- (5) Objective – self – reform as opposed to litigation. (Vs. complaints to JQC, more agitation, more publicity (e.g., Folio article), likely litigation, by me and/or ACLU, etc.) E.g., assign 3 judges to handle daily first appearances, wherein 89 arrestees on average are processed. (Judge Mahon silent on this.)
- (6) Problem – attitude, elitism, bigotry of Judge Mahon, and JSO. Bailiff Bowman bigotry, yet he is still serving as bailiff. (Prosecute?) Misconduct by all judges – levels of misconduct vary.
- (7) Problem – JSO and judges always bar me & public from viewing Judge Derke video re: defendants' rights. Yet judges oft deem this part of first appearance proceedings. (Transcript issue) Why public should see video. Problem – JSO and judges oft fail to allow me and public into Courtroom before proceedings start. Problem - JSO and judges discriminate in favor of media and attorneys, and who knows who else.
- (8) Problem – JSO and judges often delay those attending on behalf of misdemeanor arrestees, from entering Courtroom, despite ample seating and judges often proceeding out of order. (Translators, private attorneys)
- (9) Problem – cell phone policy is unfair. They also are clocks and can be silenced. And I and others should have right to record first appearance proceedings, to support complaints to JQC. Plan to request right to record all courtrooms.
- (10) Problem – most arrestees arrested on non – violent charges, yet 100% of them are fully shackled at first appearance proceedings, which is humiliating, painful and disabling, and an act of violence.
- (11) **Huge Problem - Judges often fail to use mikes (e.g., Judge Ruth). How I document and would like to document. Ditto – ASAs. What about public attendees who are hard of hearing? What about ADA?**
- (12) One solution – public officials with public input review, revamp procedures from ground up. Educate Judges, JSO.
- (13) **Set followup meeting.**

Gina Logan

From: curtlee59@aol.com
Sent: Monday, March 23, 2020 3:44 PM
To: herb@bromagenlaw.com
Subject: Fwd: meeting with Melissa Nelson yesterday
Attachments: SAO meeting 50819, Lee agenda, fnl.docx

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

To: sinaipastor@gmail.com; northsidecoalition@gmail.com; jlcoalition@yahoo.com; noisettetanita@yahoo.com; kenstokes40@gmail.com; wellstodd625@gmail.com; pfgdc@comcast.net; closure4all@yahoo.com; thomas12719@comcast.net; mccoy4real.3w1@gmail.com
Sent: Thu, May 9, 2019 11:13 am
Subject: meeting with Melissa Nelson yesterday

I had set up a meeting with Melissa Nelson of the State Attorney's Office (SAO) over a month ago, which occurred yesterday beginning at 8:00 a.m. It had initially been my attention to invite Rev. Gundy, Ben Frazier and an NAACP official, and perhaps others, but Ms. Nelson's secretary Cindy Cribbs said Ms. Nelson would only meet with me. So I accepted half a loaf. I think this was a good decision.

The meeting lasted for about 40 minutes. A third SAO employee was present also - John Kalinowski, who is in charge of the SAO's role in the first appearance process.

I distributed the above agenda at the meeting. I also handed out docs I have handed out to all or most of you before - about bail, racial bias re: JSO arrests, and flaws in the first appearance process.

There was not time to address the whole agenda.

Here are some highlights of the meeting. Given the time available, the discussion on most matters was brief.

(1) On bail reform, Ms. Nelson stated that she was so busy with so many matters that she had re - prioritized and bail reform was "not a priority". She stated that the following entities would be shepherding this matter - Charlie Cofer of the Public Defender's Office (PDO) and the Community Foundation. I was disappointed - Ms. Nelson in 2016 and 2017 had specifically stated to me and others that the bail status quo was wrong and that she was interested in securing reform.

(2) The SAO emailed me a 106 page Harvard Study on bail reform. I have not had time to read it. If anyone wants it let me know.

(3) We still discussed bail some more. I made the point that no one is really advocating for lighter bails on persons arrested on murder charges for example. Instead, the problem is that most JSO arrestees are charged with non - violent offenses, and yet those persons often have to post hefty bails - \$5,003, \$10,003, etc. Some get stuck in jail for economic reasons. This is the area where reform is most needed and just. I mentioned the case of Tanita's son Jared Woods - recently charged with resisting an officer without violence and possession of under 20 grams of cannabis. His bail - \$5,006. Melissa wrote down his name and stated that her office would look into this.

(4) I presented info on the racially skewed arrests and the fact that black persons are 2.16 times as likely to be arrested in Jax as white persons. (JSO and Census stats relied on here.) Unfortunately, she raised the "local citizens complain more in black zip codes" excuse. I retorted - some black zip codes have 10 times as many arrests as white zip codes. I doubt that the black zip codes get 10 times as many citizen complaints. (Anyone have thoughts here?) (Anyone want to do records requests here?)

(5) I noted that the JSO arrests jumped by over 8% in 2018, and the one thing that is almost guaranteed when one adds more police, is that arrests will increase. Did crime really increase 8% in Jacksonville?

(6) There is some sort of presentation by the McArthur Foundation (not sure I got this right) that will be held in late July. The SAO will put me on the invite list. I will pass this on when I learn more.

(7) I advocated that Ms. Nelson help me convince Judge Mahon to assign 3 judges to first appearance proceedings each day. Melissa said she would mention this to him, but was skeptical this would succeed. I retorted - there are about local 55 judges - the change can be done without harmful consequences to the administration of justice in other respects. Plus, minor inconvenience to 55 judges is far less important than reducing violations of the rights of over 32,000 arrestees per year.

(8) John Kalinowski mentioned that some other parts of the state assign one or several judges exclusively to first appearance proceedings, all year. This would make the process more professional and less capricious. More to discuss with Judge Mahon.

(9) Melissa promised to pass on these issues to the PDO and JSO too, as she meets with them regularly.

(10) I emphasized also that other groups and individuals were supporting what I was advocating, and that many of us had the time and willingness to pursue such matters.

(11) Ms. Nelson promised that there would be another meeting in a few months and that others would be welcome. I mentioned Mr. Gundy and Mr. Frazier as examples of who would be interested. She volunteered that she would be happy to travel to meet with us - I was surprised to hear this. I really like this idea as it forecloses the SAO from claiming that a large number of attendees has some sort of security consequence.

Your thoughts?

(12) Ms. Nelson cautioned that governmental changes tend to be slow - something that we all unfortunately know. (Unless of course wealthy persons want the changes.)

Bottom line - some good news here. As for the bad news on bail reform, we now have to reason to focus on others.

If you want to know more, let me know.

Curt Lee

Exhibit H

Via email

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curtlee59@aol.com
June 3, 2019

Mark Mahon
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Melissa Nelson, Esq., State Attorney
State Attorney's Office, Fourth Judicial Circuit (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Agnes Carswell, Jacksonville Sheriff's Office (JSO)
Sheriff Williams
501 E. Adams St.
Jacksonville FL 32202

Charles Cofer, Esq., Public Defender
Office of Public Defender, 4th Judicial Circuit (PDO)
407 N. Laura St.
Jacksonville FL 32202

- Re: First Appearance proceedings, 5/31/19, Courtroom J - 1 (p.m.). Judge Michael Bateh presided.
- (1) Again, install clocks and let all Courtroom attendees quietly access and use our phones in J - 1.
 - (2) Improper SAO conduct, which shows need for SAO policy changes. (See pg. 2)
 - (3) I complain about the JSO, and Judges Mahon and Bateh. I advocate compensation for 2 victims of wrongful arrests processed on 5/31, and others. (Pg. 2)
 - (4) More on why Judge Flower should be prosecuted or otherwise punished for unlawfully waiving court costs for favored defendants, and lying to justify same. (Bottom pg. 2, top of pg. 3) (See also my 5/18/19 letter to Ms. Nelson etc.). Don't pull punches re: bad judges?

Public records requests (PRRs) are on pg. 3. They are directed to Ms. Nelson, Judge Mahon and the JSO (Ms. Carswell), as I do not necessarily know who has the records I herein request.

Dear Judge Mahon, Judge Cofer, Ms. Nelson, Sheriff Williams, etc:

The strongest clue to the character of a powerful person is this -- How does he or she treat persons with less power? Judge Mahon, Sheriff Williams and others have shown their poor character in this regard, repeatedly.

I attended most of the afternoon first appearance proceedings on 5/31/19, in Courtroom J - 1. I start by criticizing Sheriff Williams - all inmates continue to be fully shackled, and thus harmed, despite most of them having been arrested on non-violent charges. This indiscriminate daily battery on inmates must stop. [I continue to acknowledge that inmates with records of violence and/or who were charged with acts of violence and thereby arrested, should be shackled in Court.] Taking a bit more time so as to reduce harm to thousands per year, is legally and morally right.

I. Cell Phone and Clock -- related violations of our rights; Inconsiderate judicial and JSO conduct

To remind you all, 4 clearly visible signs in Courtroom J - 1 say -- "Attention "Anyone" seen using a cell phone inside the courtroom will be escorted out and not allowed back in". Each letter is capitalized. Plus, JSO personnel repeatedly order all attendees at first appearance proceedings to turn off their cell phones, which goes beyond the directions contained in the signs. (A person could keep a cell phone on, turn off the volume, and put it in a pocket etc.) This again shows JSO overreaching, contempt for the public, and poor training.

I remind you that this policy -- the fault of Judge Mahon and the JSO -- is a continual abridgment of our rights to use cell phones in non-disruptive ways in Courtrooms including J - 1, especially as it is coupled with the lack of any visible clock in J - 1. You force us attendees to turn off our cell phones, which in many cases are our *only* timekeeping devices on our persons, and thereafter we are unable to know the time as proceedings continue. Some persons may be unable to afford watches or simply lack them. Are Judge Mahon and the JSO so clueless and inconsiderate as to be unable to realize that persons might have appointments and might need to know the time while they are in Courtroom J - 1? Or, do Judge Mahon and the JSO just

not give a hoot, perhaps because most attendees in Courtroom J – 1 are black, and most likely are rather poor, reflecting the fact that most persons arrested by the JSO have been black, and regardless of race, likely have been low income, for decades?

I have complained about current cell phone policy before, and it is time for Judge Mahon and the JSO to both install a clock in Courtroom J – 1, and let us quietly access and use our cell phones while there.

I am not asking for difficult things. Please read what I write, think, and act. Deprivations of rights and disrespectful and thoughtless treatment of the public and inmates, even if you think those mistreatments are modest, are still wrong, and you know it. Start caring.

II. Continued improper and inconsiderate SAO conduct

I complain about the SAO attorney who worked the afternoon of 5/31/19, in Courtroom J – 1. I lack his name. He never used his mike. He did not even make small efforts to lean into it or pull it closer. His apparent attitude was – “I speak to the judge, and don’t care if inmates or the public cannot hear.” Thus, I could not hear much of what he said. .

Ms. Nelson – all your attorneys need to be directed to carefully use their mikes. They need to make the modest effort to pull the mikes closer and speak into them. There have been many prior instances of similar misconduct. Also, the SAO and judges should care about the ADA – most seem not to. Plus, hasn’t anyone – SAO attorneys, judges etc. – considered the fact that perhaps some of the inmates and/or public attendees, at each first appearance proceeding, might have hearing problems?

The PDO attorney is less often guilty of same, as the PDO attorney often has reason not to speak into a mike, and further, when he or she speaks, often speaks while next to a defendant.

III. Misconduct of Judges Bateh and Mahon: compensation for victims

My complaints about Judge Bateh on 5/31/19, p.m. session, are also directed to Judge Mahon, who claims some administrative responsibilities, but eschews responsibility for assuring that local judges cease violating the law and the rights of defendants and the public.

(1) Like all local judges, Judge Bateh always or mostly failed to explain anything about why he set the bails that he did. He never cited Florida Statutes 903.046 or followed its commands.

(2) He initially announced probable cause determinations re: all defendants (about 50), which was far too hasty. His initial slipshod behavior in this regard was shown when, during the first appearance proceedings, he dismissed 2 cases for statute of limitations problems. Had he actually not been slipshod, he would have found such problems earlier, and enabled earlier release of the victims of the JSO’s apparently slipshod arrest behavior.

Both of the defendants released thanks to statute of limitations problems, should not have been arrested at all, or spent any time in jail. They were harmed. They deserve apologies and compensation. I ask that you support me and advocate that at least some clearly wrongfully arrested persons have a simple means to apply for some modest formulaic compensation, a means they could elect in lieu of reliance on 42 U.S.C. section 1983.

(3) Re: most defendants, Judge Bateh asked no questions about counsel (did defendants have any, what were their plans and desires? etc.), and did not appoint the PDO as counsel.

On the positive side, Judge Bateh spoke clearly, and the microphone was close to his mouth. He outclassed most other local judges in this regard. Thus, I was almost always able to hear what he said. This leads me to believe that, post April 30, someone may have fixed the problems with the audio system in J – 1. Hence the PRRs below.

Judge Bateh’s good behavior re: use of mikes, reminds me of how disgusting it has been that so many judges have not made even a small effort to speak into mikes, in the past. Families and friends of defendants attend first appearance proceedings. They have a right to hear – a right often denied thanks to carelessness, contempt for the public, arrogance, etc.

IV. Judge Bateh reminded me of the misconduct of Judge Flower – more on this

I noted with interest that Judge Bateh, like other Judges, told defendants on 5/31/19: "I cannot waive Court costs." This is of interest as it further buttresses my 5/18/19 letter to Ms. Nelson etc., where I criticized Judge Flower's bias etc. when he violated the law on 9/6/18 in waiving Court costs for 6 white male employed military defendants he liked, and then justified his unlawful behavior by lying on the record (making things up), that the 6 defendants all had "inability to pay". I have other evidence re: such unlawful conduct on the part of Judge Flower. Please contact me for same, and further explanation.

I suggest to all of you that it is in your interests, as well as in the interests of the public, to do your best and not "pull punches" in attempting to free Duval County from the dangers and harms caused by bad judges. Bad Judges can harm hundreds of persons per year. This truth should be recognized.

I would ask that you support my pending complaint about Judge Flower. Please contact me for details.

V. Public records requests

- (1) Please provide documents re: any investigation launched re: Judge Flower. If there are none, please so state in writing. This PRR is directed to Judge Mahon, Ms. Nelson and Ms. Carswell.
- (2) Please provide documents re: the improvements and/or changes in the audio system and audibility of Courtroom J - 1, in the period starting 4/30/19 and continuing through the response to this PRR - i.e., showing what was done, by whom and for whom, what it cost, etc. This PRR is directed to Judge Mahon and Ms. Carswell.

If any person or entity intends to charge me anything, do not do so without first providing me a detailed written estimate, and obtaining my prior written assent.

+++++

Judge Mahon has refused to provide me official email addresses of any Judges or judicial assistants who work in the FJC (except that he has provided me his own email address). Yet, judges give their official email addresses to many persons, evincing the usual favoritism. Hence, I could only email this letter to Judge Bateh, should I correctly guess his email address. I prefer not to spend my time guessing and perhaps thereby communicate with the wrong person. Therefore, I ask Judge Mahon to forward this letter to Judge Bateh, and confirm same to me after he has done so. (So far, Judge Mahon has refused previous requests to confirm, thus leaving me in the dark. I construe the totality of Judge Mahon's conduct as his using his office to get even with me for criticizing him.)

I suggest to Judge Mahon that he is required by the Canons of Judicial Conduct, and simple morality and common sense, to criticize and refer for discipline Judges and JSO and/or FJC employees that violate and violated the law. Yet, it appears that he has regularly done the opposite.

Judge Mahon deserves condemnation for his refusal to take any publicly revealed disciplinary actions against the many miscreant Judges and JSO employees I have complained to him about. He has known about such violations of the law, for many months. He clearly can see that there is a pattern of official misconduct - massive and daily violations of the law by Judges and others.

The longer Judge Mahon knows about misconduct and refuses to act, the greater his misconduct, and the greater the need for his discipline.

+++++

If any of you believe that I err in any way, please explain in detail. Officials' silence while knowing that laws have been and are being violated, is troubling. Officials' silence while the rights of inmates, defendants, and the general public, have been and are being violated, is troubling.

As always, I am happy to confer with all of you, as you can and should assist in improving the administration of justice in Jacksonville, and in reducing violations of the law by public officials.

Please respond soon. Thank you.

Sincerely,

Cc: L. Buzzell, PDO, J. Kalinowski, SAO, P. Ivey, JSO

Exhibit I

Via email

Curtis W. Lee
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Aug. 3, 2019

Mark Mahon
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Charles Cofer, Esq., Public Defender
Office of Public Defender, 4th Judicial Circuit (PDO)
407 N. Laura St.
Jacksonville FL 32202

Re: First Appearance proceedings, 7/15/19, Courtroom J - 1 (p.m. session). Judge Pauline Drake presided.

Re: Violations of law occurring on 7/15/19, by the Judge and by the SAO attorney. I do not have the name of the SAO attorney working such proceedings.

Ms. Nelson - the SAO attorney present on 7/15/19, and most other SAO attorneys I have observed, intentionally and/or carelessly have refused to speak into the microphone, and thus were totally inaudible to me, the public, and inmates. I have repeatedly observed that the SAO mike is pushed about as far away from where the SAO attorney stands, as possible. We all have the right to hear as well as see first appearance proceedings.

Please instruct all attorneys who work such proceedings to pull mikes toward them or lean into the mikes. I am tired of not being able to hear SAO attorneys speak at first appearance proceedings.

Ms. Nelson and Judge Mahon - Do you realize that I could sue the SAO, Judges and/or others for their abuses, and their violations of my rights, in connection with their conduct of first appearance proceedings? Why provide me the grounds to do this?

Dear Judge Mahon, Judge Cofer, Ms. Nelson, and others:

I was out of town for 12 days in late July. Hence, I am late in sending this letter.

I arrived at Courtroom J - 1 at 1:47 p.m. on 7/15/19, intending to observe all or part of first appearance proceedings that afternoon ("Proceedings"). The JSO bailiff permitted the public to enter then courtroom at 1:56 p.m.

I continue to have my usual complaints about the first appearance process. Plus, I elaborate on some other complaints of a more systemic nature, and have some other complaints peculiar to Judge Drake. Please realize that I may be spelling names of some persons incorrectly.

(1) All inmates were fully shackled in the Proceedings, continuing a universal pattern of abuse and violence on the part of judges and the JSO. Shackling is painful, humiliating, etc., imprisons a person, and generally is a crime. Many if not most 7/15/19 defendants apparently did not have records of violence, and thus there was no justification for full shackling. Yet, no officials want to reduce or eliminate such harms. JSO stats reveal, inter alia, that 32,616 persons were arrested and booked in 2018; all or almost all were harmed via such shackling.

This is a continuing scandal harming over 32,000 persons/ year in Jacksonville. Please start considering alternatives, such as establishing systems whereby inmates can remain in another room unshackled, and electronically communicate with a judge. I have heard of such systems being used elsewhere. Violence sometimes begets hate and more violence.

(2) During such Proceedings, Judge Drake failed to mention Florida Statutes 903.046, and did not abide by its requirements when setting bail. I never heard her solicit any bail recommendations from the SAO. (As discussed on pg. 3, I once heard the

SAO attorney speak but could not hear any words because the attorney did not use the mike.) When Judge Drake made bail decisions, she did not offer rationales for them. (I was present as she processed 18 defendants.)

Hence, all her bail decisions seemed capricious, as is the norm re: Jacksonville judges. The totality of her conduct is most troubling, and shows her contempt for defendants' rights and the law.

(3) Judge Drake mostly failed to announce whether or not she found probable cause for arrest, as she processed defendants. I only heard her state that she found probable cause 5 times, and yet she acknowledged her obligation to do this for defendants generally. Yet she processed 18 persons while I was in attendance, while another 12 defendants remained to be processed at such time as I departed (about 2:57 p.m. on 7/15/19).

EXTRADITION -- RELATED ABUSES

(4) Near the start of the Proceedings, Judge Drake processed 2 defendants whose first names I did not hear, and who were before her re: extradition. Defendant Collins (white female) stood facing the Judge, and a JSO officer stood directly next to her. Judge Drake asked Ms. Collins -- will she waive extradition to Missouri? Judge Drake failed to appoint the PDO to represent defendant Ms. Collins, or even ask her if she wished to consult counsel. Defendant waived. The situation was hugely coercive -- an armed JSO employee stood right next to Ms. Collins while the Judge gave this uncounseled defendant no alternative to waiver. I did not hear the JSO employee say anything (and indeed, never do in connection with extradition matters), and so I cannot fathom why any judge or lawyer tolerates their presence.

Had Judge Drake behaved lawfully, she would have (a) forced the JSO employee to sit down or move away or both, (b) asked Ms. Collins if she wished to have counsel, and given her time to consult same, and (c) told Ms. Collins she could either waive or fight extradition.

It is entirely possible, and may even be probable, that a defendant does not know he or she can oppose extradition efforts, especially when the SAO and Judge are pushing for same.

Judge Drake misbehaved in similar fashion respecting another defendant -- a black male surnamed Kimbrough. The JSO officer again stood next to him, and the Judge, SAO and PDO again did not object. And remember, the power disparity is in all cases exacerbated because all defendants are fully shackled, and JSO employees in Courtrooms have weapons.

Why can't judges, the PDO, the JSO and the SAO realize that a shackled defendant who is forced to stand next to an armed JSO officer is inherently coerced in the exercise of his statutory and constitutional rights? Why don't they fix this problem, which can easily be done at no \$ cost? There is no justification or need for a JSO officer to stand next to a fully shackled inmate especially while such inmate is being asked to make important decisions.

Judge Drake told defendant Kimbrough that she understood he had agreed to extradition. (How the Judge so understood is unknown -- there must have been an earlier conversation in which Kimbrough was pushed to agree to waive extradition, while lacking counsel.) Kimbrough answered yes.

Judge Drake's wrongs were exactly the same re: Kimbrough, as re: Collins, and indeed, probably worse, as I have no evidence that Ms. Collins was queried without counsel prior to first appearance proceedings.

I deplore the entirety of the status quo re: extradition and first appearance proceedings. The status quo needs to be fully revamped. The continued acts of judicial and JSO coercion toward defendants facing extradition, are disgusting and shameful. It is disturbing that no PDO or SAO attorneys have objected. Further, such coercion is unnecessary; there is no need to bully and pressure defendants. Explaining the implications of waiver vs. failure to waive, and allowing defendants to consult counsel, would likely get the same result in a more lawful fashion.

I also recommend discussing extradition as part of the Judge Derke -- narrated video, and all written documents given to defendants.

In all matters -- shackling, extradition, etc., the judges, the FJC, Judge Mahon, the JSO and all other governmental officials should strip out all violence and coercion to the maximum extent possible. Do not continue an unlawful status quo.

OTHER MISCONDUCT ON THE PART OF JUDGE DRAKE AND SAO: DETAILS

(5) Re: a Hispanic male with the last name of DeFranco, Judge Drake failed to inform him of his right to counsel, and also failed to appoint the PDO attorney as his counsel (even though such attorney was in the courtroom). Judge Drake offered this defendant a plea deal of time served. Defendant took the deal. All this time, the PDO attorney was conferring with a woman in a corner. Shame on Judge Drake for violating the Rothgery decision which I have repeatedly mentioned.

Given her later compliance with Rothgery, I wonder if she jumped on the chance to violate DeFranco's rights, because she saw the PDO counsel was preoccupied?

Re: the next defendant whose name I could not hear (and who also was a Hispanic male), the Judge appointed the PDO. This was proper. The bottom line - capricious adjudication, again, prevails in Jacksonville.

(6) Next, Judge Drake spent some time talking about defendants' rights. What a shame to do this now, after processing 8 defendants already. Judge Drake's remarks at this time included statements that defendants had rights to counsel and that she would appoint the PDO as counsel if persons could not afford to hire their own.

I did not observe Judge Drake violate defendants' rights to counsel again on 7/15/19.

(7) Judge Drake processed Jeffrey Graham. There was much confusion about his priors -- was he a felon or not? (He was charged with possession of a gun by a convicted felon, etc.) The Judge called a sidebar with the SAO and PDO attorneys.

I have said it before and I will say it again -- I contend that sidebars at first appearance proceedings are always unlawful, as the public has the right to observe the entirety of first appearance proceedings. The traditional reasons for sidebars (e.g., to avoid tainting the jury) are not applicable in first appearance proceedings.

No one has ever provided any reasoning to suggest I am in error. If anyone has contrary reasoning, please provide it.

(8) In connection with the processing of defendant William Edward Guinney, the SAO attorney spoke but was totally inaudible as the attorney made no effort to speak loudly enough, or into the mike. The mike was located at least 18 inches away from the attorney. Why? Was this intentional? Did the SAO attorney push it farther away?

The SAO has shown repeated contempt for the rights of the public to observe first appearance proceedings. We the observing public have a right to hear what the SAO attorneys say when they are working first appearance proceedings. Ms. Nelson -- would you please direct all your subordinates to speak strongly and directly into the mike at all times, or else the rights of the public to observe first appearance proceedings (which includes the right to hear) are abridged.

+++++

Judge Mahon has refused to provide official email addresses of any judges or judicial assistants who work in the FJC (except that he has provided me his own email address). Hence, I could only email this letter to Judge Drake, should I correctly guess her email address. I prefer not to spend my time guessing and perhaps thereby communicate with the wrong person. Therefore, I ask Judge Mahon to forward this letter to Judge Drake, and confirm same to me after doing so. (So far, Judge Mahon has refused previous requests to confirm, thus leaving me in the dark, and doubling down on the abuse inherent in his "provide no judicial emails" policy.) This embargo on email addresses is, I contend, a self -- preservation tactic.

I suggest to Judge Mahon that he is required by the Canons of Judicial Conduct, and simple morality and common sense, to criticize and refer for discipline judges and JSO employees that violate the law. He clearly wants to do neither. He deserves condemnation for his refusal to take any publicly revealed disciplinary actions against the many miscreant judges and JSO and FJC employees I have complained to him about. He has known about such violations of the law, for months or years.

+++++

If any of you believe that I err in any way, please explain in detail. Your silence while knowing that laws have been and are being violated, is troubling. Your silence while the rights of inmates, defendants, and the general public, have been and are being violated, is troubling.

As always, I am happy to confer with all of you, as you can and should assist in improving the administration of justice in Jacksonville, and in reducing violations of the law by public officials. And, what I advocate is readily doable, if judges and others would simply make the effort, and listen to me – a retired attorney happy to inform judges of flaws that perhaps are easier to see when one is, as I am, an informed observer of first appearance proceedings, rather than enmeshed in the status quo wearing blinders and being defensive.

Please respond soon. Thank you.

Sincerely,

Cc: L. Buzzell, PDO; J. Kallnowski, SAO, M. Williams, and P. Ivey

Exhibit J

Via mail

Curtis W. Lee
7124 Claremont Creek Dr.
Jacksonville FL 32222
904 - 619 - 2422
curtlee59@aol.com
Aug 8, 2019, p.m.

Miriam Nelson, Public Records Department
State Attorney's Office (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Re: Repeated refusals by SAO attorneys to use microphones in Courtroom J-1, threat to sue,
plus certain delinquencies respecting past public records requests (PRRs)

Dear Miriam:

Please provide copies of this letter with enclosures to Melissa Nelson and John Kalinowski.

I will start with the issue of SAO attorneys in attendance at first appearance proceedings in Courtroom J-1, who repeatedly fail to use microphones. I have documented this problem. No one to my knowledge has told SAO attorneys that they must use microphones at first appearance proceedings, or else via their inaudibility they are violating the rights of the public and inmates who attend those proceedings. I have never seen Melissa or John attending such proceedings to supervise and critique such SAO attorneys. Plus, do not forget the ADA and related statutes and regulations.

I am contemplating engaging counsel to commence litigation of a wide ranging nature re: several violations of my rights as a member of the public who attends first appearance proceedings. I could sue the JSO, the Fourth Judicial Circuit, the SAO, and perhaps others including individuals. I suggest that Melissa and/or John should contact me as I would like to discuss exactly what I believe that the SAO must do on the issue of audibility. What I seek is simple and justifiable and should obviate the need to include the SAO in such litigation.

PRR Delinquencies.

The problem I discuss here has arisen before, and I ask that the SAO be more careful. I submitted a letter containing certain PRRs on 6/3/19. One PRR was submitted to Ms. Nelson on 6/3/19. I enclose the email and the letter attached to same. The PRR - related portions thereof are highlighted in yellow. (The original documents were not so highlighted.)

I twice clearly noted to Melissa the PRRs I then posed. I was not obligated to copy Miriam Nelson on PRRs to the SAO. Apparently Melissa failed to read what I sent her, and also failed to forward same to others for appropriate handling.

I ask that Melissa not assume that my writings to her containing PRRs are somehow automatically copied to Miriam.

The bottom line is that such PRRs are seriously delinquent, and I request prompt responses as required by law.

Please read the enclosures carefully, contact me with any questions or concerns, and respond promptly. Thank you.

Sincerely yours,

Enclosures: my 1 page email dated 6/3/19, and its 3 page enclosure (printed 2 sided). Yellow highlights thereon are mine

Via email

Curtis W. Lee
7124 Claremont Creek Dr.
Jacksonville FL 32222
904 - 619 - 2422
curtlee59@aol.com
Aug. 9, 2019

Mark Mahon
Chief Judge, Fourth Judicial Circuit (FJC)
501 W. Adams St.
Jacksonville FL 32202

Melissa Nelson, Esq., State Attorney
State Attorney's Office, Fourth Judicial Circuit (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Charles Cofer, Esq., Public Defender
Office of Public Defender, 4th Judicial Circuit (PDO)
407 N. Laura St.
Jacksonville FL 32202

Re: First Appearance proceedings, 8/2/19, Courtroom J - 1 (p.m. session). Judge John Moran presided.

Re: Violations of law occurring on 8/2/19, by Judge Moran and the SAO attorney. They were often inaudible as they made no efforts to use the mike. I do not have the name of the SAO attorney working such proceedings. She was a young blond white woman.

Pre-appointment of PDO as counsel is a good idea - see page 2 at (7)

Ms. Nelson - the SAO attorney on 8/2/19, and most other SAO attorneys I've observed, intentionally and/or carelessly refused to speak into the microphone, and thus were totally inaudible to me, the public, and inmates. I have repeatedly observed that the SAO mike is pushed far away from where the SAO attorney stands. We all have the right to hear as well as see first appearance proceedings.

Please instruct all attorneys who work such proceedings to pull mikes toward them or lean into the mikes. I am tired of not being able to hear SAO attorneys speak at first appearance proceedings.

Dear Judge Mahon, Judge Cofer, Ms. Nelson, and others:

I arrived in the waiting room to Courtroom J - 1 at 1:40 p.m. on 8/2/19, with the intent of attending first appearance proceedings, afternoon session ("Proceedings"). I counted 21 persons (including myself) waiting in the waiting room outside J - 1. The Courtroom was closed to the public. A few minutes later 2 colleagues arrived. They too were interested in attending Proceedings that day.

Nothing happened for almost an hour. I periodically looked through the Courtroom doors and saw no signs of any activity until 2:43 p.m., when I saw that inmates were seated in Courtroom J - 1.

At 2:36 p.m., JSO bailiff Bowman, who I have complained about before, exited the Courtroom and entered the waiting room. He spent several minutes reviewing papers and asking persons who were waiting to attend, things like "felony or misdemeanor", and "who are you here for", and asking the names of the arrestees who members of the public were interested in seeing in the Courtroom. He then reentered Courtroom J - 1 at 2:40 p.m., and did not let the public enter.

In the neighborhood of 2:30, a man aged about 50 or 60 approached me and my 2 colleagues, and discussed his problems and posed some questions. I did not get his name. He complained that he had called the JSO and was told that first appearance proceedings commenced at 1:00. He arrived at about that time, and thus was frustrated by the major delay. His roommate had been arrested for loitering. (My thought was - wow! Why on earth is the JSO arresting anyone for loitering? I don't recall ever having seen documents concerning such arrests.) He had been waiting so long for Proceedings to commence, and was tired and discouraged because the JSO had misled him and wasted so much of his time.

(I was told by 2 others on prior dates that the JSO also gave them the same false information – that afternoon sessions of first appearance proceedings commence at 1:00 p.m. Having attended 24 such proceedings to date in 2018 and 2019, I know that this is wrong. Such Court proceedings – afternoon sessions – normally commence at about 2 or 2:30 p.m.)

JSO bailiff Bowman re-emerged at 3:06 p.m. and started calling names of arrestees so that members of the public interested in attending on their behalf could line up. At this time, 13 members of the public, plus me and my 2 colleagues, lined up to enter Courtroom J-1. 7 of the persons who had arrived before 2:00 p.m. were no longer waiting – they had departed – no doubt in frustration at Judge Moran's unexplained late commencement of first appearance proceedings.

At 3:07 p.m., I and others entered the Courtroom J-1. About 1 minute later, Judge Moran finally entered the Courtroom, and first appearance proceedings commenced.

Judge Moran's unaccounted for and Inconsiderate delay wasted 66 minutes or more of the time of all or most of 23 persons who desired on 8/2/19 to attend Proceedings that afternoon. Further, his misconduct caused 7 of those 23 members of the public to give up their efforts to attend such Proceedings. I do not know why they gave up, but most likely it had to do with family and work obligations – some people can't simply wait an extra hour or more when a judge is late. It might also have related to concerns about getting parking tickets. Wasting 1 hour or more of the time of 23 persons is costly, even if one assumes that the time of those persons is worth only \$10 per hour. Public officials should remind judges to cease being Inconsiderate of the needs and interests of the public.

Observations re: commencement and continue of first appearance proceedings, 8/2/19, p.m. session

I continue to have my usual complaints about first appearance processes. Plus, I complain about some of the conduct of Judge Moran during the Proceedings. When I mention names of defendants below, I may be misspelling them.

(1) All inmates were fully shackled in the Proceedings, continuing a universal pattern of abuse on the part of judges and the JSO. Shackling is painful, humiliating, etc., imprisons a person, and generally would constitute a crime. Many if not most 8/2/19 defendants apparently did not have records of violence, and thus there was no justification for full shackling. Yet, no officials want to reduce or eliminate such harms. JSO stats reveal, among other things, that 32,616 persons were arrested and booked in 2018; all or almost all were harmed via such shackling.

This is a continuing scandal harming over 32,000 persons/year in Jacksonville. Please consider alternatives, e.g. establishing systems whereby inmates can remain in another room unshackled, and electronically communicate with a judge (e.g., via closed circuit TV). I have heard that such systems are used elsewhere.

(2) During such Proceedings, while I was in attendance, Judge Moran failed to mention Florida Statutes 909.046, and did not abide by its requirements when setting bail. Hence, all his bail decisions seemed quickly done and capricious, as is the norm re: Jacksonville judges. The totality of his conduct is troubling, and shows his contempt for defendants' rights and the law.

(3) Judge Moran announced up front that he found probable cause in all cases. I continue to believe that judges must make and announce individualized probable cause determinations – mass decisions adverse to defendants, such as this, suggest judicial carelessness, corner-cutting, and bias.

(4) As soon as Judge Moran sat down, I noticed that not only was the mike far away from his mouth, but it was angled away to about as far away as possible. The Judge and the JSO bailiffs made no effort to fix this obvious dislocation of the mike. This, again, shows that the judges and JSO do not care about audibility of first appearance proceedings. This attitude is especially inconsiderate towards hearing-impaired persons. *I suggest that all officials assume that there always are hearing-impaired persons amongst the attending public, as this could be true, and also, such assumption should motivate public officials to correct the continuing problem of inaudibility.*

It seems that the ADA carries no weight with Judge Mahon, Judge Moran, other judges or the JSO. This problem was, in the case of Judge Moran, modestly obviated by his having a strong voice.

(5) I counted 29 male and 9 female inmates present in the Courtroom when Proceedings commenced. Given that I might have been unable to see some persons as other persons may have blocked my line of sight, this figure is an estimate.

(6) There were 2 inmates up for extradition. I was unable to hear most of what was said.

(7) Judge Moran did some good things on 8/2/19 at the Proceedings. He asked defendants to raise their hands if they could afford private attorneys (2 did so), and then he made a mass, up – front appointment of the PDO as counsel in all other cases. All of you should urge other Judges to do such things.

(8) The Judge processed 30 defendants while I was in attendance. 2 were described as absentee – processed. Of those 30 processed defendants, I was unable to hear the last names of 7 of them, and the first names of 10 of them.

(9) Judge Moran spoke way too quickly. Otherwise I could have heard more names. His rapid fire speaking prevented me from hearing many other details such as charges, and bond amounts. I probably missed about ½ of what he said. Plus, his rapidity made it more difficult for me to understand. I am a retired attorney. Given what I just said, I suspect that the rapid – fire conduct of Judge Moran was very confusing to the public.

Judges must take more time with each defendant as part of the first appearance process, and must clearly do all that the law requires.

(10) The 17th defendant processed during the Proceedings while I was present, was Tia Burley. She was charged with 4 misdemeanors, and the Judge set bail. The SAO made an offer (I think – I rely on context), and the Judge did not like it and stifled it. He argued with her and said – “I don’t think so.” Because I could not hear the entire conversation, and because I was unable to hear the SAO attorney at all, I cannot say for sure whether the Judge behaved improperly. I suggest that both the SAO and PDO investigate.

In connection with a defendant named Cosette Thompson (spelling?), the Judge and SAO spoke further and neither was audible thanks to their refusals to use mikes.

(11) I left the Proceedings at 3:45 p.m. During the approximately 37 minutes of their duration, 30 defendants were processed. This was far too quick, as already noted.

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Judge Mahon has refused to provide official email addresses of any Judges or Judicial assistants who work in the FJC (except that he has provided me his own email address). Hence, I could only email this letter to Judge Moran, if I correctly guessed his email address. I prefer not to spend my time guessing and perhaps thereby communicate with the wrong person. Therefore, I ask Judge Mahon to forward this letter to Judge Moran, and confirm same to me after doing so. (So far, Judge Mahon has refused previous requests to confirm, thus leaving me in the dark, and doubling down on the abuse inherent in his “provide no Judicial emails” policy.)

I contend that Judge Mahon is required by the Canons of Judicial Conduct, and simple morality and common sense, to criticize and refer for discipline Judges and JSO employees that violate the law. Yet, to date, I am unaware that he has taken such action.

+++++

If any of you believe that I err in any way, please explain in detail. Your silence while knowing that laws have been and are being violated, is troubling. Your silence while the rights of inmates, defendants, and the general public have been and are being violated, is troubling.

As always, I am happy to confer with all of you, as you can and should assist in improving the administration of justice in Jacksonville, and in reducing violations of the law by public officials. And, what I advocate is readily doable, if judges and others would simply make the effort.

Please respond soon. Thank you.

Sincerely,

Cc: L. Buzzell, PDO; J. Kalinowski, SAO, M. Williams, and P. Ivey

Via email

Curtis W. Lee
7124 Claremont Creek Dr.
Jacksonville FL 32222
904 - 619 - 2422
curtlee59@aol.com
Aug. 18, 2019

Mark Mahon
Chief Judge, Fourth Judicial Circuit (FJC)
501 W. Adams St.
Jacksonville FL 32202

Sheriff Williams and Undersheriff Ivey
Jacksonville Sheriff's Office (JSO)
501 E. Bay St.
Jacksonville FL 32202

Melissa Nelson, Esq., State Attorney
State Attorney's Office, Fourth Judicial Circuit (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Charles Cofer, Esq., Public Defender
Office of Public Defender, 4th Judicial Circuit (PDO)
407 N. Laura St.
Jacksonville FL 32202

Re: First Appearance proceedings, 8/9/19, Courtroom J - 1 (p.m. session). Judge Scott Mitchell presided.

(1) Violations of law by Judge Mitchell. E.g., Judge Mitchell processed women inmates/defendants first. This is a continuance of the anti - male discrimination I previously criticized re: Senior Judge Mallory Cooper and Judge Mahon, and is part of a pattern. *I suggest you push to purge the Courts of all gender - based discriminatory judicial conduct, especially as I now have documented 3 instances discrediting 3 judges. For judges to single out men for inferior treatment is NOT acceptable and NOT lawful.*

(2) The SAO attorney working such proceedings (a young, tall and dark haired white woman) was inaudible most of the time as she did not attempt to use the mike. I do not have her name. She violated the law

Consider today's letter and my letter of 8/9/19 as formal complaints to the SAO about SAO counsel who refuse to use their mikes and cause or allow them to be pushed and pointed away, making the SAO's remarks in Court inaudible to the public (and likely inaudible to at least some inmates/defendants). We all have the right to hear first appearance proceedings. The SAO mocks our rights.

Please instruct all attorneys at first appearance proceedings to pull mikes toward them or lean into them when speaking. I am tired of not being able to hear SAO attorneys speak at such proceedings.

(3) The JSO wrongly arrested a man for refusing an order to stop riding his bike. Please investigate and punish responsible JSO employees, and compensate the victim. See pg. 2 at (1) and pg. 3 at (7) for violations of the law and human rights by the JSO.

Dear Judge Mahon, Judge Cofer, Ms. Nelson, Mr. Williams, Mr. Ivey and others:

I arrived in the waiting room to Courtroom J - 1 at 1:57 p.m. on 8/9/19, to attend first appearance proceedings, afternoon session ("Proceedings"). I counted 17 persons (including myself) waiting to attend. The Courtroom was then closed. At 2:14 p.m., JSO bailiff Bowman, who I complained about before, exited the Courtroom and entered the waiting room. He mentioned several names of defendants who would be processed in Proceedings that afternoon. Other attendees and I arose and approached the Courtroom door. At 2:15 p.m. on 8/9/19, all of us were allowed into the Courtroom.

Judge Mitchell then entered the Courtroom (within a minute or less of my entry). I counted 28 inmates/defendants in the Courtroom. As I have cautioned before, this number is an estimate as bailiffs and other inmates can block my line of sight. (Later, based on my notes of what inmates were in the Courtroom and processed in my presence, and a count of those left at my time of departure, I believe the actual number of inmates processed during such Proceedings was 29. Some defendants were absentee processed on 8/9/19 - they are not included in the total of 29.) As usual, most inmates (17) were black.

I. Observations re: commencement and conduct of first appearance proceedings, 8/9/19, p.m. session

I continue to have my usual complaints about first appearance proceedings. Plus, I complain about some of the conduct of Judge Moran during the Proceedings. When I mention names of defendants below, I may be misspelling them.

(1) All inmates were fully shackled in the Proceedings, continuing a universal pattern of abuse on the part of Judges and the JSO. Shackling is painful, humiliating, etc., imprisons a person, and generally would constitute a crime. Only 6 of the 26 inmates/defendants whose processing I observed on 8/9/19 were arrested on charges entailing violence, and thus there was no justification for full shackling of all inmates/defendants. (Caution – I was unable to hear the charges re: 4 such inmates.)

Yet, no officials express any desire to reduce or eliminate such harms. JSO stats reveal, among other things, that 32,616 persons were arrested and booked in 2018; all or almost all were harmed via such shackling.

This is a continuing scandal harming over 32,000 persons/year in Jacksonville. Please consider alternatives, e.g. establishing systems whereby inmates can remain in another room unshackled, and electronically communicate with a judge (e.g., via closed circuit TV). I have heard that such systems are used elsewhere.

(2) Judge Mitchell spoke clearly and close enough to the mike most of the time during the Proceedings. He was mostly audible

(3) Judge Mitchell claimed that he spent 1 ½ hours reviewing all cases and found probable cause in all of them, unless he would say otherwise. I never heard him later say otherwise. But, in a few instances as he processed inmates/defendants, he again stated that he had found probable cause for arrests. I have previously criticized such upfront carte – blanche – type “findings” of probable cause. They are unconvincing and suggest slipshod processing.

(4) Near the start of such Proceedings, Judge Moran stated that he would take all factors into account in setting bail bonds. However, he failed to mention Florida Statutes 903.046, and did not abide by its requirements when setting bail. *Plus, he never indicated that he took any required factors into account when setting bail, after just having said that he would!* Thus, I deem Judge Moran’s statement to be false and self – serving, intended to protect him should someone later complain.

Hence, all Judge Moran’s bail decisions seemed quickly done and capricious, as is the norm re: Jacksonville Judges. The totality of his conduct is troubling, and shows his contempt for defendants’ rights and the law.

(5) Re: defendants Gloria Blanco, Sheldon Walker (an absentee), Anthony Harris, Stanley Rivero, Jay Lynn Powell, Nicholas Holmes, DeVonte Stevens, and a female defendant with the last name of Turner, the SAO attorney spoke. (Remember, I am guessing at spellings here.) This attorney’s mike was pushed away (about 2 feet from where she stood) and also was pointed away – perpendicular to her and with the mouth of the mike facing the back wall of Courtroom J – 1 (where the Judge sat). Hence, the SAO attorney was repeatedly inaudible re: all 8 defendants. [Even if she had moved 90 degrees before she spoke, the 2 foot distance would have defeated my efforts and rights to hear.]

Sometimes but not always, the Judge stated loudly enough for us members of the public to hear, what he heard the SAO attorney say. The SAO attorney was far closer to the Judge than to me, other members of the public, and many defendants.

Think about this – the SAO attorney was so careless and contemptuous of the rights of the public, that she was wholly inaudible to me and others re: 8 defendants in just one afternoon. And the Judge did not always “save the day” by restating what the SAO attorney supposedly said. (The Judge’s actions do not undo, correct or absolve SAO violations of the law.) Yet again, I am forced to complain about the unlawful conduct of the SAO. I and all members of the public have the right to hear what the SAO attorney says in open Court.

(6) Judge Mitchell, as others do, processes inmates/defendants arrested on felony charges first during the Proceedings, and then when all are processed, starts processing inmates/defendants arrested only on misdemeanor charges. However, Judge Mitchell in doing this engaged in systemic pro – female and thus anti – male bigotry, which neither the PDO nor SAO objected to. It is without question advantageous for an inmate to be processed earlier in the day, than later, as that means that an inmate can in some cases leave jail earlier, and in other cases has more time to attend to legal and personal matters.

- (a) Judge Mitchell processed all female inmates accused of felonies before starting with the males so accused.
- (b) He processed all female inmates accused of misdemeanors only, before starting with the males so accused.
- (c) This cannot be happenstance; such a pattern of the most extreme anti-male bias has an infinitesimal chance of having occurred by pure chance. Judge Mitchell intended to discriminate against men in the Proceedings. Perhaps someone else “ordered” his schedule thus, which does not absolve him, as same might have been at his direction, and surely he was smart enough to notice the anti – male result.

- (d) In one case, the Judge addressed, and then passed, a female inmate to later. I did not hear the reasoning. Still, he afforded such female inmate the chance to get a head start over male inmates.

I am disgusted. I have ordered the relevant transcript, will pay for it, and will then complain about the Judge. This continued pattern of anti-male bigotry on the part of judges and not objected to by the SAO and PDO, must stop. Use your heads. Notice bigotry when judges commit same. Complain, criticize, and force judges to follow the same laws that all others are supposed to follow.

(7) The treatment of one defendant at the Proceedings on 8/9/19 troubled me greatly. A defendant named Marquels Brunge (and remember, I can only guess the spelling as I lack the transcript) apparently had no reflector on his bike. A JSO officer ordered him to stop riding a bike – a questionable order in the first place. Mr. Brunge did not immediately comply, was arrested and jailed, and was then processed on 8/9/19 in the afternoon. WHAT AN ABUSIVE ARREST! WHAT A NASTY JSO OFFICER! WHAT BAD JUDGMENT! I am disgusted and I ask the JSO to investigate, discipline the officer, and recompense Mr. Brunge. Unfortunately, Mr. Brunge likely was indigent and ignorant of his rights, and simply desperate to get out of a nasty, dangerous and humiliating situation – incarceration. He accepted a plea deal – no contest or guilty, time served and \$303 in court costs. What makes the treatment of Mr. Brunge even worse is that when Judge Moran presented this disgraceful offer to Mr. Brunge, he did not then ask Mr. Brunge if he wanted counsel, or offer to appoint same. Shame on Judge Moran.

(8) Defendant Stanley Rivero also had his rights to counsel violated by Judge Moran. In contrast, several defendants at the same Proceedings were treated properly respecting rights to counsel.

Mr. Brunge and Mr. Rivero are black men charged with misdemeanors only. The misdemeanor – only defendants treated properly re: rights to counsel included 4 black men, 2 white men, 2 white women and 1 Latino man. I checked these things out to see if racial and/or gender bias might have been at work here too. I suspect not. Most likely, Judge Moran mistreated defendants Brunge and Rivero for other reasons, due to caprice, or simply forgetting about their rights.

Shame again on Judge Moran.

(9) I left the Proceedings at 3:05 p.m. During the approximately 50 minutes of their duration in my presence, 26 defendants were processed. This was too quick, and the Judge among other things cut corners and violated laws, as already noted.

II. Some Concluding Remarks

Judge Mahon has refused to provide official email addresses of any judges or judicial assistants who work in the FIC (except that he has provided me his own email address). Hence, I could only email this letter to Judge Mitchell, if I correctly guessed his email address. I prefer not to spend time guessing and perhaps thereby communicate with the wrong person. Therefore, I ask Judge Mahon to forward this letter to Judge Mitchell, and confirm same to me after doing so. (So far, Judge Mahon has refused previous requests to confirm, thus leaving me in the dark, and doubling down on the abuse inherent in his "provide no judicial emails" policy.)

I contend that Judge Mahon is required by the Canons of Judicial Conduct, morality and common sense, to criticize and refer for discipline judges and JSO employees who violate laws. Yet, to date, I'm unaware that he has taken such action.

+++++

If any of you believe that I err in any way, please explain in detail. Your silence while knowing that laws have been and are being violated, is troubling. Your silence while the rights of inmates, defendants, and the general public have been and are being violated, is troubling.

As always, I am happy to confer with all of you, as you can and should assist in improving the administration of justice in Jacksonville, and in reducing violations of the law by public officials. And, what I advocate is readily doable, if judges and others would simply make the effort.

Please respond soon. Thank you.

Sincerely,

Cc: L. Buzzell, PDO; J. Kalinowski, SAO

Via mail

Curtis W. Lee
7124 Claremont Creek Dr.
Jacksonville FL 32222
904-619-2422
curtlee59@aol.com
Aug 19, 2019, p.m.

Melissa Nelson, State Attorney
State Attorney's Office, Fourth Judicial Circuit (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Re: (1) Threat to sue, (2) Town hall re: prosecutorial decision - making, race and ethnicity, (3)
Enclosed payment for public records, (4) delinquencies re: past public records requests (PRRs)

Dear Melissa:

We have had a cordial relationship, and you have been willing to hear me out and have a dialog. I ask you to read this letter and provide a copy of it, and the original of the enclosed check, to Miriam Nelson. Then, I suggest we confer.

I had written to Miriam on 8/8/19, concerning some delinquencies re: past PRRs, and my threat to sue. I am guessing that she did not copy you, or perhaps you have not yet read your copy.

Why am I writing to you again? Because the same unlawful SAO conduct appears repeatedly, and the SAO is very vulnerable to a successful lawsuit.

SAO attorneys repeatedly refuse to use the mikes in front of them, and have pushed them away, at first appearance proceedings in Courtroom J-1. This, coupled with PRR delinquencies, makes for a potential lawsuit with a high potential for success. I have already consulted with counsel but have not yet engaged any. Local judges likewise could be sued re: inaudibility.

I probably could have successfully sued under the Public Records Act at least 100 times, but I much prefer to improve local government without having to sue. My demands of the SAO are:

- Eliminate the existing PRR delinquencies, promptly.
- That the SAO require all ASA's to speak directly into the microphones at all times while in any courtroom, and further, that you devise a way to penalize all ASA's when there are any violations. The clearer and more solid such a punitive policy, the better.

Please call me soon, to see if the SAO can be omitted from such a lawsuit. (Note - this lawsuit is not likely to be filed until October at the earliest. There is time to reflect.) However, if the unlawful status quo persists and I conclude that the SAO is not serious about the complaints I here set forth, I will sue and include the SAO or perhaps you as a defendant. (I am not sure if one should sue the SAO as an entity, or you as the person holding the office, or both. Such things bear further research, which I would prefer not to have to do.)

I hope that you appreciate this letter as it gives you notice and the opportunity to improve SAO practices, and as it gives us both a chance to save time and money.

Last, I was told verbally and via emails that there would be a "town hall" (a public presentation) re: the SAO's work with a university (and the resulting study) on the topic of prosecutorial decision - making and race and ethnicity. Yet, on the SAO website, nothing has yet been posted as of 1:28 p.m. today. I am involved in some organizations, some of whose members would be interested in attending such presentation. Is there a problem? A delay? Will the presentation not occur? Please advise soon to obviate my need to periodically check the SAO website.

Thank you. I look forward to your prompt response.

Sincerely yours,

Enclosure: check in amount of \$34.56 payable to the State of Florida for certain public records

Exhibit K

BROMAGEN RATHET KLEE & SMITH, P.A.

Attorneys

William L. Bromagen
Brooks C. Rathet
Daniel M. Klee
Brendan P. Smith
Christopher Spivey
Cern L. Powell

Paralegals

Darlene M. Blackmon
Gina Logan

Reply to: Jacksonville

Admitted in Florida & Georgia*
Florida Supreme Court Certified Mediator*

September 9, 2019

The Honorable Mark Mahon
Chief Judge, Fourth Judicial Circuit (FJC)
501 W. Adams St.
Jacksonville, Florida 32202

Melissa Nelson, Esq.
State Attorney's Office (SAO)
311 W. Monroe St.
Jacksonville, Florida 32202

Stephen J. Powell, Esq.
Assistant General Counsel
Office of General Counsel
City of Jacksonville and JSO
City Hall, St. James Building
117 West Duval Street, Suite 480
Jacksonville, Florida 32202

Julie K. Taylor, Esq.
Court Counsel
Duval County Courthouse
501 West Adams Street
Jacksonville, Florida 32202

Re: Curtis Lee – potential litigation for past and continuing public records, open access and other violations

Dear State Attorney Nelson, Ms. Taylor, Judge Mahon and Mr. Powell:

On July 8, 2019, this firm sent a letter on behalf of Mr. Lee regarding Public Records Act (PRA) violations. Mr. Lee has made repeated complaints over the course of several months regarding the failure of the JSO, FJC and SAO to comply with public records and open access to courts laws.

Mr. Lee has refrained from commencing a lawsuit thus far. Unfortunately, the violations of the law continue and mount. He asked me to reach out again to see if any of the matters discussed herein can be resolved without having to litigate.

To summarize, the past and continuing issues, without limitation or waiver, are as follows:

(1) Violations of the PRA. Specifically, concerning the recording that the JSO has preserved and will not release based on its incorrect position that it is exempt from disclosure. In a July 12, 2019 letter from Mr. Powell to me, he indicated that it would only be released pursuant to a court order. If that is the JSO's position, then the JSO is compelling Mr. Lee to file suit to have a court

Fort Lauderdale Office, P.O. Box 70036, Fort Lauderdale, FL 33307, (954) 760-5880, Fax (954) 760-5877
Jacksonville Office, 135 2nd Avenue, North, Suite 1, Jacksonville, FL 32250, (904) 242-0860, Fax (904) 242-0830
Tampa Office, 201 East Kennedy Boulevard, Suite 500, Tampa, Florida 33602, (813) 261-3870, Fax (904) 261-3874

BROMAGEN RATHET KLEE & SMITH, P.A.

determine that no exemption applies and, therefore the JSO's non-disclosure is a PRA violation, entitling Mr. Lee to attorney's fees and costs. Mr. Lee hopes that the JSO will reconsider its position, release the recording and avoid wasting time and taxpayer money.

Also, please explain why the recording requested on or about March 20, 2019, which was assigned file number P131843, was not located and preserved.

Further, please do not forget that Mr. Lee has records concerning the JSO's failures to respond promptly to his public records requests and other delinquencies. These violations of the law can readily be proven, and we expect to be able to succeed in proving such violations of the Public Records law.

(2) Repeated refusals by SAO attorneys and local judges to use microphones, causing inaudibility regarding first appearance proceedings in Courtroom J-1.

(3) Past instances of failures regarding microphone systems in J-1, which were not promptly corrected.

(4) #2 - #3 above are in effect denials of access to the courtroom and violated Mr. Lee's rights and the rights of others. *See Miami Herald Publishing Co. v. Lewis*, 426 So. 2d 1, 3 (Fla. 1982). The violations have been repeated, and Mr. Lee's complaints about them have not been responded to. Mr. Lee will have to seek injunctive relief if the proceedings are not made voluntarily audible coupled with procedures so that audibility problems never arise again. Please do not forget also that laws concerning persons with disabilities may dictate that all governmental parties to Court proceedings may no longer ignore such issues.

(5) Repeated refusals by judges and the JSO to allow persons attending first appearance proceedings in Courtroom J-1 to utilize cell phones at first appearance proceedings in ways that do not cause disruption. This violates Mr. Lee's rights and the rights of others. Injunctive relief may be sought.

(6) JSO and judges have denied Mr. Lee and others their rights to attend first appearance proceedings in full while allowing others admission. Mr. Lee and others have been repeatedly denied the right to watch inmates view judge-narrated official videos describing the rights of defendants, even though this sometimes happens in Courtroom J-1, while the public is present in the adjoining waiting area and barred from the Courtroom. Injunctive relief may be sought.

(7) Refusals by judges to permit non-disruptive recordings of Court proceedings or portions thereof, unless persons apply in advance and obtain judicial approvals. Yet, the policy, and administration, re: such matters, is biased in favor of the media and against the public. Governmental favoritism is improper. Injunctive relief may be sought.

Mr. Lee seeks the opportunity to meet Judge Mahon, State Attorney Nelson and a JSO representative to discuss resolving these issues.

BROMAGEN RATHET KLEE & SMITH, P.A.

Upon your receipt and review of this letter, please contact me to discuss these matters and/or to schedule a meeting to resolve the above-listed items. Otherwise, Mr. Lee intends to seek a resolution through via litigation.

Sincerely,

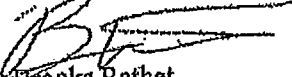

Brooks Rathet

Exhibit L

From: Siegel, Stephen
To: Kalinowski, John
Subject: FW: microphones in J1
Date: Friday, September 27, 2019 3:43:00 PM

This arises out of concerns Curt Lee raised over J1 to the Chief Judge. Please remind your attorneys to speak up in J1 so that everyone can hear.

From: Taylor, Julie
Sent: Friday, September 27, 2019 3:11 PM
To: Siegel, Stephen
Subject: microphones in J1

Steve: I think when we talked I said I would let you know if I informed the Judges that there was a complaint about the inconsistent use of microphones by Judges and attorneys in J1. I just sent out an email letting them know about the complaint and asking them to be aware of the need to use the microphones. If possible, it may be helpful to ask your attorneys to do the same. Thanks and have a great weekend! Julie

Julie K. Taylor
Court Counsel
Duval County Courthouse
501 West Adams Street
Suite 7212
Jacksonville, Florida 32202
(904)255-1081

Exhibit M

brooks@bromagenlaw.com

From: brooks@bromagenlaw.com
Sent: Friday, October 04, 2019 9:42 AM
To: 'Siegel, Stephen'; 'brooks.rathet@bromagenlaw.com'
Cc: 'Curtlee59@aol.com'
Subject: RE: email

Stephen:

Thank you again for meeting with us and for providing the e-mail regarding the microphones.

As we discussed, Mr. Lee, among other things, takes the position that there have been violations regarding access to court based upon proceedings being inaudible and participants not speaking into microphones, or not speaking loudly enough to be heard. Mr. Lee believes that a judicial proceeding is not open if the words spoken by judges, lawyers for your office, other lawyers, and/or defendants cannot be heard by members of the public who are in the audience portion of courtrooms. Plus, it is likely that inmates may be unable to hear such speakers, as well, from time to time.

We understand that the State Attorney's Office does not stipulate that there has been any violation of law. We do appreciate that you have taken under advisement Mr. Lee's request that State Attorney Nelson generate a firm and unequivocal directive in writing to all Assistant State Attorneys that they make sure to speak into microphones to ensure everyone in the courtroom can hear them clearly.

Also, that you are noting Mr. Lee's concerns regarding women being prioritized at first appearance, rather than defendants being called randomly or in a gender-neutral manner.

Mr. Lee also requests reimbursement by the State Attorney's Office for his attorney's fees incurred in effectuating any changes requested above. I have expended a minimum of two hours at a rate of \$350 per hour, for a total of \$700, in addressing these issues for Mr. Lee after his attempts to resolve these matters without legal counsel were unsuccessful.

As mentioned at our meeting, such requests are modest in nature, and we believe that the requested written directives should be undertaken by the end of the month, with a copy provided to me. As for the policy of processing women first as part of first appearance proceedings, we ask that your office support and push the Fourth Judicial Circuit to abandon such a policy. Mr. Lee indicated his plans, should no changes occur. I think it is preferable for all if judges and other officials simply correct such discriminatory acts without necessitating further complaints.

Thank you,

Brooks

Brooks Rathet, Esq.

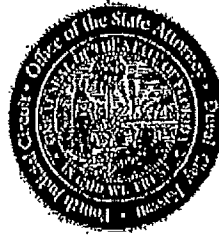
BRKS

BROMAGEN RATHET, KLEE & SMITH, P.A.

*135 2nd Avenue North, Suite 1
Jacksonville Beach, FL 32250-6946
904.242.0860 Phone*

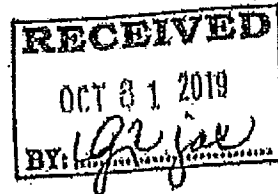
Exhibit N

Fourth Judicial Circuit



Clay - Duval - Nassau

MELISSA NELSON
STATE ATTORNEY'S OFFICE



October 29, 2019

Brooks Rathet, Esq.
Bromagen, Rathet, Klee and Smith, PA
135 2nd Avenue North, Suite 1
Jacksonville Beach, FL 32250

RE: Curt Lee Meeting

Dear Mr. Rathet:

I am writing in response to our meeting of October 2, 2019, as well as your email correspondence of October 4, 2019. I understand from our meeting, as well as your email, Mr. Lee requests a document or memorandum from State Attorney Nelson to our attorneys addressing the importance of being heard in court, particularly in Courtroom J1. Second, Mr. Lee requests payment of his legal expenses in the amount of \$700. I am not inclined to agree to either request.

To the extent the State Attorney's Office has any control over whether proceedings in J1 are audible to the general public, I spoke to Julie Taylor about Mr. Lee's concerns. Your September 9, 2019, letter is directed in part to her. She responded to me in the September 27, 2019, email I provided to you and Mr. Lee that she contacted the judges to alert them to this issue.

Upon receiving Ms. Taylor's email, I responded to her request by directing an email to the Director of County Court for the State Attorney's Office, John Kalinowski, asking him to remind the attorneys who appear in J1 to make sure they speak into the microphone. When Ms. Nelson became State Attorney, we instituted an intensive training program for our newly admitted Assistant State Attorneys and continue to provide weekly training on a variety of topics. Our attorneys understand their responsibilities during proceedings in J1 as well as the importance of public access to judicial proceedings.

Second, I do not believe it is appropriate to spend taxpayer funds for Mr. Lee's legal expenses. I have worked with Mr. Lee over the last couple of years on issues ranging from the quality of our public records responses to bail and bond. In addition to others in my office, in particular, Miriam Nelson, I have responded to his emails and letters and have held multiple meetings with him. As has been our past dealing, when he raises an issue I will continue to be responsive.

Sincerely,



Stephen Siegel
First Assistant State Attorney

cc:

Curt Lee
7124 Claremont Creek Drive
Jacksonville, FL 32222

Exhibit O

Office of the State Attorney
Fourth Judicial Circuit of Florida
www.sao4th.com

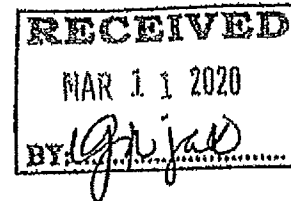


311 West Monroe Street
Jacksonville, Florida 32202-4242
TEL: (904) 255-2500

MELISSA W. NELSON
STATE ATTORNEY

March 02, 2020

Mr. Curtis Lee
7124 Claremont Creek Drive
Jacksonville FL 32222



RE: PUBLIC RECORDS REQUEST R003397-020420

Dear Mr. Curtis Lee,

The State Attorney's Office is in receipt of your Public Records request dated 2/4/2020 for

"Documents authored by the SAO, in the period 9/1/19 - 2/4/20, re: use or failure to use microphones in Courtroom J1, or in other courtrooms, and/or re: the need to and/or failure to speak loudly in Courtroom J1, or in other courtrooms. As of now, I only have received one such document &€" the email from Siegel to Kalinowski dated 9/27/19. (Please note that such email responded to my narrower in scope PRR sent to the SAO on 1/22/20.)".

We are unable to provide the requested record based on the following reason(s):

§ There are no records responsive to your request.

If you have any questions regarding this request, please do not hesitate to contact Miriam Nelson, Public Records Administrator, at (904) 255-2927 or by email at sao4pr@coj.net.

Sincerely,
Public Records Division
State Attorney's Office, 4th Circuit

Exhibit P

Via email

Curtis W. Lee
7124 Claremont Creek Dr.
Jacksonville FL 32222
904 - 619 - 2422
curtlee59@aol.com
Oct. 31, 2019

Mark Mahon
Chief Judge, Fourth Judicial Circuit (FJC)
501 W. Adams St.
Jacksonville FL 32202

Melissa Nelson, Esq., State Attorney
State Attorney's Office, Fourth Judicial Circuit (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Charles Cofer, Esq., Public Defender
Office of Public Defender, 4th Judicial Circuit (PDO)
407 N. Laura St.
Jacksonville FL 32202

Re: First Appearance proceedings, 10/29/19, Courtroom J - 1 (p.m. session) ("Proceedings"). Judge Michelle Kallil presided. She, Judge Mahon, the SAO attorney in attendance, and the JSO bailiff violated the law.

The SAO attorney was repeatedly inaudible during the Proceedings as she made no efforts to use the mike. I do not have her name. She was a young, light - skinned black woman, maybe 30 years old, with long hair, braided behind her, and having blonde highlights. The braids were about 9 - 12 inches long.

Ms. Nelson - the SAO attorney on 10/29/19, and most other SAO attorneys I've observed, refused to speak into the microphone, and thus were inaudible to me, the public, and inmates. I have repeatedly observed that the SAO mike is located far away from where the SAO attorney stands. We all have the right to hear as well as see first appearance proceedings.

Please instruct all attorneys who work such proceedings to pull mikes toward them or lean fully into the mikes. I am tired of not being able to hear SAO attorneys speak at first appearance proceedings.

Dear Judge Mahon, Judge Cofer, Ms. Nelson, JSO officials and others:

First appearance proceedings continue to be filled with violations of the law.

On 10/29/19, I arrived in the waiting room to Courtroom J - 1 at 1:43 p.m. on 10/29/19, with the intent of attending first appearance proceedings, afternoon session ("Proceedings"). I counted 17 persons (including myself) waiting at that moment. Courtroom J - 1 was then closed to the public. A handful of others arrived over the next ½ hour or so, intending to attend the Proceedings. A colleague of mine arrived a few minutes after I did, and witnessed matters about which I complain.

Nothing happened for a while. A black bailiff, a man of solid build, and perhaps age 35 or 40, who I have seen before, but whose name I lack, came out into the waiting area at about 2:05 p.m. to ask me and others why we were waiting. I.e., were we there to observe the Proceedings respecting any particular person (friend or family)?

At 2:27 p.m., this bailiff allowed my colleague and I into the Courtroom, first. Then he allowed a handful of other persons into the Courtroom. I counted 5 persons as entering. However, I was irked because I knew that at least 10 other persons had not entered the Courtroom. The JSO bailiff, as bailiffs have done in the past, held the others back in the waiting area, for undisclosed reasons. (About halfway through the Proceedings, 6 or 7 of these persons were allowed to enter the Courtroom.)

I must again tell the JSO that it breaks the law when it allows some persons to observe Court proceedings before allowing other persons to do so. The latter persons are unlawfully denied entry into Courtroom J - 1, even if the denial lasts 10 or 20 minutes. The fact that the victims do not complain does not absolve the JSO. It is no excuse to violate the rights of persons who are ignorant of their rights. Indeed, taking such action is especially reprehensible.

I ask that the above bailiff be instructed concerning the law, and informed that he does not have any rights to discriminate concerning attendance at first appearance proceedings, and further suggest that he merits discipline.

After Entry Into Courtroom J -1, Conduct of Proceedings

I noticed, upon entering the Courtroom at 2:27 p.m., the usual sad fact - the majority of the fully shackled inmates who were present and waiting to be processed via the Proceedings were black. Data published by the JSO and SAO show that the JSO over - arrests black persons. I caution that it can be difficult for me to count and evaluate inmates, as I often only see the backs of their heads, and my lines of sight sometimes are partly blocked. Re: the Proceedings at Issue, I concluded that about 25 of the about 40 inmates that I concluded were then present, were black.)

Once again, there was no opportunity for me and others on Oct. 29 to watch inmates view the regular video narrated by Judge Derke, concerning defendants' rights. This viewing event obviously occurred before 2:27 p.m., but after my and others' arrivals in the waiting area before, at or after 1:43 p.m. In other words, the JSO kept at least 17 persons out of the Courtroom unlawfully, while Court proceedings (informing inmates of their rights via showing them a video in the Courtroom) were conducted.

Judge Mahon you continue to violate the know and/or knowingly condone same, by failing to instruct the JSO to allow the public into the Courtroom before the video discussed above is played. Sheriff Williams - your bailiffs violate the law by keeping the public out while the videos are being played in a courtroom. The JSO has counsel other than Judge Mahon, and should consult same.

The Proceedings commenced at about 2:30 p.m., when Judge Kalil entered the Courtroom and started conducting them by making announcements etc. She immediately announced that she had found probable cause for all arrests, unless she announced otherwise. (That never occurred.)

As I sat in the audience, I tried to keep up with the fast - talking Judge Kalil. It was a challenge and I missed a few things. I wondered if defendants could keep it. I very much doubt it.

Judge Kalil's rapid conducting of Proceedings was therefore highly inconsiderate, at a minimum. It speaks badly on her character not only as a Judge, but as a person also.

Other objections I have re: the Proceedings, are the same as previously stated objections. For example, I continue to object to the use of full body shackling of all inmates, most of whom were arrested on non - violent charges. I object to Judge Kalil's total failure to comply with FL Statutes 903.046, and her violations of some defendants' rights to counsel. I won't now repeat reasoning I have previously set forth.

Judge Kalil processed the following defendants without their having counsel, or being afforded by the Judge any opportunity to obtain counsel, and then made plea deals with them entailing adverse admissions, time - served sentences, and costs and fines. The Judge did not invite the PDO to confer with such defendants even though the PDO attorney was right there in J - 1 during the entirety of the Proceedings.

- Ranita Thomas (black female)
- Caleb Noel (black male)
- Asia Coke (black female)
- Mr. Juval (white male)
- Terry Jackson (black male)

I probably have some names misspelled.

Yet on 3 other occasions, Judge Kalil appointed the PDO as counsel for defendants. I wonder why these 3 were treated better in terms of rights to counsel. I can think of 2 reasons - race and caprice. Neither reason sheds a good light on Judge Kalil.

At the time of the processing of Roger Boley, the SAO attorney present during the entirety of the Proceedings said some things that I could not hear. She refused to speak into the mike. Ditto - re: Eugene Jackson. In the former matter, the case was dismissed as the Judge noted. Why? I could not know because I did not know what the SAO attorney said. In the

latter matter, I only knew that the SAO attorney must have recommended bail bond amounts, because the Judge discussed them.

Later, there was an instance when I heard nothing from the SAO, and would have known nothing about what she said, except that Judge Kalil said that the State was dropping charges re: a certain defendant. And there was a 4th instance of inaudibility on the part of the SAO attorney.

Such SAO attorney must be disciplined.

The Proceedings ended at 3:08 p.m. Afterwards, I reviewed my notes, counted the numbers of persons who were somehow processed on 10/29/19 in the afternoon, and concluded as follows:

- (1) Judge Kalil processed in some fashion 52 inmates during the Proceedings. This is a higher number than the 40 inmates I counted just after entering the Courtroom. The disparities are two – fold. I cannot be sure 40 was the correct number, for reasons previously noted. Perhaps there were slightly more than 40 inmates present during the Proceedings in question. More importantly, Judge Kalil processed many defendants not then present. 1 was in a hospital, 1 was already bonded out, 3 were not present for reasons not stated, and at least 1 was on the fugitive calendar.
- (2) Thereby, Judge Kalil processed 52 persons over 38 minutes, at an average rate of 44 seconds per inmate/defendant. This is shockingly quick and cavalier, and she is a judicial outlier in this regard.
- (3) Judge Kalil put her own selfish interests ahead of the rights of the 52 persons she processed during the Proceedings at issue. Judge Kalil should have taken more time, in which event she might have reduced the number and gravity of her violations of the statutory and constitutional rights of so many defendants.

+++++

Judge Mahon has refused to provide official email addresses of any judges or judicial assistants who work in the FJC (except that he has provided me his own email address). Hence, I could only email this letter to Judge Kalil, if I correctly guessed her email address. I prefer not to spend my time guessing and perhaps thereby communicate with the wrong person. Therefore, I ask Judge Mahon to forward this letter to Judge Kalil, and confirm same to me after doing so. (So far, Judge Mahon has refused previous requests to confirm, thus leaving me in the dark, and doubling down on the abuse inherent in his "provide no judicial email addresses" policy.)

I contend that Judge Mahon is required by the Canons of Judicial Conduct, and simple morality and common sense, to criticize and refer for discipline judges and JSO employees that violate the law. Yet, to date, I am unaware that he has taken such action.

+++++

If any of you believe that I err in any way, please explain in detail. Your silence while knowing that laws have been and are being violated, is troubling. Your silence while the rights of inmates, defendants, and the general public have been and are being violated, is troubling.

As always, I am happy to confer with all of you, as you can and should assist in improving the administration of justice in Jacksonville, and in reducing violations of the law by public officials. And, what I advocate is readily doable, if judges and others would simply make the effort.

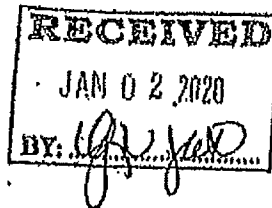
Please respond soon. Thank you.

Sincerely,

Cc: L. Buzzell, PDO; J. Kalinowski, SAO, M. Williams, and P. Ivey

Exhibit Q

Via mail



Curtis W. Lee
7124 Claremont Creek Dr.
Jacksonville FL 32222
904 - 619 - 2422
curtlee59@aol.com
Dec. 27, 2019

Melissa Nelson, Esq., State Attorney
State Attorney's Office, Fourth Judicial Circuit (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Charles Cofar, Esq., Public Defender
Office of Public Defender, 4th Judicial Circuit (PDO)
407 N. Laura St., Jacksonville FL 32202

Re: First Appearance proceedings, 12/23/19, in Courtroom J-1 (p.m. session) ("Proceedings"). Judge Gary Flower presided.

The SAO attorney in attendance, ISO bailiffs, other persons as well as those entities violated the law.

The SAO attorney was repeatedly inaudible during the Proceedings as she made no efforts to use the mike. I do not have her name. She was a young, short woman. She had dark hair that had been dyed blond.

Reminder re: delinquent public records requests (PRRs) to the SAO - see verbiage in bold at bottom of pg. 1. Plus - new ones.

Dear Judge Cofar, and Ms. Nelson:

First appearance proceedings continue to be filled with violations of the law.

As you all know, I have threatened lawsuits, which are still in the process of being prepared. The violations of law discussed herein and in the enclosure will be central to such lawsuits once they are ultimately filed. Hence, I urge you to read the enclosure carefully. The enclosures set out violations of the law by Judge Mahon and Judge Flower (who gave instructions not to allow me to take photos inside Courtroom J-1, even at such times as there were no judicial proceedings in such courtroom, and who further discriminated against me and in favor of a media entity), and by others.

Additional violations of the law were committed by the SAO on 12/23/19, during the Proceedings. I observed those Proceedings for over a half hour. During that time, I observed a short young woman, with dark hair dyed blond, who served as an ASA and worked for the SAO. She never had the mike pulled towards her, and she never leaned into the mike (while she spoke or otherwise). At all times, the mike was at least a foot away from her. More details re: her misconduct:

- During the processing of a male inmate surnamed Dell, I was able to hear her state the SAO's bail bond recommendations.
- During the processing of a male inmate surnamed Dalton, she spoke more quietly and was inaudible. I could not make out anything she said. Hence, if she made a bail bond recommendation or said anything else, I could not hear it.
- At about 2:17 or 2:18 p.m. on 12/23/19 (the last time at which I observed her speaking that day), this woman spoke again. I could not distinguish anything she said.

Mr. Slegel months ago had told me and my counsel that there was a written communication (or communications) to SAO ASAs supposedly urging them to make extra efforts to be audible while in first appearance proceedings. My attorney requested such document. Despite the simplicity of such PRRs, I understand that no responsive documents were provided to my counsel. I now remind the SAO - please provide responsive documents now, to both me and my counsel, Mr. Rathet. Please also explain why such delinquency occurred.

Please also provide documents showing the name and other employee information re: the ASA who was present in J-1 in the afternoon of 12/23/19, as well as documents showing her presence in J-1 then.

OVER

Please discipline the assistant state attorney (ASA) who failed to be audible during the Proceedings.

Such SAO ASA must be disciplined, and you must follow up on the SAO's past violations of the law concerning inaudibility, and contempt for my rights and the rights of others. They have made the SAO vulnerable.

If any of you believe that I err in any way, please explain in detail. Your silence while knowing that laws have been and are being violated, is troubling. Your silence while the rights of inmates, defendants, and the general public have been and are being violated, is troubling.

As always, I am happy to confer with all of you, as you can and should assist in improving the administration of justice in Jacksonville, and in reducing violations of the law by public officials. And, what I advocate is readily doable, if judges, attorneys and others would simply make the effort.

Please respond soon. Thank you.

Sincerely,

Enclosure — my 4 page letter to Judge Mahon, etc., dated 12/24/19. That letter has a 2 page attachment re: an Action News film clip

Cc: Brooks Rathel

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08/14/01 BY 60322
AND 60322

Exhibit R

Gina Logan

From: curtlee59@aol.com
Sent: Saturday, January 18, 2020 4:30 PM
To: SAO4PRR@coj.net
Cc: MiriamN@coj.net; SSIEGEL@coj.net; ssiegel@coj.net; JohnK@coj.net; herb@bromagenlaw.com; brooks@bromagenlaw.com
Subject: Re: Public Records Request R003194-010720

Dear SAO officials - Thank for you for recently providing responses to me.

A review of what you had provided to me on Jan. 15 leads me to pose this public records request. What I pose is in part repetitive of what I had last posed, but may have been overlooked.

Please provide written communications that Mr. Kalinowski may have had with anyone in the period of 9/20/19 through the end of 2019, regarding SAO employees' use and/or failure to use microphones, and/or failure to speak loudly, in J1. Do not re-provide what you already provided. Or, if no such documents exist, please advise in writing.

Among docs you had provided was a memo that Mr. Kalinowski had received on the issue of why his subordinates should be reminded to speak up. This suggests that there may have been written communications from Mr. Kalinowski.

Incidentally, everything the SAO has provided to me emphasizes the lackadaisical attitude of all SAO employees to the widespread problem of SAO attorneys not speaking into microphones. Strong language demanding that ASAs speak into microphones should have been employed.

Inability of inmates and the public to hear what the SAO attorneys have said in J1, has been a repeated problem. Apparently none of you appreciate the importance of the problem.

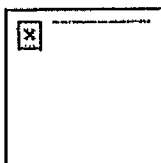
Curt Lee

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

From: SAO4PRR <SAO4PRR@coj.net>
To: 'curtlee59@aol.com' <curtlee59@aol.com>
Cc: Nelson, Miriam <MiriamN@coj.net>; Siegel, Stephen <SSIEGEL@coj.net>
Sent: Wed, Jan 15, 2020 9:26 am
Subject: RE: Public Records Request R003194-010720

Good morning Mr. Lee,

Please find attached our response concerning your Public Records Request dated December 27, 2019.



Public Records Division

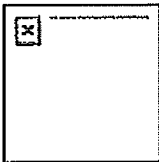
State Attorney's Office, 4th Circuit
311 W. Monroe St. — Jacksonville, FL 32202
O: (904) 255-2927



From: SA04PRR
Sent: Tuesday, January 7, 2020 10:46 AM
To: 'curlee59@aol.com'
Cc: Nelson, Miriam (MiriamN@col.net)
Subject: Public Records Request R003194-010720

Good morning Mr. Lee,

Please see our response concerning your Public Records Request dated December 27, 2019.



Public Records Division
State Attorney's Office, 4th Circuit
311 W. Monroe St. - Jacksonville, FL 32202
O: (904) 255-2927



Exhibit S



GUIDE TO FIRST APPEARANCE COURT (J-1)

Spring 2020 Edition

Melissa W. Nelson, State Attorney

- The charge is a misdemeanor battery, but the defendant has a significant violent history which includes prior battery convictions.

Restitution: You will seldom have an actual restitution figure at the time of First Appearance. If you know restitution is owed, but not the specific amount, request that the court Order Restitution and reserve jurisdiction only as to the amount, for any case in which the criminal conduct resulted in damage or injury to a victim. The Court should state that it "Orders Restitution and reserves on the amount" to avoid issues. If the Court Orders Restitution as a condition of probation, the amount can be determined at any time during the probation. *State v. Muddex*, 159 So.3d 267 (Fla. 4th DCA 2015).

If you are uncertain if any restitution is owed, the Court has 60 days from the time of sentencing to enter a restitution order. *Speer v. State*, 51 So.3d 602 (Fla. 5th DCA 2011); *State v. Sanderson*, 625 So.2d 471 (Fla. 1993). A defendant is entitled to a restitution hearing if he does not agree to the amount. Cases likely to have restitution include:

- Batteries (domestic as well as non-domestic);
- Theft or Fraud related charges;
- Criminal Mischief;
- DUI Causing Damage to Property/Person.

MISCELLANEOUS FINAL THOUGHTS:

- If you can, get to the courtroom early enough to look at the jail jackets (prior arrest dockets) located at the bailiff station. This will assist you in making offers or asking to pass for felony review.
- Review misdemeanor charges, as the judges may expect the State to dismiss other charges after the defendant pleads to one or more of the charges. Use your discretion, as well as legal reasoning to determine which charges, if any, to abandon. Do not dismiss a charge that involves restitution to a victim unless restitution to that victim is made an explicit part of the disposition.
- Speak clearly for the record. Use the microphones near the podium so that the public in the back can hear, and there is a clear record for the court reporter.
- Have offers ready for DUIs and MM Domestic Battery cases. Of course, victim contact is a prerequisite to making any offer on crimes of domestic violence. You should not make any offers if no victim contact has been made.

- If you amend, change, or reduce a charge, be prepared to state this on the record and tell the clerk the statute number for the amended, changed, or reduced charge.
- The cases which come through in J-1 will be your cases. The harder you work your J-1 week, the easier the rest of your court cycle will be. How you handle your paperwork now, will directly affect your ability to properly and efficiently handle these cases moving forward.

Exhibit T



**Guide to
FIRST APPEARANCE
COURT (J-1)**

MISCELLANEOUS FINAL THOUGHTS:

- If you can, get to the courtroom early enough to look at the jail jackets (prior arrest dockets) located at the bailiff station. This will assist you in making offers or asking to pass for felony review.
- Review misdemeanor charges, as the judges may expect the State to dismiss other charges after the defendant pleads to one or more of the charges. Use your discretion, as well as legal reasoning to determine which charges, if any, to abandon. Do not dismiss a charge that involves restitution to a victim unless restitution to that victim is made an explicit part of the disposition.
- Have offers ready for DUIs and MM Domestic Battery cases. Of course, victim contact is a prerequisite to making any offer. You should not make any offers if no victim contact has been made.
- If you amend, change, or reduce a charge, be prepared to state this on the record and tell the clerk the statute number for the amended, changed, or reduced charge.
- The cases which come through in J-1 will be your cases. The harder you work your J-1 week, the easier the rest of your court cycle will be. How you handle your paperwork now, will directly affect your ability to properly and efficiently handle these cases moving forward.

Exhibit U

Gina Logan

From: curtlee59@aol.com
Sent: Saturday, January 25, 2020 1:02 AM
To: brooks@bromagenlaw.com; herb@bromagenlaw.com
Subject: Fwd: first app proceedings, cell phone and clock complaints, SAO misconduct, complaints re: judges, PRRs, etc.
Attachments: Cofer, Nelson, Mahon, Carswell 60319.docx

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

From: curtlee59 <curtlee59@aol.com>
To: ccofer <ccofer@pd4.coj.net>; mmahon <mmahon@coj.net>; mwnelson <mwnelson@coj.net>; agnes.carswell <agnes.carswell@jaxsheriff.org>
Cc: patrick.ivey <patrick.ivey@jaxsheriff.org>; lbuzzell <lbuzzell@pd4.coj.net>; JohnK <JohnK@coj.net>
Sent: Mon, Jun 3, 2019 1:30 pm
Subject: first app proceedings, cell phone and clock complaints, SAO misconduct, complaints re: judges, PRRs, etc.

Dear public officials:

Please read the enclosure, which discusses and complains about the 5/31/19 (p.m.) first appearance proceedings in Courtroom J - 1, Judge Michael Bateh presiding.

The enclosure also complains about existing policy re: cell phones, and lack of clocks in J - 1. It complains about judges, including Judge Flower. I complains about the SAO attorney present on 5/31/19. It poses public records requests. It discusses certain persons whose arrests were dismissed on 5/31/19, and advocates development of a simple and quick method for such persons to obtain financial recovery.

Please respond promptly, and also, please advise if you have questions or concerns.

Curtis Lee, 619 - 2422

Exhibit V

Office of the State Attorney
Fourth Judicial Circuit of Florida
www.sao4th.com



311 West Monroe Street
Jacksonville, Florida 32202-4242
TEL: (904) 255-2500

MELISSA W. NELSON
STATE ATTORNEY

August 22, 2019

Mr. Curtis Lee
7124 Claremont Creek Drive
Jacksonville FL 32222
curtlee59@aol.com

RE: PUBLIC RECORDS REQUEST R001521-081219

Dear Mr. Curtis Lee,

The State Attorney's Office is in receipt of your Public Records request dated 8/12/2019 for "Please provide documents re: any investigation launched re: Judge Flower. If there are none, please so state in writing."

We are unable to provide the requested record based on the following reason(s):

- There is no investigation.

If you have any questions regarding this request, please do not hesitate to contact Miriam Nelson, Public Records Administrator, at (904) 255-2927 or by email at sao4pr@coj.net.

Sincerely,
Public Records Division
State Attorney's Office, 4th Circuit

Exhibit W

Via email

Curtis W. Lee
7124 Claremont Creek Dr.
Jacksonville FL 32222
904 - 619 - 2422
curtlee59@aol.com
Feb. 4, 2020

Melissa Nelson, State Attorney, and
Miriam Nelson, Public Records Division
State Attorney's Office, 4th Judicial Circuit (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Re: (1) Certain older public records requests (PRRs), SAO flaws, partial unintelligibility of SAO documents;
(2) SAO violations of law; my recommendations to better assure that it complies with the law.
(3) SAO's continued refusal to cease SAO Inaudibility at first appearance proceedings;
(4) New PRRs on p. 1, and pp. 2 - 3.
(5) Why John Kallnowski should be demoted.

Dear Ms. Nelson & Ms. Nelson:

See my 11/7/19 PRR letter to the SAO, which, inter alia, referenced an email the SAO sent me on 10/03/19 at 10:51 a.m., with attachments. Those documents concerned in part the SAO's ongoing practice of not thinking things through when it provided and provides documents that use undefined acronyms to PRR submitters. I had to ask the SAO to provide documents to correct that problem when it earlier arose. The SAO provided definitions of the acronyms on 11/12/19.

The SAO repeated the problem when it provided a 3 page document to me on or about 1/15/20 that also contained acronyms. I refer you to a SAO "J - 1 Summary" for 12/23/19. The SAO therein used several new acronyms, leading me to wonder why the SAO's provision of a key to acronyms on 11/12/19 lacked definitions for the "new" 1/15/20 acronyms.

I cannot anticipate when the SAO will introduce new acronyms when it responds to PRRs. It is improper and inconsiderate that the SAO twice recently used many undefined acronyms, thereby rendering said document partially unintelligible to me and, indeed, to many others who might read same. I am not clairvoyant. I could try to guess what the acronyms might mean, but should not be placed in such a position. My past experience in googling the meanings of acronyms used by others often yields many meanings for acronyms, and sometimes may not provide any meanings that "make sense".

My time was wasted in both instances above, because the SAO was not thoughtful and proactive. The SAO's time was also wasted, which was its own fault. I ask that the SAO be smarter and more considerate in the future.

I. Initial PRRs, SAO legal problems, plus recommendations on how to comply with the Public Records Act.

Therefore, please provide documents that define the acronyms used by the SAO in the aforementioned 3 page document: "ASA", "DIV", "CCR", "CCFA", "RWV", "DWLSR", "LEO", "DUI", "FA", AND "HTO". I prefer a single document that may include all definitions of all SAO - used acronyms, and that would be akin to a key, if such document exists. I believe I know what the SAO means re: some of these acronyms, but (a) I should not have to guess, and (b) I am entitled to demand documents defining acronyms used in records provided to me, whether to confirm my surmises or for any reason I choose.

Plus, consider this - does a governmental agency truly comply with the Public Records Act if it responds to PRRs by providing documents using many undefined acronyms, and fails to provide the definitions to those acronyms (perhaps via sending a key) at the same time? I contend - no.

My recommendation to you is simple, and you would be wise to adopt same as the SAO likely has often violated the Public Records Act. Develop a key to all acronyms used by the SAO in any context and document. Then, always provide that key document along with other documents that you provide to persons seeking public records. This is minor extra effort and well worth it as it should forestall future violations of the law. Plus, it is considerate and should save everyone time.

II. Additional PRRs.

Before I provide the additional PRRs to the SAO, I need to remind you of the background -- why I am offended and disgusted by the SAO, and why my PRRs are important.

I have since 2018 complained several times to the SAO about violations of the law such as the fact that SAO employees who participate in first appearance proceedings in Courtroom J1 frequently have been inaudible, to me, others, and likely inmates and defendants. Such inaudibility was due to refusals by SAO employees to use mikes located near their podium in J1, coupled with failure to speak loudly. Sadly, those SAO employees who spoke softly would have been audible had they used nearby microphones. But, since SAO management never cared that they did not use the microphones in J1, SAO employees almost always did not use the nearby microphones while I was in attendance at many first appearance proceedings in the years 2018 -- 2020.

My complaints have mostly been ignored by the SAO, and when not ignored, the SAO has done little to nothing to ameliorate such violations of the law. I deduce that you, Melissa Nelson, and Mr. Siegel, and Mr. Kalinowski, never had a friend or relative with hearing impairments. I so deduce because none of you have seemed to care about the problems the SAO caused and causes, and none of you made any significant effort to improve a rotten status quo. (Mr. Siegel's taking a meeting and sending an email noted below are not significant efforts, as the inaudibility problems continued thereafter.)

Here are some facts that back up my criticisms. (1) I complained about such unlawful conduct re: inaudibility several times in 2018 and thereafter. These complaints and requests for corrective action were ignored by Melissa Nelson. She wasted my time, and abridged my rights and the rights of others, by not immediately causing the cessation of unlawful conduct. (2) I had to engage counsel and threaten litigation in order to get a meeting with the SAO on this topic, and even then the meeting was with Mr. Siegel, not Melissa Nelson. Brooks Rathet, my counsel, joined me in this meeting. (3) That meeting led to SAO assurances of corrective action that petered out because the SAO seems still not to care. Per a PRR, I obtained an email that Mr. Siegel sent to Mr. Kalinowski on 9/27/19, which stated in part: "Please remind your attorneys to speak up in J1 so that everyone can hear." I was disappointed that the email was so weak. Mr. Siegel did not even seem to understand that speaking up wasn't even necessary, if SAO employees would always use existing yet forlorn microphones. If a boss truly wants something done, he or she is usually more forceful. (4) My observation was that the email did not "work", as subsequent SAO conduct and PRR responses suggest that Mr. Kalinowski did little or nothing about the problem of SAO inaudibility at first appearance proceedings in Courtroom J1. (5) E.g., on 1/24/20, the SAO responded to my 1/22/20 PRR as follows. John Kalinowski of the SAO, apparently still in charge of how SAO employees behave at first appearance proceedings, finessed or ignored Mr. Siegel's request of 9/27/19. He wrote nothing in the period 9/20/19 -- 12/31/19 re: SAO employees' use of mikes or failure to do so, etc. See my PRR and the SAO responses. So, Mr. Kalinowski either talked to SAO employees about the inaudibility problem, or he said nothing. (6) Yet SAO employees continued to be inaudible.

For the above reasons, and after having met him, I have no respect for Mr. Kalinowski. Plus, I have attended first appearance proceedings over 2 dozen times since I started doing so almost 2 years ago, and I never saw Mr. Kalinowski in attendance. If he is the boss, he should often spot check the performance of lawyers who often poorly represent the SAO in first appearance proceedings. Therefore, everything I know about Mr. Kalinowski suggests he merits a demotion.

The picture is clear. The SAO has repeatedly, since 2018, shown contempt for my, and others', rights to hear what SAO employees say during first appearance proceedings in Courtroom J1. This is shameful.

Therefore, I must submit further PRRs, as I cannot accept such misconduct. Please provide these documents:

- (1) Documents authored by the SAO, in the period 9/1/19 -- 7/4/20, re: use or failure to use microphones in Courtroom J1, or in other courtrooms, and/or re: the need to and/or failure to speak loudly in Courtroom J1, or in other courtrooms. As of now, I only have received one such document -- the email from Siegel to Kalinowski dated 9/27/19. (Please note that such email responded to my narrower in scope PRR sent to the SAO on 1/22/20.)
- (2) All SAO documents authored and dated in, or authored earlier but effective in, the period from 5/1/18 through 2/4/20, re: training of SAO attorneys, and/or re: how to act in and handle first appearance proceedings. I.e., I want broad scope training documents, and training documents re: first appearance proceedings. In using the word "training", I mean to include documents instructing or training SAO attorneys re: what to do and not do when they attend first appearance proceedings, how and why, and missions and goals re: the SAO participation in first appearance proceedings.
- (3) I do not want documents wherein the performance of SAO employees is evaluated, or that pertain to a particular individual.

(I did not find anything responsive to these PRRs on the SAO portion of the City of Jacksonville website. However, if there is anything there that is responsive, please advise in detail. The SAO 2017 and 2018 annual reports are hard to read online – the type seems unclear and is very small. To the extent I could read same online, they seem non – responsive.)

Re: the above PRRs, do not provide any responsive documents if they were posted online at www.col.net yesterday.

I would not be surprised if the SAO has few or no such documents, as that would reflect continual contempt for the rights or persons attending SAO proceedings (including defendants) to hear what SAO employees say in those proceedings. I expect that Melissa Nelson has not taken even a few minutes to write to employees about inaudibility in J1 and related matters.

+++++

If you believe that any of the above PRRs have some flaws (perhaps they are unclear, overbroad, whatever), please let me know in detail, as I would like to save time and expense for myself and the SAO.

Please advise if and to the extent the SAO lacks responsive documents. Please email me responsive documents. If the SAO intends to charge me anything in connection with these new PRRs, do not incur or assess any costs or charges without first providing me a detailed written estimate, and obtaining my written assent.

If the SAO claims exemptions and/or rights to redact, please cite claimed authorities in detail, citing statutes and other authorities. Plus, please provide, with respect to each withheld document and redaction, a log or other report showing the author, recipient, date and nature of each document withheld and/or each portion redacted. I need such information in order to know what is "missing", and so that I can challenge SAO conduct if I deem necessary.

+++++

Please respond promptly. As always, please advise if you have any questions or concerns.

Thank you.

Sincerely,

Cc: S. Siegel Esq., John Kalinowski, Esq., Brooks Rathet, Esq., and Herbert Armstrong, Esq., all via email

Exhibit X

Via email

Curtis W. Lee
7124 Claremont Creek Dr,
Jacksonville FL 32222
904 - 619 - 2422
curtlee59@aol.com
Nov. 7, 2019

Miriam Nelson, Public Records Division
State Attorney's Office, 4th Judicial Circuit (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Re: (1) SAO 10/3/19 email, documents thereby made available, new public records requests (PRRs).

(2) SAO 11/1/19 email to me at 8:04 a.m., prior PRRs, SAO defiance of those PRRs and the law.

Dear Ms. Nelson:

I ask that you refer this letter to your counsel, in addition to complying with my requests and demands (both as set forth herein, and as set forth previously). I have threatened litigation in the past, and the SAO's errors and/or bad faith are detrimental to the SAO's legal position. Plus, I complain about your conduct and violations of the law, and you should involve an SAO attorney re: the SAO response.

I. Re: above - captioned matter (1)

You had sent me an email on 10/3/19 at 10:51 a.m., with 2 attachments. I herein call the attachments the "SAO Documents".

The SAO Documents you then provided used several acronyms without defining them via a key or otherwise. It is improper and inconsiderate that the SAO used many acronyms therein, and refused to define those acronyms, rendering those documents partially unintelligible to me and, indeed, to many others who might read such documents. I am not clairvoyant. I could try to guess what the acronyms in the SAO Documents might mean, but should not be placed in such a position. My past experience in googling the meanings of acronyms often yields 10 or more meanings for acronyms, and sometimes may not provide any meaning at all consistent with the SAO's intent.

I contend that such SAO conduct may violate the Public Records Act.

In order for me to understand the SAO Documents, I need to know what the following acronyms used therein mean. Therefore, please provide documents showing what the following acronyms mean:

- PC
- AW
- TCC
- DN
- NP
- FSP

Please also provide any document that is in effect a key to the SAO Documents, and also provide documents showing what is included within the words or phrases: "diverted" and "other dispo", as they are used in the SAO Documents.

Please email me the responsive documents. If the SAO intends to charge me anything in connection with these new PRRs, do not do so without first providing me a detailed written estimate, and obtaining my written assent.

II. Re: above - captioned matter (2)

I object to the SAO email referenced in caption (2) above, and related and prior SAO conduct. The SAO has falsely stated that it has provided full detail of rates used by the SAO. This is not true. The SAO has not in the slightest provided legal justification for or verification of any of its hourly charges.

See my 10/31/19 PRR letter to you, which you have. I therein asked, inter alia, as follows: "Please provide documents verifying and justifying such hourly rates. Please email such documents." Said letter elaborated on the hourly rates for which I was interested in obtaining certain documents - \$26 per hour and \$50 per hour. "Such" referred back to those hourly rates.

You emailed me no responsive documents. You told me, **INSTEAD**, to go online and look up the document you call the SAO's "Public Records Division Policies and Procedures". This was rude as well as defiant of my rights. I spent extra time doing so, and that document was not responsive to my 10/31/19 PRR letter. For the SAO to state that it charges this rate and that rate, does not verify and justify. I am surprised you assumed otherwise (and/or perhaps you acted in willful bad faith).

The SAO Invoice to me dated 10/24/19 mentions \$26.00 per hour and \$50 per hour rates. The SAO, as of the last time I was aware, hired new assistant state attorneys (ASAs) at under \$50,000 per year. Hence I have reason to doubt the propriety and legality of being charged \$50 per hour for ASA time. If you don't understand the math and my reasoning, please contact me.

I ask you simply to reread my original PRR letter dated 10/31/19, and my Nov. 1 email to you, think, and actually respond in full, carefully. Verify and justify with documents the hourly rates the SAO assessed. Check the Public Records Act for the law re: governmental entities charging for their time in responding to PRRs. Stop being careless and wasting my time.

I am rightly aggravated as you have delayed me and wasted much of my time. You should do your job properly the first time, and thereby we would both win. Your mistakes and/or willful bad faith expose the SAO re: future litigation.

All I have received to date are mere assertions that the SAO believes itself entitled to charge persons like me various hourly rates. The SAO has failed to verify and justify any of those assertions. The Public Records Act requires more. For all I know, the actual SAO employees' hourly rates materially differ from what the SAO charges, and further, I would not be surprised if the differences reflect caprice. The quoted hourly rates clearly reflect rounding, which the SAO is NOT entitled to do, unless same benefits requesters as opposed to the SAO. That I do not know, but if you actually complied with my 10/31/19 PRR letter, I could ascertain.

I deserve better. The SAO has violated and underestimated my rights, and has underestimated the SAO's problems.

If you still don't, or won't, understand what I have written, refer these matters to someone else. I am tired of your wasting my time.

You are also welcome to call me for a more detailed explanation.

+++++

Please provide the requested records promptly. Thank you.

Sincerely,

Cc: Brooks Rathet, Esq.

Exhibit Y

11/12/2019

CODE DESCRIPTIONS FOR SR41 AND SR41/MISD

Felony Arrests - Performance Statistics		
PC ARREST	Probable Cause Arrest	Case Class
AW FILES	Arrest Warrant Files	Case Class
TCC	Transferred to County Court	Event Subtype
DN	Drop Notice	Dispo Action
NP	Nolle Prossed (Dropped After Filed)	Dispo Action
SENT TO FSP	Sent to Florida State Prison	Sentence Type
DIVERTED	Referred to a Diversionary Program	Event Type
OTHER DISPO	Decline to Prosecute, Admin NP, Juvenile Transfer	Dispo Type

Misdemeanor Cases - Adult Cases		
AW	Arrest Warrant	Event Subtype
TCC	Transferred to County Court	Event Subtype
DN	Drop Notice	Dispo Action
DIVERTED	Referred to a Diversionary Program	Event Type

Exhibit Z

Nelson, Miriam

Subject: FW: email
Attachments: FW_microphones in J1.pdf

From: Siegel, Stephen
Sent: Wednesday, October 2, 2019 12:52 PM
To: brooks.rathet@bromagenlaw.com
Cc: 'Curtlee59@aol.com'
Subject: email

As we discussed this morning, attached is an email I sent to John Kalinowski. John is the Director of County Court and oversees the attorneys who appear in J1 during the week.



Stephen Siegel
First Assistant State Attorney
State Attorney's Office, 4th Circuit
311 W. Monroe St. -- Jacksonville, FL 32202
O: (904) 255-2933 C: (904) 832-3598



From: Siegel, Stephen
To: Kalinowski, John
Subject: FW: microphones in J1
Date: Friday, September 27, 2019 3:43:00 PM

This arises out of concerns Curt Lee raised over J1 to the Chief Judge. Please remind your attorneys to speak up in J1 so that everyone can hear.

From: Taylor, Julie
Sent: Friday, September 27, 2019 3:11 PM
To: Siegel, Stephen
Subject: microphones in J1

Steve: I think when we talked I said I would let you know if I informed the Judges that there was a complaint about the inconsistent use of microphones by Judges and attorneys in J1. I just sent out an email letting them know about the complaint and asking them to be aware of the need to use the microphones. If possible, it may be helpful to ask your attorneys to do the same. Thanks and have a great weekend! Julie

Julie K. Taylor
Court Counsel
Duval County Courthouse
501 West Adams Street
Suite 7212
Jacksonville, Florida 32202
(904)255-1081

Office of the State Attorney
Fourth Judicial Circuit of Florida



J-1 SUMMARY

MELISSA W. NELSON
STATE ATTORNEY

12.23.19

Judge in Court: FLOWER

ASA (a.m.): Roberts

ASA (p.m.): Cona

- Note: (for all spaces below, press SHIFT+ENTER to add additional lines of text, if needed)

Total Cases: # 54

of Felonies: 23

of Misdemeanors: 29

- 4 (# of cases) passed to DIV. N
- 2 (# passed to other divisions)

of Absentee Booked: 5

of Juveniles: 0

of TCCs: 9

of Fugitive hearings: 1

DUIs: Total # 3

Passed: 2

Pled w/counsel: 1

Pled w/o counsel: 0

Homicides: # 0

Name/CCR#/Charges:

Firearm Cases: Total # 5

Name/CCR#/Charges:

Smithen, Shantasha/2019-868572/1. Aggravated assault with a deadly weapon

Finley, Markishis/2019-623260/ 1. Aggravated Assault; 2. Poss of FA by convicted felon

Diamond, Eddie/2019-868765/ 1. Armed possession of marijuana; 2. CCFA

Bush, James/2019-853035/1. Aggravated assault without intent to kill; 2. False imprisonment; 3. Child abuse

Douglas, Jeremiah; 868746; Agg Batt on LEO, flee or elude, RWV, DWLSR, reckless driving

Sexually Violent Offender/Predator Sentenced to Jail: Total # 0

Name/CCR#/Charges:

Sexually Violent Offender/Predator Not Sentenced and Passed: Total # 1

Name/CCR#/Charges:

Green, Leonard/2019-868960/ 1. Theft of Motor Vehicle; 2. HTO DWLSR

Commercial Sex Charges: Total #0

Name/CCR#/Charges:

No Bond/High Bond (\$500K and up): Total # _____

Name/CCR#/Charges:

Elder Victims (65/+) (Battery/Financial Exploitation): Total # 0

Name/CCR#/Charges:

Media Present: and what case(s):

Hernandez, David; 2019033312; Fugitive Hearing

High Visibility Defendants: Total # 0

Name/CCR#/Charges:

Co-Defendant Issues/Potential Sworn Statements to be Taken: Total # 0

Co-defendant pled: (Name/CCR#/Charges)

Co-defendant case pending: (Name/CCR#/Charges)

Observations/Issues:

Nelson, Miriam

From: Cona, Jamie
Sent: Monday, December 23, 2019 2:36 PM
To: SAOFirstAppearance
Subject: J1 Summary 12.23.19
Attachments: J1 Summary_12.23.19.docx



Jamie Cona
Assistant State Attorney
State Attorney's Office, 4th Circuit
311 W. Monroe St. - Jacksonville, FL 32202
O: (904) 255-2683



Exhibit AA

Gina Logan

From: curtlee59@aol.com
Sent: Saturday, March 07, 2020 3:12 PM
To: herb@bromagenlaw.com
Subject: Fwd: Status - Request 3397-020420 in 2/4/2020 letter
Attachments: Common_Terms.pdf; image001.png

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

From: Nelson, Miriam <MiriamN@coj.net>
To: 'curtlee59@aol.com' <curtlee59@aol.com>
Cc: SAO4PRR <SAO4PRR@coj.net>
Sent: Tue, Mar 3, 2020 12:40 pm
Subject: RE: Status - Request 3397-020420 in 2/4/2020 letter

Please see attached pursuant to highlight below.

From: Nelson, Miriam
Sent: Tuesday, March 3, 2020 12:28 PM
To: 'curtlee59@aol.com' <curtlee59@aol.com>
Cc: SAO4PRR <SAO4PRR@coj.net>
Subject: Status - Request 3397-020420 in 2/4/2020 letter

I write to provide a status update on the remaining items on your 2/4 request and to determine, pursuant to your letter, if you wish for us to proceed as costs will be incurred as noted.

As to the request regarding Acronyms (page 1):

- a. I have checked with our IT department and the only way to get a comprehensive list of acronyms used in the system would be to have reports created that would pull the acronym (called codes in our system) and definition from the system. In order to complete this, it will incur approximately 12 hours of IT time. If you would like to proceed with this, please advise and we will provide you with an estimate.
- b. I have a document that I personally authored many years ago but since I have shared it with the SAO and it is on our system, I will provide it to you (shortly), no cost since I am personally aware that there is nothing to redact. It does contain some, but not many, acronyms.

As to the remaining request, #2, page 2, Training Materials:

- a. I have only received a small portion of feedback on the documents available pursuant to this request. As of right now, it appears that there are approximately 50 PowerPoints related to the CLE type training sessions we have held. I do not know how many pages that will correlate to or the cost associated with the review of these materials unless/until we physically obtain them and check each one. Each of these trainings may also have handouts or other reference material associated with them. Some have been authored by the SAO, others have been presented by persons not employed by the SAO. Please advise if you wish to proceed with this action and we will provide you with an estimate.
- b. We have approximately 25 documents, not including the J1 First Appearance Manual and the County Court Manual, that are either policy documents or policy/training documents. They fall into the following categories: All Sections (mainly "how to" for various administrative matters), Office Policies (covering travel, human resources, business office matters), Juvenile, County Court (the two documents you are aware of), Circuit Court, Human

- Rights (a single memo about when to send cases), OIS, and Problem-Solving Court (Mental Health, Veterans Court, etc.). Please advise if you wish to proceed with this action and we will provide you with an estimate.
- c. You have been provided all documents (or portions thereof per your request) relating to training that covers First Appearance Court, the above documents (a. and b.) do not relate to First Appearance but are in response to the request for broad topic training documents.

Please let me know if I need to clarify or expound on any of the above. I will be sending a second email update relating to your 2.9.20 request. -M



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COMMON TERMS

The definitions below are not dictionary definitions but are explanations of how the words fit into our daily routines, some may fit both categories, and some may not. The terms are divided into those most used by the Clerk's Office and those regularly used by the State Attorney's Office ("SAO").

TERMS USED BY THE CLERK OF COURT:

1. **A:** Delta symbol, shorthand, sometimes used to represent the Defendant.
2. **π:** Pi symbol, shorthand, sometimes used to represent the Plaintiff in Civil cases and the State in Felony cases.
3. **119:** References Florida Statute §119, which governs Florida's Public Records and what is and is not exempt from Public Disclosure (Florida's Sunshine Law –all Florida Government Records are Public Records). Certain documents and data are exempt from disclosure at certain times, some are always exempt.
4. **2.420:** References Rule of Judicial Administration 2.420 which governs Public Access to Judicial Branch Records. Documents or data that may not be exempt from Public Records requests may be made exempt by Rule 2.420.
5. **A&B:** Arrest and Booking Report is the document filed by JSO listing the information regarding a Defendant's alleged crimes, the charges, the Defendant's JSO ID/Jail Number and Date of Arrest. Contains additional data specific to the Defendant and the narrative regarding the arrest.
6. **Adjourned:** Term used when Court is finished for the day (sometimes Recessed for the Day is used).
7. **AG:** Short hand for Adjudicated Guilty as part of the case disposition.
8. **Allen Charge:** Jury is Deadlocked (can't reach a verdict), first instruction before declaring a mistrial.
9. **Alpha Cal:** Report we run daily for Court each day that lists only a Defendant's Name and Case Number for each case on the calendar. Used to write credit for each case on and supply to the Court Room personnel for referencing credit.
10. **AO:** Administrative Orders are orders that are generated and enacted by the Chief Judge of this Circuit. These are local Orders that govern policy, practices, and other matters the Chief Judge has the authority to direct, and Amended AO 2006-05 further restricts some documents that can be released to the public.
11. **Arraignment:** Usually, the first stage of a case that is before us in Felony Court. An Information (charging document) is filed and the Defendant is brought before the Court to enter his/her formal plea on the charges. Arraignments are held any time an Information or an Amended Information is filed. We must be clear when showing a plea to an Information that we note when it is Amended, 2nd Amended, etc.
12. **Bond Hearing:** A hearing held for the State and Defense to provide argument, evidence or testimony for the Court to use in determining an appropriate amount of bail to be set for a Defendant. Can follow the filing of a Motion for Reduction of Bond or a Motion to Set Bond.
13. **Bond/Bail:** Different words for same thing – bond or bail is an amount of monetary obligation that is set by the Court for individual charges in a Defendant's case(s) that a Defendant must pay in order to be released from custody on the charges.

14. **Capias/Warrant:** Document that is issued to alert law enforcement agencies that the subject Defendant is to be arrested.
15. **Case Law:** Used by attorneys and the Court to provide previous case information and Court rulings to support a theory or argument in a case. Generated usually from Westlaw or Lexis Nexis and filed with the Clerk or provided to the Court for review.
16. **Cash Bond:** When the Court sets a monetary amount of bond/bail but adds that it is permitted to be posted in cash only vs. via a bond agent/surety bond. Cash Bonds are usually lesser amounts than imposed in Surety Bonds but the full amount must be paid.
17. **Community Control Level I:** Type of community/probationary supervision: Does NOT require an Ankle/GPS Monitor.
18. **Community Control Level II:** Type of community/probationary supervision: DOES require an Ankle/GPS Monitor.
19. **Competent:** status of a Defendant who is able to continue forward with his/her case.
20. **Conflict:** When an attorney representing a Defendant realizes they can't due to existing issues.
21. **Death Case:** A case where the potential penalty is Death. Consists of standard court events up to and through Trial, after Trial there is a Penalty Phase where the State and Defense present evidence to the Jury for the Jury to make a recommendation of either Life or Death. After the Penalty Phase there is a Spencer Hearing where the State and Defense present additional evidence/argument to the Judge followed by the Sentencing Hearing. At the Sentencing Hearing the Judge will impose the sentence and file a Sentencing Order providing the basis for the Courts sentencing determination.
22. **Disposition:** Final resolution of a case; can include dropping the case or a sentence with an AG or WH.
23. **Division Clerk:** A specially trained Clerk that handles all Court related filings and data input as provided to them by the Trial Clerk. When paperwork or data is required to be entered into the system, Division handles these matters and takes specific action regarding Felony matters that occur outside of Court proceedings (changing court dates, posting Court Actions, posting papers; sending and receipting documents from the Judge, etc.).
24. **Evidentiary Hearing:** A hearing held to determine what grounds exist for granting or denying a motion (usually related to post disposition cases, 3.850 or Death Cases).
25. **Exhibit Memo:** A Clerk's Exhibit Memorandum is the official document that is completed and filed by the Trial Clerk listing all exhibits/items of evidence entered in Court. You will include State's Exhibits, Defense Exhibits and Court's Exhibits on the Memorandum. The State or Defense may submit (or even file) an Exhibit list of their own, but this is not the official Clerk document that will be used to formally and permanently record items entered.
26. **Faretta Inquiry:** Questions posed to a Defendant when s/he wants to represent himself, or go Pro Se. Pro Se – Latin: "For Self". A Faretta Inquiry is usually preceded by a Nelson Hearing, but not always.
27. **Grid/Disposition Packet:** This is a packet of paperwork that is turned in to Division for processing so a commitment packet can be completed and transmitted to either DCJ or DOC when a Defendant is sentenced. Usually consists of: Gridsheet, J&S, Paysheet, Restitution Order or Order Denying Restitution, Sentencing Guidelines, Victim Information Sheet, and PSI.
28. **Grid/Tracker/J&S/Paysheet:** Gridsheet is the internal work product document where we write down all sentencing terms for each disposition in the Court Room, this is turned in to Division for docketing with

all disposition paperwork. Tracker is the data sheet we write pertinent information on as the case goes through all pretrial stages and is used to track Court Dates, credit, timelines and notes we need. J&S is the Judgment and Sentence, the formal Sentencing Order we fill out and provide for the Judges signature. This is completed and turned in with the disposition packet. Paysheet is the receipt for Court Costs imposed, we ensure it accurately reflects all costs imposed, is completed with an accurate due date (a period after release for Defendants in custody and an actual due date for out of custody Defendants). When a Defendant is in custody, the YELLOW copy of the completed Paysheet is provided to the bailiff to go with the Defendant's paperwork to the jail, when this is not possible, both copies are turned in to Division with the Disposition Packet. When a Defendant is out of custody, s/he is provided with the YELLOW copy of the Paysheet before leaving the Court Room.

29. **HO/HFO/HVFO/PRR/ROC:** Habitual Offender – the status of a Defendant that exposes them to a greater potential punishment if found to have committed the crimes with which they are charged. There are various types of HO status which each carrying their own enhanced punishments. HFO – Habitual Felony Offender. HVFO – Habitual Violent Felony Offender. PRR- Prison Releasee Reoffender. ROC – Repeat Offender Court – when a Defendant is found to be HO, the cases are usually filed or transferred to ROC to be handled, however an HO designation can be applied to a Defendant in non-ROC Court.
30. **Huff Hearing:** A hearing to determine the need for an Evidentiary Hearing and which issues will be heard.
31. **Incompetent:** status of a Defendant who is unable to continue forward with his/her case due to (usually) mental issues that prevent him/her from understanding what is happening.
32. **Indigence/Indigent:** A determination that is made by the Clerk regarding income levels of a Defendant to determine whether they have enough funds to pay for a private attorney or to pay for court costs. An indigence determination must be made prior to the appointment of the Public Defender using the Application for Criminal Indigent Status.
33. **Information:** An Information is the charging document filed by the State that lists the crimes with which a Defendant is being charged. The Information must be accurate and list the crime, statute, and degree as well as have specific wording regarding the charged crimes in order to effectively prosecute the Defendant for the alleged law violations. Amended Informations are filed to correct, remove or add charges being levied against a Defendant.
34. **Instanter:** Latin for “immediately” “at once” – used when making written corrections in the Court Room, usually to an Information, without filing a whole new document.
35. **JOA:** Judgment of Acquittal, a motion (usually oral) made during Trial that the Court either Grants or Denies.
36. **JPU:** Jury Panel Usage Record is a Clerk form that is completed by a Trial Clerk and used to record the jurors seated for a Trial. This form is not scanned or docketed and upon completion of Trial, the form is completed and turned in to Jury Services (via placement in the designated area of the office).
37. **JSO/DCJ/FSP/DOC/FSH/DCF/APD/JA:** Shorthand for: JSO – Jacksonville Sheriff's Office. DCJ – Duval County Jail. FSP – Florida State Prison. DOC – Department of Corrections. FSH – Florida State Hospital. DCF – Department of Children and Families. APD – Agency for Persons with Disabilities. JA – Judicial Assistant.

38. **Jury / Jury Selection:** A final jury consisting of 6 jurors and 2 alternates (12 jurors for a capital case and the number of alternates can change at any time depending on what the parties are requesting and length of trial) picked from a larger pool, usually a minimum of 28 potential jurors (the starting number is increased by 7 from there; 28, 35, 42, etc.). Jury Selection, or voir dire, is the process used by the State and Defense attorney(ies) to pick the jurors that will try a specific case.
39. **Lesser Included Offense:** When the charge at disposition is a lesser crime than the initially charged offense, carrying less severe penalties. When a lesser included offense is referenced, we must get the full description, statute and degree of crime from the State Attorney for our records.
40. **Lower Tribunal Court:** Our local Court (4th Judicial Circuit).
41. **Mandate:** An order from the Appellate Court, usually directing an action to be taken by the Lower Tribunal Court.
42. **Motion to Determine Confidentiality:** This Motion is filed when a party to a case wishes to have some portion of a document within the case deemed confidential and not released to the public. When a Motion to Determine Confidentiality is filed – management must be made aware and certain procedures must be followed. An Order should be entered either Granting to Denying the Motion and referencing what data is to be held as confidential for the initial 120 day period. Once the 120 day period has expired, it is the requesting party's responsibility to request an extension which can be granted in 60-day periods.
43. **Nebbia Hearing:** A hearing to determine where funds used for Bond were obtained (usually to ensure that money from a crime, like drug trafficking, was not used to post bond for the crime).
44. **Negotiated Plea/Plea to Court:** Negotiated: A plea agreement that includes specific sentence terms agreed to by the Defendant, his attorney and the State attorney. Plea to Court: A plea agreement that is admitting guilt to the Court without a predetermined sentence. Plea to the Court often results in a PSI being ordered and a sentencing hearing being held.
45. **Nelson Hearing:** Defendant challenges the competency or effectiveness of their attorney's representation. Usually a Nelson Hearing is followed by a Faretta Inquiry, but not always.
46. **Nolle Prosequi: Nolle Pros.** Several various codes follow the pronouncement of a Nolle Pros. This is used by the State to drop a case or charges for various reasons. NP(7) – either the Defendant is incompetent or deceased. NP(30) – decline to prosecute, usually used for individual counts within a case. NP(4) – decline to prosecute, usually used to drop entire cases (a 4 requires a State Attorney to sign documentation in Court).
47. **Nunc Pro Tunc:** Latin: "Now for Then" – used to denote "effective as of ____ (x date)".
48. **Peremptory Strike/Challenge & Cause Challenge:** Terms used during Jury Selection to remove jurors from the potential pool. Each side, State and Defense, are given a set amount of Peremptory Strikes (based on the charged crime(s)) that they can use to remove potential jurors. Jurors can be eliminated from the potential pool without using Peremptory Strikes by using Cause Challenges. Trial Clerks have to track what potential jurors are eliminated and which are finally selected. This information is provided to Jury Services and utilized for Trial. We do not care why they are striking a potential Juror, we are only looking for the terms Peremptory, Cause, Sworn (seated) or Alternate and checking the corresponding box.

49. **Plea:** When a Defendant makes a formal statement (through his/her attorney) either admitting or denying guilt to a charged crime. At Arraignment, the plea is either Guilty or Not Guilty. Also applies after Arraignment when a Defendant wishes to either admit guilt and be sentenced by the Court or accept the terms of a negotiated plea agreement.
50. **Praeipce/Disclosure to Prosecution/Witness List:** A Praeipce for Witness Subpoena is filed by the State listing the potential State witnesses. A Disclosure to Prosecution is filed by the Defense listing the potential Defense witnesses. A Witness List can be filed by either party; often a Praeipce or Disclosure is referred to as a witness list. These are used for disclosure purposes and for the Court to use during Trial to ensure that the potential jurors do not know any of the witnesses for a particular case.
51. **Precalendar:** The Court Calendar Report printed for us daily to prepare our work a day in advance. It is usually green, but can be white. Will print with other associated paperwork the day before Court (or the Friday before each Monday).
52. **PSI:** Presentence Investigation Report, used by the Court to review background information on a Defendant to determine an appropriate sentence to impose.
53. **Recess:** Term used when the Court is taking a break. This is a time where the Trial Clerk is able to take a break and return prior to the end of the recess.
54. **Richardson/Brady Hearing:** Hearing to determine any potential disclosure or rule violations (usually relating to information that is to be provided from one attorney to another regarding a case). These are two different hearings but address similar matters regarding failure to disclose information. We usually just note the hearings are held and note any findings made by the Court.
55. **ROR:** Release on own Recognizance, the release of a Defendant without monetary conditions.
56. **Rt'd., App't'd., RCC, PD, PA, SA or ASA:** Retained attorney, Appointed attorney, Regional Conflict Counsel attorney, Public Defender, Private Attorney (who is either Retained or Appointed), State Attorney or Assistant State Attorney.
57. **Scoresheet/Sentencing Guidelines:** Form document used by the SA prior to sentencing to calculate the minimum sentence a Defendant should receive in a case or cases, and must be filed with the Clerk by the SA at sentencing.
58. **Scrivener's Error:** An error made by a Clerk in completing a document (misspelling, checking an incorrect box, etc.).
59. **Sentencing Hearing:** A hearing held for the State and Defense to provide argument, physical evidence or witness testimony for the Court to use in determining an appropriate sentence to impose. Sentencing hearings are usually held after a Plea to the Court or after a guilty verdict at Trial.
60. **Speedy Trial:** The date after arrest that a Trial must be held. A Defendant is entitled to a Trial within 175 days after they have been arrested.
61. **Stand Your Ground:** A type of Motion to Dismiss alleging the Defendant was acting in self-defense and should not be found guilty of the charged crime(s). When Motions are filed or a Hearing held and reference is made to "Stand Your Ground" or "Justifiable Use of Force" these are referred to as Stand Your Ground motions/hearings.
62. **Surety Bond:** A bond that is posted by a Bail Bond Agent via Surety Insurance Company. An amount is set by the Court and the Defendant must pay a certain percentage to the Bail Bond Agent who then insures the Defendant's appearance at all Court Dates for the full amount of the set bond.

63. **Trial Clerk:** A specially trained Clerk that attends all Court proceedings and keeps the record for the Clerk's Office according to statutory requirements. A Trial Clerk is required to be present at all Court proceedings for the entirety of the proceeding.
64. **Trial Memo:** A Clerk's Memorandum of Trial is used to record the jurors presiding over a Trial, witness called by the State or Defense, as well as the minutes of Trial. A Clerk's Memorandum of Hearing will contain the same information, except for a list of jurors as there are not generally jurors present for hearings.
65. **WH:** Shorthand for Withhold of Adjudication of Guilt as part of the case disposition.
66. **Wheel Attorney:** When the PD is appointed and certifies a conflict, the case is transferred to the RCC who will run a conflict check, when the RCC certifies a conflict; a PA must be appointed for an indigent Defendant. This is called a wheel attorney because they are on a rotating list of attorneys eligible for appointment.
67. **Williams Rule:** A hearing or sometimes a reference to the State's filing of a "Notice of Other Crimes, Acts, Wrongs Evidence" to determine the admissibility of such evidence / testimony in Trial or Hearings.

TERMS USED BY THE SAO:

1. **ABSENTEE BOOKED:** When a defendant is admitted to the hospital after arrest, an absentee docket (arrest and booking report) is prepared and left at the jail. An absentee booked defendant's paperwork will go to first appearance to be assigned the first court date.
2. **ABSOLVE:** To clear of guilt.
3. **ACCESSORY:** One who aids a criminal, before or after the crime occurs, and who has knowledge of the crime or part of it.
4. **ACQUIT:** To free a person from a charge of criminal guilt.
5. **ADJUDGE:** A process or act of a judge convicting or acquitting a defendant of a crime, either a felony or misdemeanor. It amounts to a final judgment, or an adjudication.
6. **ADMISSIBLE EVIDENCE:** Evidence or testimony presented during a trial that is of such a proper nature that a judge will allow it to be introduced into the record of the trial.
7. **ADMONISH:** To warn or sternly advise, usually done by a judge or other court officer to a witness or defendant.
8. **ADVOCATE:** An officer of the court who assists his client before, during and after the client has become involved in the justice system.
9. **AFFIANT:** One who swears to an affidavit.
10. **AFFIDAVIT:** A written statement sworn to before a notary or officer of the court. The statement usually has to do with information the affiant has about a particular criminal case.
11. **AFFIRM:** To testify to, or declare by affirmation, to state as a fact.
12. **ALLEGATION:** A statement made by someone who claims it can be proved as fact.
13. **ALLEGE:** To assert; to set forth.
14. **APPEAL:** The legal procedure by which the decision or judgment of a judge is brought for review to a higher court with the intention of having the decision by the lower court changed.

15. **ARREST and BOOKING REPORT: (A&B)** Document prepared by a police officer at time of arrest listing the charges, circumstances of arrest, and any other details available to the officer at the time the report is written.
16. **ARRAIGNMENT:** The court action in which a defendant in a criminal case is brought before a judge, at which time the defendant is informed of the charge against him and is asked whether he pleads guilty or innocent.
17. **BACKLOG:** The number of pending cases in court awaiting trial which exceed the court's capacity to handle them.
18. **BAILIFF:** A person appointed by the court to keep order in the courtroom and to have custody of the jury. A Sworn Bailiff wears a JSO uniform and controls inmates. A civilian bailiff wears plain clothes and assists with the gallery and jury.
19. **BIAS:** When one forms an opinion toward one side of a case or another, without first being told the facts on both sides or the formation of a prejudice for or against a person or belief.
20. **BILL:** When used in the law, a formal, written statement of particular things in a case requested by one side or the other.
21. **BOND/BAIL:** The amount of money set by the court for the release of a person accused of a crime. It is designed to assure the person's presence for his trial and may contain additional non-monetary conditions of release.
22. **BOND HEARING:** Hearing held to determine the proper amount of bond to be set for each charge against a defendant. Often the first hearing is conducted as First Appearance but can be reheard by Motion. (See initial appearance)
23. **BOND REDUCTION:** Something the judge can do on his authority, reducing the cash amount of bail or adjusting the release conditions so that the defendant may be released from jail.
24. **BOOKING:** The process by which a person is processed into the jail, or "booked".. Details are recorded of the alleged crime, including the charge and the person arrested for the crime.
25. **BOUND OVER:** This is the expression used to indicate the changing of jurisdiction from one court to another; when a juvenile judge orders a youthful offender bound over, the case is transferred from the juvenile branch of circuit court to the adult branch.
26. **CALENDAR:** It is a daily register of cases scheduled to be heard in court. It gives the name of the defendant, the charge, whether or not he is in jail, what matters are to be heard and the names of the prosecutor and defense attorney. The public may look at the calendar at any time.
27. **CAPITAL CRIME:** A crime in which the possible sentence is death.
28. **CAPIAS:** A warrant issued for the purpose of arresting a person who has failed to appear or has otherwise warranted the issuance of a writ for his arrest.
29. **CASELOAD:** The number of cases circulating within the jurisdiction of a court, a particular judge, the prosecution or public defender's office at any given time.
30. **CHANGE OF VENUE:** Moving the location of a trial from one county to another, and selecting a jury of residents of the new county. Usually done when a question of obtaining a fair and unbiased jury has arisen.
31. **CIRCUMSTANTIAL EVIDENCE:** Facts that might lead one, indirectly, to the conclusion of guilt or innocence in a particular case.

32. **COERCION:** To force by fear.
33. **COMMUNITY SERVICE:** A condition imposed as a part of a sentence through which the judge orders the defendant to perform various tasks within the community for a certain number of hours, i.e., picking up trash, washing police cars.
34. **COMPLAINT:** A written accusation made by any person, often a prosecutor, and filed in court, alleging a certain person or persons committing specific crimes.
35. **COMPLAINANT:** One who starts a criminal prosecution, often a victim.
36. **CONCURRENT SENTENCE:** When a defendant is sentenced on several counts or cases and the court sentences the defendant to serve them at the same time, thereby making the defendant only serve one term.
37. **CONSECUTIVE SENTENCE:** When a defendant is sentenced on several counts or cases and the court sentences the defendant to serve the sentences one after the other.
38. **CONFESSION:** A voluntary, written statement of one's own guilt in a crime.
39. **CONSPIRACY:** An agreement between two or more persons to commit an illegal act.
40. **CONTEMPT OF COURT:** Any act that is designed to embarrass, hinder or obstruct the court in the administration of justice, or an act that directly and deliberately disobeys an order of the judge in a case.
41. **CORROBORATING EVIDENCE:** Evidence tending to support, or verify, or lend truth to other evidence.
42. **COUNT:** The term used for each separate offense listed in a complaint, information or indictment.
43. **COURT-APPOINTED ATTORNEY:** An attorney appointed by the court usually in a case where the public defender has a conflict.
44. **COURT CLERK:** The administrative officer of the court; who keeps its records.
45. **COURT REPORTER:** A person who records (stenograph machine or electronic recording) that which is said during a trial or other legal proceeding.
46. **CREDITABLE:** Trustworthy; reputable.
47. **CRIMINAL INTENT:** The intention of doing something that is condemned by the law as being wrong.
48. **CROSS EXAMINATION:** The questioning of a party and/or his attorney of the opponent's witness.
49. **D/N - DISPOSITION NOTICE:** A statement to the Clerk of Court notifying them when we drop a case prior to the filing of an Information.
50. **DEFENDANT:** The person against whom a criminal case is pending.
51. **DEFENSE ATTORNEY:** An attorney that defends the defendant in court.
52. **DEFRAUD:** Cheat.
53. **DEPOSITION:** A pre-trial proceeding which consists of a statement of a witness (or victim) under oath, taken in question and answer form as it would be in court, with opportunity given to the other side in the case to be present and cross-examined, with all of this recorded by a court reporter.
54. **DIRECTED VERDICT OF ACQUITTAL:** An action by the judge, ordering the jury to find the defendant innocent, when, at the conclusion of the prosecution's case, the court decides that the guilt of the accused has not been legally proven.
55. **DIRECT EXAMINATION:** Questioning of a witness by the attorney who has called that witness.

56. **DISCOVERY:** A modern pre-trial procedure by which one side in a case is permitted by law to gain vital information concerning the case held by the other side.
57. **DISMISSAL:** A decision by a judge to terminate a case without a determination of guilt or innocence.
58. **DISPOSITION:** The outcome of a case.
59. **DOCKET:** See arrest and booking report.
60. **DOUBT, BEYOND A REASONABLE:** Beyond such a doubt as a reasonable man would have, after careful investigation and consideration of all the evidence. The legal barrier the prosecution must pass before a jury can return a verdict of guilty in a criminal case.
61. **ENTRAPMENT:** The act of officers in inducing a person to commit a crime he would not otherwise commit, for the purpose of starting a criminal prosecution against him.
62. **ESTREATURE:** The time during which the case is held in abeyance pending forfeiture of the bond.
63. **EVIDENCE:** Any type of proof in a case, presented at the trial through witnesses, records, documents, etc., for the purpose of convincing a jury as to the truth of them or falseness of an allegation against the defendant.
64. **EXEMPLARS:** A specimen which is capable of supporting both deduction and inference, i.e., handwriting or fingerprint samples.
65. **EXONERATE:** Acquit; to clear of guilt or accusation.
66. **EXPUNGEMENT/SEALED FILE:** A defendant can do a motion to seal/expunge his file that will be heard by the court. This motion is either granted or not granted. When granted, the records of the clerk, sheriff, and state attorney is deleted.
67. **FELONY:** Any crime for which the penalty could be death, or any prison sentence of a year or more.
68. **FORFEITURE OF BOND:** Giving up the money put on a bond, as a penalty for violating the terms of the bond.
69. **FUGITIVE:** One who flees to avoid prosecution or punishment of a crime.
70. **GRAND JURY:** A body of citizens which hears evidence against a person and decides if that person should be prosecuted. It also makes public recommendations about what it believes are serious problems with governmental agencies.
71. **HABEAS CORPUS:** A written order, called a "writ", requiring that a prisoner be brought before a judge to determine whether or not that individual is being held legally.
72. **HARASS:** To disturb; trouble.
73. **HEARING:** A legal proceeding in which arguments, witnesses or evidence are heard by a judge or administrative body.
74. **HEARSAY:** Evidence of what some other person is heard to say. It is not based on the witness' personal knowledge, and in most cases is not allowed by the judge.
75. **HUNG JURY:** A jury which has failed to arrive at a verdict.
76. **HYPOTHETICAL QUESTION:** A combination of facts or circumstances, assumed or proven, stated in such a form as to constitute a reasonable set of facts upon which the opinion of a witness, usually an expert, can be asked by way of evidence in a trial.
77. **IMMATERIAL EVIDENCE:** Evidence which has no bearing on the issue in the opinion of the judge, who will usually prevent it from being given to a jury.

78. **IMMUNITY:** Exempt from penalty. Immunity from prosecution, such as that granted a witness to encourage answers to questions one might otherwise refuse to answer on grounds protecting self-incrimination.
79. **IMPEACH A WITNESS:** An attack on the credibility of a witness by the testimony of other witnesses.
80. **INADMISSIBLE EVIDENCE:** Evidence which, for legal reasons, cannot be admitted or received.
81. **INCRIMINATE:** To tie one in with a crime.
82. **INDICTMENT:** A written accusation against someone; prepared and handed down by a grand jury.
83. **INDIGENT:** A person who is unable to afford representation by an attorney. If a judge determines after examination that a defendant in a criminal case cannot afford to hire an attorney to defend him, he can declare the defendant indigent and either appoint the public defender or a private attorney to represent his interests in court.
84. **INFORMATION:** The formal charging document alleging crimes based on the facts supplied to the state attorney. It is signed by the state attorney and has the effect of an indictment.
85. **INITIAL APPEARANCE:** The first appearance before a judge by persons in jail charged with crimes; usually occurring within 12-24 hours of the arrest. At the appearance, the charge is read, and arrangements are made for legal counsel. (See Bond Hearing).
86. **INJUNCTION:** An order of a court which prohibits a person from doing certain acts.
87. **INSOLVENCY:** Unable to pay debts. The financial condition of a defendant, which should enable a judge to appoint free legal counsel for him.
88. **INTAKE:** The division of the State Attorney's Office in which all cases are first received.
89. **JUDGE:** A public official appointed or elected to hear and decide cases in a court of law.
90. **JUDGMENT:** A decision or sentence of the law given by a court, i.e., pertaining to a judgment of guilt or a bond forfeiture.
91. **JURISDICTION:** The legal authority of a court to make judgments.
92. **JURY:** A certain number of people selected, according to law, who are sworn to inquire of certain matters of fact and declare the truth upon the evidence available to them.
93. **KNOWINGLY:** Intentionally; with knowledge.
94. **LEADING QUESTION:** A question which instructs a witness how to answer; that put words into his mouth to be echoed back. This type of question is prohibited on direct examination.
95. **LESSER INCLUDED OFFENSE:** When a defendant is charged with a particular crime, i.e., Burglary and pleads to Trespass, we call that pleading to a lesser included offense. Not all crimes have lesser included offenses, i.e., DUI.
96. **MISDEMEANOR:** Any offense which carries a penalty of up to a year in jail and/or a fine of up to \$1,000.
97. **MISTRIAL:** A trial which, for some extraordinary circumstance, has been terminated and declared void prior to the jury's returning a verdict. A mistrial is usually declared after the court agrees that some fundamental legal error has occurred that is prejudicial to the defendant.
98. **MOTION:** A formal request to the court asking for an order or ruling in favor of the person making the request. It can either be made before, during or after a trial.
99. **MOTIVE:** The cause or reason that leads the mind to commit a crime.
100. **NOLLE PROSEQUI:** (Nolle Prosequi or "nol pros") A formal entry made on the record in a case by

which the state attorney says he will not prosecute a case after an information/indictment has been filed with the Clerk.

- 101. **NOLO CONTENDERE:** A plea to a charge that can be entered in a criminal case in which the defendant neither admits nor denies his guilt, leaving the decision up to the court. In other words, the defendant does not contest the allegations.
- 102. **NON-JURY TRIAL:** See Waiver Trial, also, Bench Trial
- 103. **OATH:** Any form of solemn pledge by which a person signifies he is bound in conscience to tell the truth.
- 104. **ORDINANCE:** A law or statute. It also can mean the laws enacted by a municipal government.
- 105. **OVERRULE:** The terms used when the court denies any motion raised by either side in a case; such as "motion overruled".
- 106. **PARDON:** An act by the governor which removes the penalties and other legal consequences from a person convicted of a crime.
- 107. **PAROLE:** The status of a person conditionally released from prison prior to the completion of his sentence, and placed under the supervision of a probation and parole agency.
- 108. **PERJURY:** To lie while under oath.
- 109. **PETITION:** The formal charging document alleging crimes committed by a juvenile defendant based on the facts supplied to the state attorney. It is signed by the state attorney and has the effect of an indictment.
- 110. **PLAINTIFF:** The person complaining in any legal litigation.
- 111. **PLEA:** (Guilty, Not Guilty, Nolle Contendere) A defendant's formal answer in court to the charges brought against him in a complaint, information or indictment.
- 112. **PLEA BARGAINING:** Negotiations between the defense counsel and the prosecution, seeking an agreement under which the defendant enters a plea of guilty.
- 113. **PREJUDICE:** Bias toward one side or another.
- 114. **PRELIMINARY HEARING:** A hearing before a County Court Judge, held to determine whether or not there is probable cause to believe that a crime was committed and that the defendant committed the crime.
- 115. **PRE-SENTENCE INVESTIGATION:** An investigation ordered by the court, prior to the sentencing of a convicted defendant that thoroughly explores the past behavior, family background and personality of the defendant. The report acts as a guide to the court in sentencing.
- 116. **PRE-TRIAL:** The scheduled conference for a case in which there is an opportunity to dispose of the case prior to trial through a plea of guilty or no contest.
- 117. **PRE-TRIAL DIVERSION:** A court-controlled program designed to allow first and second time offenders to be diverted from the criminal justice system into rehabilitative projects, if the judge and other court agencies think the person is a proper candidate for diversion.
- 118. **PRE-TRIAL RELEASE:** A court-related program designed to identify persons charged with crimes who would be good risks for release without bail prior to trial. This program permits defendants to earn money for their family and trial expenses, instead of spending unproductive time in jail.
- 119. **PRIMA FACIE CASE:** A case put together with evidence that is sufficient enough to overcome the defendant's strongest asset; that he is presumed innocent until proven guilty. If a Prima Facie case is

not established by the prosecution, the court may grant the defendant's motion for a directed verdict of acquittal.

- 120. **PROBABLE CAUSE:** A set of facts and circumstances which would lead a reasonable, intelligent and prudent person to believe that an accused person had committed a specific crime.
- 121. **PROBATION:** A plan whereby a defendant, found guilty of a crime, is released by the court, without imprisonment, under the supervision of a probation officer for a specific length of time and with specific restrictions placed on his lifestyle.
- 122. **PROSECUTOR:** An attorney who represents the State of Florida and whose job it is to prepare and conduct the prosecution of persons accused of crimes.
- 123. **PROSECUTION:** The act of preparing a criminal case for court by an attorney who represents the State.
- 124. **PUBLIC DEFENDER:** An attorney paid by the State whose official duty it is to represent defendants unable to hire private attorneys to represent them in criminal prosecutions.
- 125. **QUASH:** A term meaning to suppress; crush out, make void. When a judge grants a defense motion to quash an Information in a particular criminal case, it means the prosecution cannot go forward on that information the way it is written.
- 126. **REASONABLE DOUBT:** The amount of certainty required of a juror for conviction on a criminal charge. These words are used in a judge's instructions to a jury to indicate that the defendant's innocence is presumed, unless guilt is so clearly proven that a jury can see that no "reasonable doubt" remains as to the guilt of the person charged.
- 127. **REASONABLE GROUNDS:** Such evidence as would cause a reasonable person to believe a thing.
- 128. **REBUTTAL:** Producing evidence to disprove the case of an opponent in a criminal case or trial.
- 129. **RECIDIVISM:** Repeatedly becoming involved in criminal activity despite exposure to penalties of the courts.
- 130. **RELEVANT:** That which is proper and timely to the case or trial.
- 131. **RELEASE ON RECOGNIZANCE (ROR):** Release without money bond, by a judge, of an accused person who has been taken into custody upon his promise to appear in court as required for criminal proceedings.
- 132. **REMAND:** Put back into custody after release.
- 133. **RESTITUTION:** To pay back. Usually a special condition of probation, requiring the defendant to reimburse the victim of a crime for any financial losses incurred as a result of the crime.
- 134. **REVERSAL:** The cancellation of a lower court ruling by a superior court.
- 135. **RULE(Invoking the)** This is an order of the court requiring all witnesses who may testify for either side in a trial to remain out of the courtroom until they are called to testify. These witnesses are told by the court not to talk about their testimony with anyone other than the attorneys.
- 136. **SEARCH WARRANT:** An order issued by a judge, directing law enforcement officers to conduct a search of a particular place for specific persons or things and to bring them before the court.
- 137. **SELF-DEFENSE:** The protection of one's person or property against some injury attempted by another. When acting in justifiable self-defense, as set forth in the law, a person may not be punished criminally.
- 138. **SENTENCE:** The penalty imposed on a defendant after he has been convicted of a crime. Sentences can be: Intermediate - a length of time "not less than", "nor more than" a term of months and/or years

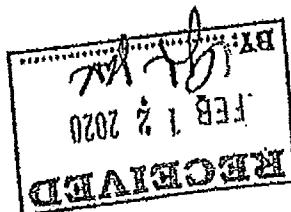
set by a judge; Consecutive - terms of imprisonment levied by the court on two or more charges that are to be served one after the other; Concurrent - Two or more terms of imprisonment to be served at the same time, thereby making the defendant serve only one term; Suspended - withholding or postponing the sentence of a defendant after conviction.

- 139. **SLANDER:** The speaking of false, malicious words about another.
- 140. **SPEEDY TRIAL:** Everyone is entitled to a trial within 90 days from the day of arrest for misdemeanor and juvenile charges and 180 days from the day of arrest on a felony charge. If demanded, the person charged with a felony is entitled to a trial within 60 days of arrest.
- 141. **STATE ATTORNEY:** The elected official responsible for prosecuting defendants accused of committing crimes.
- 142. **STATUTE:** Any law passed by a state or federal legislative body.
- 143. **STATUE OF LIMITATIONS:** The time limit on which a person may be tried on a crime. There are no time limitations on crimes that carry the death penalty.
- 144. **SUBPOENA:** A court order requiring a witness to appear and give testimony before a judge or officer of the court.
- 145. **SUBPOENA - DUCES TECUM:** A subpoena that not only requires a witness to appear, but also requires him to bring with him records and documents he may have that have bearing in the trial.
- 146. **SUMMONS:** An official notice for a person to appear at a given place and time in order to perform some function required in litigation.
- 147. **SUSPECT:** A person, adult or juvenile, who is considered by a criminal justice agency, to be someone who may have committed a specific crime, but who has not been arrested or charged.
- 148. **SUSPENDED SENTENCE:** Withholding or postponing the sentence of a defendant after conviction.
- 149. **SUPERSEDEAS BOND:** A bond pending appeal set by and at the judge's discretion. If the defendant has a prior felony conviction, he is not entitled to a supersedeas bond during the appeal.
- 150. **TANGIBLE EVIDENCE:** Evidence one can see, hold, feel, etc. The term is also used to mean "real" evidence, rather than "hearsay" evidence.
- 151. **TCC - TRANSFER TO COUNTY COURT:** When a defendant is charged with a felony and the state attorney determines that the case should be handled as a misdemeanor, this is called a TCC.
- 152. **TESTIFY:** To give evidence in a case, usually from a witness, and almost always under oath.
- 153. **TRANSCRIPT:** The official record of proceedings in a trial or hearing.
- 154. **TRIAL:** The examination of issues of fact and law in a case, beginning when the jury has been selected and sworn in a jury trial, and concluding when a verdict is reached by the jury or a judge or the case is dismissed.
- 155. **UNCONSTITUTIONAL:** Contrary to the Constitution.
- 156. **VERDICT:** The unanimous decision of a jury reported to the court on matters submitted to it in the trial of a case.
- 157. **VERIFY:** To prove; confirm.
- 158. **VICTIM:** A person who has suffered death, physical or mental suffering, or loss of property as a result of an actual or attempted criminal offense committed by another person.
- 159. **WAIVER:** An intentional and voluntary giving up or surrendering of some known right. In a criminal case, this might be waiving a speedy trial, waiving a preliminary hearing, waiving a jury trial, etc.

160. **WAIVER TRIAL:** The examination of issues of fact and law in a case, held in front of a judge only concluding with the judge's finding of the case or by dismissal of the charges.
161. **WITHHOLD ADJUDICATION:** When the defendant either pleads guilty/no contest or is found guilty, the court can either withhold adjudication or adjudicate the defendant guilty. When withhold adjudication of guilt occurs, it is easier for the defendant at a later time to have his record sealed.
162. **WITNESS:** A person that has knowledge regarding a crime that occurred, either as the witness or as the victim.
163. **WARRANT:** A written document that is issued by the judge, authorizing a law enforcement officer to make an arrest, make a search or carry out a judgment of the court.

Exhibit BB

Via email



Curtis W. Lee.
7124 Claremont Creek Dr.
Jacksonville FL 32222
904 - 619 - 2422
curtlee59@aol.com
Feb. 9, 2020

Miriam Nelson, Public Records Division
State Attorney's Office, 4th Judicial Circuit (SAO)
311 W. Monroe St.
Jacksonville FL 32202

Re: (1) Complaints re: SAO misconduct.
(2) New public records requests (PRRs) -- see bold type on pg. 1 and see pp. 2 - 3

Dear Ms. Nelson:

My tone in writing this letter reflects irritation and concern. The SAO provided slipshod, partial and not fully compliant responses to certain past PRRs, and thereby violated the Public Records Act ("PRA") and wasted my time. The violations will continue unless you seek counsel and change your conduct.

You seem to assume I know what you know, even though you sometimes fail to provide documents with detail and information I wanted and needed. Please take more time to thoughtfully respond to my future PRRs initially, and save both of us time and aggravation, going forward.

The SAO, on or about 11/27/19, made available to me a 4 page document containing salary information re: 115 SAO employees. (Hereafter, "Salary Schedule") Please advise if you disagree with my count. The Salary Schedule does not indicate the effective date of those listed salaries. I.e., is the schedule as of 11/27/19? 10/31/19? What? Why would the SAO provide to me, and why would the SAO maintain, such a document that failed to disclose such a key fact?

Provide the salary schedule noted above, with written notations showing the effective date of such schedule, if such newly requested document exists. If there is no such document, so indicate.

The SAO apparently intended its provision of the Salary Schedule to constitute its response to previously submitted PRR letters, such as those I sent the SAO dated 10/31/19 and 11/7/19 (the latter of which was in part a reminder letter). I will not now re-provide these documents, or the SAO invoices I refer to below, as the SAO has them.

I had, months ago, sought detailed information backing up the SAO's past charges to me for its time spent responding to my PRRs. The hourly rates that the SAO charged to me last fall, and earlier, were not accompanied by any documentary proof re: the legality of those hourly charges, or the accuracy thereof. Further, the SAO consistently refused to provide me the names and/or rates of pay of the persons purportedly providing services to me and for whose time I was invoiced. Now, I have the Salary Schedule, which provides the annual pay of numerous SAO employees at a therein unrevealed point in time. The bottom line is that I lack the names of the SAO employees for whose time I was billed, and remain in the dark. I still cannot determine if the SAO improperly charged me or otherwise violated the law re: any part of its past invoicing.

I refer the SAO to invoices it earlier provided me, dated 7/19/18, 2/4/19, 10/17/19, and 10/24/19. All are flawed:

- The SAO invoiced me at \$12.00 per hr. on 7/19/18.
- Who provided the services, and what was his or her annual base pay, total annual compensation, and hourly equivalents thereof? I have the same questions re: all the other invoices mentioned below.
- The SAO invoiced me at \$36.00 per hr. on 2/4/19, for an administrator's "extended project rate". I was also then invoiced at \$23.76 per hr., by a "specialist", at an "extended project rate". Who are these people? What is an extended project rate? What is an extensive rate?
- The Salary Schedule suggests to me that no one at the SAO who could be deemed an "administrator" (as opposed to an attorney) has anywhere near a pay rate of \$36.00 per hr.
- Then, oddly, the SAO invoiced me at a lower rate for administrative time - \$26.00 per hour -- twice in Oct. 2019. And, it then billed me for \$50.00 per hr. for ASA time.
- Mathematically, the chances are remote that all administrators and ASAs in Oct. 2019 had hourly rates of pay that were precise dollar amounts. Thus, I charge the SAO with rounding the rates of pay and/or using averages; both of which stink of impropriety. Therefore, I suspect the SAO violated the PRA.

I contend that the SAO's provision of the Salary Schedule was non-responsive to my past PRRs, for these *additional* reasons, and that, therefore, the SAO violated the PRA re: all of its invoicing and I deserve a full refund. Hence, I now demand a full refund of all amounts paid to the SAO for public records.

- (1) First – some background. The SAO previously indicated that it has about 200 employees, about half of whom are attorneys, and about half of whom are not. The SAO states online that it had 114 prosecutors at any unknown date in 2019 or early 2020, all of whom would be FL attorneys. (Why does the SAO provide statistics that clearly will vary over time, without telling the public the effective dates of those statistics?) I am unable to find any firm indication re: how many employees the SAO had at a particular recent point in time.
- (2) The Salary Schedule referenced above per my count lists 115 persons thereon. It includes 8 persons who have told me, or respecting whom I have reason to believe, that they are FL attorneys. It includes 1 person – you – who I believe to not be a FL attorney. Please advise if I err. As for the rest, I do not know who are, or who are not, attorneys. I suppose I could make inferences based on salary levels etc., but I should not be put in the position to do so as my knowledge is incomplete and inferences are not probative. Further, the SAO knew in advance that I wanted documents proving certain invoiced hourly rates, one of which was the hourly rate of pay of an ASA whose identity was not disclosed. You knew what I wanted, and what I needed in order to evaluate the propriety of past SAO invoicing, and yet you refused to disclose the identity of the particular ASA. This is just an example. Again, you wasted my time and you treated my rights with contempt.
- (3) Because the SAO, re: the above – referenced invoices, always refused to ID the persons for whose services and time I was invoiced, the SAO intentionally made it impossible for me to evaluate the legality and propriety of its invoicing.
- (4) The \$50.00 hourly rate re: ASA services, for which I was invoiced, is especially suspect. I know that ASA = assistant state attorney in SAO lingo, and that ASA's are attorneys. Doing my own math, which you are welcome to address if you so choose, suggests that (a) 110 of the persons on the Salary Schedule were attorneys. I.e. everyone making \$50,000 + per annum listed on said schedule, excluding Miriam Nelson. And (b) Those attorneys or ASA's on average had a base pay of about \$74,000 per annum (my math – double – check if you wish), which equates to less than \$36.00 per hour. (I used the standard divisor of 2080, which equates to 40 hours per week, times 52 weeks.)

If you wish to explain, differ, etc., please do so. I don't like being left in the dark, especially when I am invoiced.

- (5) Hence, did the SAO invoice me using some sort of average ASA hourly rate? Either way, why have you never told me how? Despite my demands, the SAO never provided documents and analysis justifying any invoiced hourly rate.

More New PRRs

Please provide the following documents:

- (1) Showing the effective or "as of" date of the previously provided Salary Schedule.
- (2) Showing what persons listed in such document were FL attorneys as of its effective date.
- (3) Re: the other persons there listed, who were not then attorneys, showing their titles and/or positions.
- (4) Salary schedules for all employees of the SAO as of the most recent available date. When providing me such schedules, indicate the effective date of such schedules, and provide documents showing which employees noted there were FL attorneys, and of the other employees, showing their titles and/or positions.
- (5) Showing who the SAO deems to be "administrators", "specialists" and "ASAs" for PRA-related purposes.
- (6) Showing what is often called a benefit load percentage and/or add-on re: SAO employees, as of the most recent available date. Such figure takes into account employer – paid FICA and Medicare taxes, employer contributions to pension and defined contribution plans, other employer paid benefit and insurance costs, and the like, that the SAO as an employer has, and that represent additional costs of employment, and determines the percentages of employees' compensation that such non-salary costs represent, or otherwise determines such add-on costs.

- (7) Showing the effective date of such figures and determinations discussed in (6) above.
- (8) Showing, as of Oct. 2019, which persons having which titles or falling within what employee categories performed the services for which I was invoiced by the SAO on 10/17/19 and 10/24/19. In short, provide documents showing their names, titles and positions.
- (9) Re: such persons, showing their Oct. 2019 annual base pay, and the benefit load percentages or add-ons applicable to each of them, with resulting annual and hourly – equivalent compensation costs for each of them.
- (10) Showing why the SAO invoices in 2019, did not use hourly rates that were not reflective of documents provided above.
- (11) Re: said invoices, showing the basis of differential billings by and hourly rates of SAO administrators and specialists – sometimes invoiced at extended rates, and sometimes apparently not.
- (12) Defining these terms and phrases that the SAO uses in its invoicing – “extended project rates”, and “extensive rates”.
- (13) Showing the SAO’s invoicing methodology especially re: invoicing its employees’ time under the PRA. I am especially interested in said methodology re: use of any averages or rounded figures.
- (14) All SAO invoices to persons other than me, dated in 2019.
- (15) Re: each of the SAO invoices to me dated 2/4/19 and 7/19/18, provide documents showing:
- Why I was billed at a higher rate for one or more administrator’s time in Feb 2019 than in Oct. 2019.
 - The names of all persons for whose time I was thereby invoiced, and their titles and positions.
 - The annual base pay of such persons, and their benefit loads and/or add-ons.
- (16) The 2019 Annual Report of the SAO.

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If you believe that any of the above PRRs have flaws (perhaps they are unclear, overbroad, etc.), please advise in detail, as I would like to save time and expense for myself and the SAO, and thus would be happy to revamp, streamline, etc.

Please email me responsive documents. Please advise if and to the extent any responsive documents don’t now exist, or don’t exist as of the time of your response to these PRRs. If the SAO intends to seek any payments re: these PRRs, do not incur or assess any costs or charges without first providing me a detailed written estimate, and obtaining my written assent. When I seek detailed estimates, I seek estimates per each of the above numbered PRRs (or parts thereof) so that I may decide which PRRs or parts thereof not to pursue should I deem estimated costs excessive.

If the SAO claims exemptions and/or rights to redact, please detail the claims and the claimed authority for withholding and/or redacting documents. Plus, please provide, with respect to each withheld document and redaction, a log or other report showing the author, recipient, date and nature of each document withheld and/or each portion redacted, so that I can know what is “missing”, and why, and so that I can challenge SAO conduct if I deem necessary.

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Please respond promptly. As always, please respond in detail if you contend that I have erred, and please advise if you have any questions or concerns.

Thank you.

Cc: B. Rathet, H. Armstrong

Sincerely,

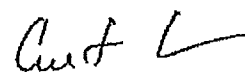


Exhibit CC

Name	Title	Department	Salary Effective Date	Monthly Salary	Annual Salary	Employer Monthly Cost	Terminated Date
Adams, Timothy A.	Investigator II	INVESTIGATORS	10/1/2019	\$4,858.33	\$58,299.96	\$6,471.48	
Algee, Rachel	Assistant State Attorney-Over Million	CR-A	1/1/2020	\$4,812.50	\$57,750.00	\$8,095.53	
Allichin, Alexa B.	Victim/Witness Counselor I	SVU	10/1/2019	\$2,666.67	\$32,000.04	\$3,100.12	
Alves, Lindsey	Intake Clerk I	FPD - FELONY FILING	5/14/2019	\$2,000.00	\$24,000.00	\$2,325.98	
Anderson, Elizabeth Ann	Intake Clerk I	NASSAU COUNTY	10/1/2019	\$2,878.97	\$34,547.64	\$4,885.97	
Anderson, Lauren Marie	Assistant State Attorney-Over Million	TARGETED PROSECUTION	10/1/2019	\$5,500.00	\$66,000.00	\$8,077.31	
Atkinson, James T.	Assistant State Attorney-Over Million	TARGETED PROSECUTION	10/1/2019	\$5,000.00	\$60,000.00	\$8,315.90	
Baer, Jr., Douglas Michael	Assistant State Attorney-Over Million	CR-A	10/2/2019	\$4,208.33	\$50,499.96	\$6,323.65	
Baggett, Kimberly Givens	Automated Systems Specialist II	COMPUTER DIVISION	10/1/2019	\$5,086.47	\$61,037.64	\$7,449.30	
Bartuccelli, Ashley Elizabeth	Clerk II	PUBLIC RECORDS	10/1/2019	\$2,041.67	\$24,500.04	\$3,913.68	
Bastian, Angela D.	Legal Assistant/ Secretary III	SPECIAL PROSECUTION	10/1/2019	\$4,416.67	\$53,000.04	\$6,116.75	
Beasley, Stephanie J.	Clerk III	CIRCUIT COURT - OTHER THAN DIV.	10/1/2019	\$2,537.66	\$30,451.92	\$4,489.63	
Beck, Elizabeth Erin	Assistant State Attorney-Over Million	SVU	10/1/2019	\$4,590.00	\$55,080.00	\$6,866.50	
Becker, Katri Anne	Assistant State Attorney-Over Million	CR-B	10/1/2019	\$4,416.66	\$52,999.92	\$6,606.46	2/21/2020
Bell, Sarah A.	Assistant State Attorney-Over Million	NASSAU COUNTY	10/2/2019	\$4,250.00	\$51,000.00	\$7,347.96	
Bellon, Sabrina R.	Secretary III	DEFO. ROOM	10/1/2019	\$3,431.76	\$41,181.12	\$4,702.34	
Bennett, Joyce Ann	Secretary IV	TARGETED PROSECUTION	10/1/2019	\$3,483.31	\$41,799.72	\$5,801.25	
Bickley, Darryl	Clerk II	ADMINISTRATION	10/01/2017	\$1,836.86	\$22,042.32	\$2,136.54	
Binder-Glase, Antoinette Doreen	Legal Assistant/Secretary IV	ADMINISTRATION	10/1/2019	\$4,618.60	\$55,783.20	\$6,940.85	
Bisplinghoff, Dave	Investigator I	INVESTIGATORS	7/1/2018	\$5,121.29	\$61,455.48	\$7,535.35	
Blair, Jaclyn R.	Assistant State Attorney-Over Million	CR-C	10/2/2019	\$4,208.33	\$50,499.96	\$6,358.65	
Blalock, Sheryl Kay	Intake Clerk I	FPD - FELONY FILING	6/8/2019	\$2,000.00	\$24,000.00	\$2,325.98	
Bodenschatz, Marcus P.	Computer Operator I	COMPUTER DIVISION	10/1/2019	\$2,664.25	\$31,971.00	\$3,811.10	
Borello, Katherine M.	Assistant State Attorney-Over Million	CR-E	10/2/2019	\$4,270.83	\$51,249.96	\$6,652.19	
Bottin, Laura L.	Legal Assistant/ Secretary I	PARALEGALS	10/1/2019	\$2,625.52	\$31,506.24	\$3,407.44	
Bowden, Ollie Renae	Secretary II	COMPUTER DIVISION	10/1/2019	\$2,166.67	\$26,000.04	\$3,233.32	
Braden-Lavanderos, Ashley Marie	Switchboard Operator I	CLAY COUNTY	10/1/2019	\$1,895.83	\$22,749.96	\$3,744.34	
Bradley, Paula A.	Legal Assistant/ Secretary I	SVU	10/1/2019	\$3,214.99	\$38,579.88	\$5,276.15	
Brady, Brian	Assistant State Attorney-Over Million	ADMINISTRATION	7/1/2018	\$8,743.86	\$72,254.28	\$8,743.86	11/8/2019

Branscome, Haley Marie	Prosecution Support Specialist I	JUVENILE	10/1/2019	\$2,291.67	\$27,500.04	\$3,378.46
Brooks, Ashleigh Marie	Assistant State Attorney-Over Million	CR-B	10/2/2019	\$4,208.33	\$50,499.96	\$6,358.65
Brosse, Sandra Leigh	Assistant State Attorney-Over Million	CLAY COUNTY	10/1/2019	\$4,166.67	\$50,000.04	\$6,303.21
Brown, Vionica Iris	Assistant State Attorney-Over Million	CR-G	10/2/2019	\$4,208.33	\$50,499.96	\$6,358.65
Buchanan, Deshonna R.	Secretary II	CONVICTION INTEGRITY UNIT	10/1/2019	\$2,040.00	\$24,480.00	\$2,372.43
Cabrera-Thomas, Alicia	Legal Assistant/ Secretary I	CGIC - Violent Crimes Unit	5/6/2019	\$2,000.00	\$24,000.00	\$2,325.98
Cagle, Deanna	Secretary II	COUNTY COURT - MISDEMEANOR	4/22/2019	\$2,000.00	\$24,000.00	\$2,325.98
Callie, Mark A.	Assistant State Attorney-Over Million	TARGETED PROSECUTION	11/1/2019	\$12,583.33	\$150,999.96	\$18,441.31
Camera, Lynne Marie	Legal Assistant/ Secretary III	CLAY COUNTY	10/1/2019	\$4,553.92	\$54,647.04	\$6,005.39
Campbell, LaTasha Marsha	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$5,583.33	\$66,999.96	\$8,188.22
Campbell-Fatoki, Adenike Oluwatolosa	Fiscal Director II	BUSINESS OFFICE - FISCAL	10/1/2019	\$7,500.00	\$90,000.00	\$9,616.65
Canada, Debra	Human Resources Administrator	HUMAN RESOURCE	10/1/2019	\$4,791.67	\$57,500.04	\$7,106.98
Carr, Lauren Jeanine	Paralegal Specialist I	SVU	7/1/2019	\$2,083.33	\$24,999.96	\$2,422.75
Carr, Lori Ann	Assistant State Attorney-Over Million	CR-H	9/23/2019	\$5,166.67	\$62,000.04	\$7,692.44
Carter, Dawn Marie	Prosecution Support Specialist II	NASSAU COUNTY	10/1/2019	\$4,231.95	\$50,783.40	\$6,457.04
Carter, Melanie Joy	Secretary II	COUNTY COURT - MISDEMEANOR	8/26/2019	\$2,000.00	\$24,000.00	\$3,039.78
Chapman, David Andrew	Public Info. Officer II	ADMINISTRATION	10/1/2019	\$5,512.50	\$66,150.00	\$7,118.49
Chastain, Deborah M.	Paralegal Specialist II	SPECIAL PROSECUTION	10/1/2019	\$4,320.81	\$51,849.72	\$5,734.70
Chessman-Poole, Barbara J.	Paralegal Specialist II	CIRCUIT COURT - OTHER THAN DIV.	10/1/2019	\$4,100.00	\$49,200.00	\$6,303.82
Cipolla, Violet A.	Paralegal Specialist I	SVU	5/6/2019	\$2,200.00	\$26,400.00	\$4,097.54
Clark, Natoya Dine	Victim/Witness Counselor I	COUNTY COURT - MISDEMEANOR	10/1/2019	\$2,758.41	\$33,100.92	\$3,920.45
Clark-Murray, Cassandra L.	Prosecution Support Specialist I	DIVERSION	10/1/2019	\$2,847.93	\$34,175.16	\$4,849.91
Collins, Beverly	Assistant State Attorney-Over Million	NASSAU COUNTY	10/1/2019	\$6,441.67	\$77,300.04	\$9,332.90
Collins, Frances Noye	Victim/Witness Counselor I	SAKI	10/1/2019	\$3,055.74	\$36,680.88	\$4,266.87
Colon, Desiree A.	Secretary IV	CLAY COUNTY	10/1/2019	\$3,206.16	\$38,473.92	\$5,265.89
Cona, Jamie Virginia	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$4,166.67	\$50,000.04	\$5,547.75
Cooper, Chris Marie	Paralegal Specialist I	SPECIAL PROSECUTION	10/1/2019	\$3,666.67	\$44,000.04	\$5,199.88
Cooper, Jr., Joel C.	Assistant State Attorney-Over Million	SVU	10/1/2019	\$7,016.67	\$84,200.04	\$11,032.09
Copeland, Margaret Sue	Clerk II	CIRCUIT COURT - OTHER THAN DIV.	10/1/2019	\$2,558.33	\$30,699.96	\$4,447.50
Cornellier, Donna H.	Administrator IV	COPY CENTER / MAIL ROOM	10/1/2019	\$5,916.07	\$70,992.84	\$8,775.30
Covert, Teresa Lynn	Legal Assistant/ Secretary II	CLAY COUNTY	10/1/2019	\$3,855.96	\$46,271.52	\$6,020.44
Cox, Robbie Jean	Legal Assistant/ Secretary I	CR-A	10/1/2019	\$3,858.33	\$47,499.96	\$6,139.32

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Crawford, Coreylyn	Assistant State Attorney-Over Million	CR-B	10/1/2019	\$6,174.00	\$74,088.00	\$8,974.16	
Cray, Beth	Clerk II	MPD - MISDEMEANOR FILING	5/20/2019	\$2,041.67	\$24,500.04	\$3,913.68	
Cribbs, Cynthia Lorain	Executive Secretary IV	ADMINISTRATION	10/1/2019	\$4,708.33	\$56,499.96	\$6,184.70	
Crockett, Bryan Hobson	Assistant State Attorney-Over Million	CR-C	10/2/2019	\$4,270.83	\$51,249.96	\$5,676.67	
Crowder, Malori J.	Clerk II	COUNTY COURT - MISDEMEANOR	10/1/2019	\$2,333.33	\$27,899.96	\$4,252.36	
Cruz, Sonya	Administrator II	SAKI	10/1/2019	\$3,433.33	\$41,199.96	\$4,674.78	
Cunningham, Shirley A.	Paralegal Specialist II	TARGETED PROSECUTION	10/1/2019	\$2,875.08	\$34,500.96	\$4,055.92	
Dadowski, Laura Lyn	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$4,166.67	\$50,000.04	\$7,087.07	
Dale, Stacy K.	Legal Assistant/ Secretary III	DIVERSION	10/1/2019	\$3,809.16	\$45,709.92	\$5,966.10	
Daughtry, Karen K.	Secretary II	CLAY COUNTY	10/1/2019	\$2,629.16	\$31,549.92	\$4,593.88	
Davis, Trey Brandon	Witness Coordinator I	DIVERSION	10/1/2019	\$2,380.00	\$28,560.00	\$3,481.04	
DeCumous, Claudia Annmarie	Victim/Witness Counselor I	CLAY COUNTY	10/1/2019	\$2,125.00	\$25,500.00	\$3,184.93	
Drury, Muriel Darlene	Word Processor I	COMPUTER DIVISION	10/1/2019	\$3,791.71	\$45,500.52	\$5,945.84	
Dukes, Ernest	Assistant State Attorney-Over Million	CLAY COUNTY	10/1/2019	\$5,221.61	\$62,659.32	\$8,640.77	
Dula, Arben	Intake Clerk II	FILE CONTROL	10/1/2019	\$3,718.75	\$44,625.00	\$5,035.59	
Eakin, Karen M.	Fiscal Administrator III	BUSINESS OFFICE - FISCAL	10/1/2019	\$5,125.00	\$61,500.00	\$6,982.69	
Edwards, James	Clerk II	FILE CONTROL	10/1/2019	\$2,470.83	\$29,649.96	\$3,586.51	
Edwards, Kimano McKennley	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$4,166.67	\$50,000.04	\$7,237.07	
Enderson, Jr., James Wilburn	Investigator I	INVESTIGATORS	10/1/2019	\$3,750.00	\$45,000.00	\$6,535.28	
England, Rachel Elizabeth	Assistant State Attorney-Over Million	CR-D	10/2/2019	\$4,208.33	\$50,499.96	\$6,358.65	
Farnham, Rhonda B.	Secretary III	NASSAU COUNTY	10/1/2019	\$2,885.55	\$34,626.60	\$4,893.60	
Farris, Joseph Bryant	Legal Assistant/ Secretary I	JUVENILE	10/1/2019	\$2,145.83	\$25,749.96	\$3,209.11	
Feazell, Bianca Jasmine	Legal Trainee-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$4,166.67	\$50,000.04	\$5,547.75	
Fenoff, Mary Elaine	Paralegal Specialist I	COUNTY COURT - MISDEMEANOR	10/1/2019	\$2,381.30	\$28,611.60	\$4,311.55	
Fischer, Alexandra Block	Assistant State Attorney-Over Million	JUVENILE	10/1/2019	\$4,187.50	\$50,250.00	\$6,555.43	
Foreman, Lisa Roberts	Legal Assistant/ Secretary III	JUVENILE	10/1/2019	\$5,040.44	\$60,485.28	\$7,704.84	
Foster, Donna Michelle	Clerk IV	FPD - FELONY FILING	10/1/2019	\$2,091.66	\$25,099.92	\$3,971.73	
French, Cameron S.	Assistant State Attorney-Over Million	CR-E	10/1/2019	\$7,000.00	\$84,000.00	\$10,073.24	
Fristrom, Chelsea Jane	Secretary II	COUNTY COURT - MISDEMEANOR	10/1/2019	\$2,000.00	\$24,000.00	\$2,325.98	12/20/2019
Frisch, Sierra D.	Assistant State Attorney-Over Million	CIRCUIT COURT - OTHER THAN DIV.	10/1/2019	\$4,469.50	\$53,634.00	\$6,402.55	
Fuentes, Dennis P.	Investigator I	INVESTIGATORS	7/1/2018	\$4,119.50	\$49,434.00	\$6,201.67	
Gasson, Brooke Olivia	Assistant State Attorney-Over Million	CR-E	10/2/2019	\$4,208.33	\$50,499.96	\$6,358.65	

Gaynor, Khary O.	Assistant State Attorney-Over Million	SVU	10/1/2019	\$8,083.33	\$96,999.96	\$12,448.58	
Gibbs, Shannon B.	Intake Clerk III	MFD - MISDEMEANOR FILING	10/1/2019	\$4,125.00	\$49,500.00	\$6,332.85	
Giglio, Richard J.	Assistant State Attorney-Over Million	CR-I	10/1/2019	\$6,416.67	\$77,000.04	\$10,233.49	
Gjedi, Albina	Clerk III	DIVERSION	10/1/2019	\$3,143.61	\$37,723.32	\$4,367.73	
Gough, Julie M.	Fiscal Administrator I	BUSINESS OFFICE - FISCAL	10/1/2019	\$2,460.09	\$29,521.08	\$4,399.56	
Grauel, William Devlin	Assistant State Attorney-Over Million	TARGETED PROSECUTION	10/1/2019	\$5,083.33	\$60,999.96	\$7,522.92	
Green, Pamela	Intake Clerk I	FFD - FELONY FILING	5/23/2019	\$2,000.00	\$24,000.00	\$3,039.78	
Greene, Debbie S.	Prosecution Support Specialist II	DIVERSION	10/1/2019	\$4,867.83	\$58,413.96	\$6,668.30	
Gullikford, Margaret Gibbs	Assistant State Attorney-Over Million	SVU	10/1/2019	\$5,416.67	\$65,000.04	\$8,900.32	
Hall, Victoria	Secretary II	COUNTY COURT - MISDEMEANOR	9/24/2019	\$2,000.00	\$24,000.00	\$3,039.78	
Hamilton, Patricia D.	Secretary III	CLAY COUNTY	10/1/2019	\$3,010.57	\$36,126.84	\$4,213.26	
Hannley, Regina C.	Clerk III	COUNTY COURT - MISDEMEANOR	10/1/2019	\$2,875.00	\$34,500.00	\$5,057.59	
Harms, Carl Edward	Victim/Witness Counselor II	CIRCUIT COURT - OTHER THAN DIV.	10/1/2019	\$3,125.00	\$37,500.00	\$4,346.13	
Harris, Mallika Z.	Secretary II	DIVERSION	10/1/2019	\$2,041.67	\$24,500.04	\$3,088.16	
Harville, Ralph Alan	Investigator I	INVESTIGATORS	7/1/2018	\$5,402.16	\$64,825.92	\$7,909.27	
Hatcher, Darvella Deshaun	Clerk II	DIVERSION	10/1/2019	\$2,391.67	\$28,700.04	\$3,465.20	2/14/2020
Hawkins, Delores N.	Clerk II	MFD - MISDEMEANOR FILING	10/1/2019	\$2,684.59	\$32,215.08	\$3,834.72	
Hazel, Pamela J.	Assistant State Attorney-Over Million	CLAY COUNTY	11/1/2019	\$10,208.33	\$122,499.96	\$15,280.19	
Hazelip, Carlyn Elizabeth	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$4,166.67	\$50,000.04	\$6,303.21	
Heavener, Mackenzie Grace	Clerk II	MFD - MISDEMEANOR FILING	2/19/2019	\$2,041.67	\$24,500.04	\$2,374.36	
Hensley, Jessica Marie	Assistant State Attorney-Over Million	SVU	10/1/2019	\$6,083.37	\$73,000.44	\$9,787.43	
Hicks, Ivan Vaughn	Clerk IV	DIVERSION	10/1/2019	\$3,181.54	\$39,178.48	\$5,237.31	
Hill, Brittany	Clerk II	FFD - FELONY FILING	10/1/2019	\$2,441.66	\$29,299.92	\$3,552.63	
Hill, Charles Garrett	Assistant State Attorney-Over Million	CR-II	10/2/2019	\$6,693.33	\$80,343.96	\$10,604.38	
Hixon, Anna Eileen	Assistant State Attorney-Over Million	SVU	10/1/2019	\$7,083.33	\$84,999.96	\$10,184.12	
Hogg, Leah Allison	Assistant State Attorney-Over Million	TARGETED PROSECUTION	10/1/2019	\$6,255.00	\$75,060.00	\$10,015.81	
Holliday, Octavius Augustus	Assistant State Attorney-Over Million	SPECIAL PROSECUTION	10/1/2019	\$7,916.67	\$95,000.04	\$12,226.82	
Hooper, Zandra Coleman	Prosecution Support Specialist I	NASSAU COUNTY	10/1/2019	\$2,558.33	\$30,699.96	\$4,513.64	
Hough, Meredith Louise	Assistant State Attorney-Over Million	CR-H	10/1/2019	\$4,591.67	\$55,100.04	\$6,839.33	11/20/2019
Hrby, Michael	Prosecution Support Specialist III	DIVERSION	10/1/2019	\$4,225.00	\$50,700.00	\$5,623.45	
Huband, Christopher Roth	Assistant State Attorney-Over Million	TARGETED PROSECUTION	10/1/2019	\$6,250.00	\$75,000.00	\$10,009.16	

Hughes, Brian M.	Paralegal Specialist II	CIRCUIT COURT - OTHER THAN DIV.	10/1/2019	\$3,941.76	\$47,301.12	\$5,294.56
Hughes, Carol J.	Secretary IV	CLAY COUNTY	10/1/2019	\$3,125.97	\$37,511.64	\$3,633.46
Hunter, Alexis-Sydney	Secretary II	COUNTY COURT - MISDEMEANOR	8/26/2019	\$2,000.00	\$24,000.00	\$2,325.98
Hurley, Ebony Elisabeth	Legal Assistant/Secretary I	JUVENILE	2/1/2020	\$2,250.00	\$27,000.00	\$3,330.09
Hurtado, Rebecca N.	Legal Assistant/Secretary IV	FFD - FELONY FILING	10/1/2019	\$4,942.50	\$59,310.00	\$7,282.14
Hutchins, Jacqueline Elaine	Assistant State Attorney-Over Million	CR-A	10/1/2019	\$4,187.50	\$50,250.00	\$5,621.57
Hutton, Jr., Larry E.	Assistant State Attorney-Over Million	ADMINISTRATION	11/1/2019	\$13,600.00	\$163,200.00	\$19,789.06
Ison, Jr., Marcus L.	Assistant State Attorney-Over Million	CR-G	10/2/2019	\$4,187.50	\$50,250.00	\$6,555.43
Jefferson, Brian N.	Prosecution Support Specialist III	SPECIAL PROSECUTION	10/1/2019	\$5,063.87	\$60,766.44	\$7,458.91
Jiad, Zina Auda	Victim/Witness Counselor II	SVU	10/1/2019	\$2,875.00	\$34,500.00	\$4,055.83
Johnson, Brittany L.	Assistant State Attorney-Over Million	CR-D	10/2/2019	\$4,187.50	\$50,250.00	\$5,621.57
Johnson, Ronshita Danette	Paralegal Specialist I	PARALEGALS	10/1/2019	\$2,785.67	\$33,428.04	\$4,777.62
Johnston, Asa Hunter	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/2/2019	\$4,250.00	\$51,000.00	\$6,414.10
Johnston, David Townsend	Assistant State Attorney-Over Million	SPECIAL PROSECUTION	10/1/2019	\$5,158.33	\$61,899.96	\$6,867.26
Johnston, Katelyn Knaak	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$6,500.00	\$78,000.00	\$10,341.80
Jolner, Allison Nichole	Clerk II	FFD - FELONY FILING	10/1/2019	\$2,000.00	\$24,000.00	\$3,039.78
Jones, Erica Nicole	Witness Coordinator I	COUNTY COURT - MISDEMEANOR	10/1/2019	\$2,180.17	\$26,162.04	\$3,248.99
Jones, Juanetta Renee	Clerk IV	DIVERSION	10/1/2019	\$3,015.99	\$36,191.88	\$5,045.06
Jones, Yiolanta E.	Assistant State Attorney-Over Million	SVU	10/1/2019	\$5,723.20	\$68,678.40	\$9,308.20
Jordan II, Keith Bernard	Clerk II	FILE CONTROL	10/1/2017	\$1,925.40	\$23,104.80	\$2,239.35
Joy, Royette B.	Witness Coordinator I	CIRCUIT COURT - OTHER THAN DIV.	10/1/2019	\$3,096.57	\$37,158.84	\$5,165.39
Joyner, Brittainy Amella	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$4,166.67	\$50,000.04	\$5,547.75
Judait, Angela Maria	Executive Secretary III	ADMINISTRATION	10/1/2019	\$3,948.33	\$47,379.96	\$6,127.70
Kalinowski, John C.	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	11/1/2019	\$10,208.33	\$122,499.96	\$14,435.53
Kantor, Andrew K.	Assistant State Attorney-Over Million	ADMINISTRATION	10/1/2019	\$9,860.00	\$118,320.00	\$14,812.62
Kavalow, Hope S.	Legal Assistant/Secretary II	COUNTY COURT - MISDEMEANOR	10/1/2019	\$3,983.33	\$47,799.96	\$6,168.35
Kelley, Jason R.	Assistant State Attorney-Over Million	CLAY COUNTY	10/1/2019	\$6,666.67	\$80,000.04	\$10,566.24
Kelly, Angelique Sophia	Legal Assistant/Secretary II	JUVENILE	10/1/2019	\$3,519.00	\$42,228.00	\$5,629.17
Kelly, Jared Lexa	Secretary II	COUNTY COURT - MISDEMEANOR	10/1/2019	\$2,404.16	\$28,849.92	\$4,334.61
King, Christopher Bryan	Information Systems Director I	COMPUTER DIVISION	10/2/2019	\$5,760.75	\$69,129.00	\$8,232.29
Kite, London	Assistant State Attorney-Over Million	CIRCUIT COURT - OTHER THAN DIV.	11/1/2019	\$10,333.33	\$123,999.96	\$15,446.56
Klaiber, Tammy Lynn	Legal Assistant/Secretary II	SVU	10/1/2019	\$3,632.96	\$43,595.52	\$5,761.49

Knecht, Kristin P.	Victim/Witness Counselor I	SVU	10/1/2019	\$2,583.33	\$30,999.96	\$4,542.67	
Krovitch, Jennifer	Legal Assistant/ Secretary I	CLAY COUNTY	5/28/2019	\$2,000.00	\$24,000.00	\$2,325.98	2/21/2020
Lambert, Laura Grace Lothman	Assistant State Attorney-Over Million	JUVENILE	11/1/2019	\$9,583.33	\$114,999.96	\$14,444.48	
Larkin, Connor McDavid		CIRCUIT COURT- OTHER THAN DIV.	10/1/2019	\$4,208.33	\$50,499.96	\$5,941.16	2/14/2020
Lary, Lisa	Paralegal Specialist I	SPECIAL PROSECUTION	10/1/2019	\$3,142.26	\$37,707.12	\$4,366.17	
Lee, Jeanette Ann	Victim/Witness Counselor II	CIRCUIT COURT- OTHER THAN DIV.	10/1/2019	\$3,634.59	\$43,615.08	\$4,937.86	
Leon, Jose	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$4,166.67	\$50,000.04	\$7,238.74	
Lessard, Johnna N.	Assistant State Attorney-Over Million	CLAY COUNTY	10/1/2019	\$5,000.00	\$60,000.00	\$8,345.90	
Lewin, Karen Renae	Victim/Witness Counselor I	NASSAU COUNTY	10/1/2019	\$2,958.33	\$35,499.96	\$4,978.12	
Lewis, Teresa L.	Legal Assistant/Secretary IV	CIRCUIT COURT - OTHER THAN DIV.	10/1/2019	\$4,888.17	\$58,658.01	\$7,219.05	
Licandro, Joseph R.	Assistant State Attorney-Over Million	SPECIAL PROSECUTION	10/1/2019	\$7,333.33	\$87,999.96	\$11,450.63	
Liesch, Kristen Elizabeth	Assistant State Attorney-Over Million	JUVENILE	10/2/2019	\$4,250.00	\$51,000.00	\$7,347.96	
Lind, Heather Lynn	Secretary II	MFD - MISDEMEANOR FILING	10/1/2019	\$2,429.16	\$29,149.92	\$4,363.64	
Logston, Deanne L.	Word Processor I	COMPUTER DIVISION	11/1/2019	\$3,110.52	\$37,326.24	\$5,154.83	
Lozoz, Shella Ann	Assistant State Attorney-Over Million	CIRCUIT COURT - OTHER THAN DIV.	11/1/2019	\$11,097.25	\$133,167.00	\$16,463.34	
Long, Joanna Gay	Clerk II	CLAY COUNTY	10/1/2019	\$2,475.56	\$29,706.72	\$4,417.52	
Louder, Alan Dewayne	Prosecution Support Specialist III	DIVERSION	10/1/2019	\$4,420.31	\$53,043.72	\$5,850.24	
Love, Charlene M.	Computer Operator III	COMPUTER DIVISION	10/1/2019	\$3,663.27	\$43,959.24	\$4,971.17	
Lull, Cheryl	Legal Assistant/ Secretary I	SVU	5/14/2019	\$2,083.33	\$24,999.96	\$3,962.07	
Lybrand, Devin Rae	Prosecution Support Specialist I	CIRCUIT COURT - OTHER THAN DIV.	10/1/2019	\$3,166.67	\$38,000.04	\$5,220.04	
Maguire, Anne J.	Assistant State Attorney-Over Million	CR-I	10/2/2019	\$4,250.00	\$51,000.00	\$7,347.96	
Makarowski, Chyna-Michele N.	Assistant State Attorney-Over Million	TARGETED PROSECUTION	10/1/2019	\$5,666.73	\$68,000.76	\$9,233.06	
Maldonado, Kaiherina	Prosecution Support Specialist I	PUBLIC RECORDS	10/1/2019	\$2,424.99	\$29,099.88	\$4,358.80	2/14/2020
Mangari, V. Thomas L.	Assistant State Attorney-Over Million	TARGETED PROSECUTION	10/1/2019	\$5,500.00	\$66,000.00	\$9,011.20	
Marcos, Sabrina M.	Assistant State Attorney-Over Million	CR-I	10/2/2019	\$4,187.50	\$50,250.00	\$5,621.57	
Markey, Colin Andrew	Investigator II	INVESTIGATORS	7/1/2019	\$5,460.99	\$65,531.88	\$8,813.11	
Marlin, Terence	Assistant State Attorney-Over Million	SVU	10/1/2019	\$10,100.92	\$121,211.04	\$14,199.32	
Masters, Mackenzie	Victim/Witness Counselor I	SVU	3/11/2019	\$2,083.33	\$24,999.96	\$2,421.75	
Mathews, Teresa A.	Clerk II	COUNTY COURT - MISDEMEANOR	10/1/2019	\$2,276.71	\$27,320.52	\$3,361.10	
Mattina, Lara Zaroulis	Assistant State Attorney-Over Million	CIRCUIT COURT - OTHER THAN DIV.	11/1/2019	\$8,833.33	\$105,999.96	\$13,446.33	
McClain, Shannor A.	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$4,166.67	\$50,000.04	\$6,303.21	
McGee, Patrick Michael	Assistant State Attorney-Over Million	CR-A	10/2/2019	\$4,208.33	\$50,499.96	\$5,603.19	

McMillan, James Edward	Multimedia Specialist I	ADMINISTRATION	10/1/2019	\$3,760.00	\$45,000.00	\$4,358.09
Mejlo, Yecenia Mable	Program Analyst I	BUSINESS OFFICE - FISCAL	7/1/2019	\$2,500.00	\$30,000.00	\$3,620.38
Messina, Coral Kathryn	Assistant State Attorney-Over Million	CIRCUIT COURT - OTHER THAN DIV.	10/1/2019	\$6,300.00	\$75,600.00	\$10,075.68
Messinger, Caitlin Anna	Assistant State Attorney-Over Million	CR-I	10/2/2019	\$4,187.50	\$50,250.00	\$6,555.43
Michael, Lindsay Anne	Assistant State Attorney-Over Million	CR-H	10/1/2019	\$5,293.75	\$63,525.00	\$8,736.76
Miller, Theresa Shereno	Legal Assistant/ Secretary I	CR-D	10/1/2019	\$3,575.17	\$42,902.04	\$5,088.02
Miller, Valorie Bertha	Intake Clerk III	NCIC	10/1/2019	\$3,455.17	\$41,462.04	\$5,766.84
Mills, Shirley	Secretary II	COMPUTER DIVISION	10/1/2019	\$2,586.93	\$31,043.16	\$3,879.90
Milo, Matthew Korey	Assistant State Attorney-Over Million	CR-C	10/1/2019	\$6,500.00	\$78,000.00	\$9,407.94
Mitchell, Tiffany S.	Clerk II	MFD - MISDEMEANOR FILING	10/1/2019	\$2,166.67	\$26,000.04	\$3,233.32
Mixeras, Samantha	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$4,166.67	\$50,000.04	\$7,087.07
Mizrahi, Alan Seth	Assistant State Attorney-Over Million	CIRCUIT COURT - OTHER THAN DIV.	10/1/2019	\$11,916.67	\$143,000.04	\$17,553.99
Modelo, Lena M.	Switchboard Operator II	LOBBY	10/1/2019	\$2,701.87	\$32,422.44	\$3,854.30
Moron III, John Augustine	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$4,166.67	\$50,000.04	\$7,087.07
Morrissey, Kelli Vargo	Intake Clerk I	FFD - FELONY FILING	10/1/2019	\$2,083.33	\$24,999.96	\$3,136.55
Mullins, Stevee Kaye	Legal Assistant/ Secretary I	CIRCUIT COURT - OTHER THAN DIV.	1/1/2020	\$2,208.33	\$26,499.96	\$4,107.22
Murcia-Bustos, Hector Fernando	Assistant State Attorney-Over Million	CLAY COUNTY	10/1/2019	\$5,416.67	\$65,000.04	\$8,900.32
Nardy, Jesse Jo	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$4,166.67	\$50,000.04	\$7,087.07
Nazworthy, Keith Allan	Investigator I	INVESTIGATORS	1/1/2020	\$4,416.67	\$53,000.04	\$7,422.81
Nelson, Latoya Denise	Legal Assistant/ Secretary I	COUNTY COURT - MISDEMEANOR	10/1/2019	\$2,291.67	\$27,500.04	\$4,203.98
Nelson, Melissa Anne	State Attorney	ADMINISTRATION	10/1/2019	\$14,129.50	\$169,554.00	\$24,704.37
Nelson, Miriam Margaret	Executive Secretary III	PUBLIC RECORDS	10/1/2019	\$4,833.33	\$57,999.96	\$7,155.36
Newman, Adair Christine	Assistant State Attorney-Over Million	SVU	1/2/2020	\$9,833.33	\$117,999.96	\$14,777.13
Nissen, Anita L.	Secretary IV	NASSAU COUNTY	10/1/2019	\$3,141.67	\$37,700.01	\$5,191.00
O'Keefe, Matthew Paul	Assistant State Attorney-Over Million	TARGETED PROSECUTION	11/1/2019	\$9,333.33	\$111,999.96	\$13,181.70
O'Steen, Timothy C.	Investigator II	INVESTIGATORS	7/1/2018	\$5,460.99	\$65,531.88	\$8,813.11
Ott, Linzee Marie	Administrator III	ADMINISTRATION	10/1/2019	\$4,200.00	\$50,400.00	\$5,594.42
Page, Lisa Moran	Assistant State Attorney-Over Million	ADMINISTRATION	11/1/2019	\$10,234.58	\$122,814.96	\$15,311.03
Parker, Amanda Susan	Switchboard Operator I	NASSAU COUNTY	10/1/2019	\$1,875.00	\$22,500.00	\$2,694.63
Patterson-Barge, Tonya	Assistant State Attorney-Over Million	SVU	10/1/2019	\$5,833.33	\$69,999.96	\$9,454.73
Pedersen, Hanne	Clerk II	MFD - MISDEMEANOR FILING	10/1/2019	\$2,000.00	\$24,000.00	\$3,039.78
Petrid, Christi B.	Investigator I	INVESTIGATORS	7/1/2018	\$4,681.25	\$56,175.00	\$6,949.53

Polach, Ted R.	Prosecution Support Specialist I	CLAY COUNTY	10/1/2019	\$2,729.16	\$32,749.92	\$3,172.68
Porter, Immanuel J.	Legal Assistant/ Secretary I	ADMINISTRATION	9/1/2019	\$2,000.00	\$24,000.00	\$2,325.98
Posey, Nerresa	Prosecution Support Specialist II	PUBLIC RECORDS	10/1/2019	\$3,497.44	\$41,969.28	\$4,778.60
Powers, Jessica Lynn	Clerk II	MFD - MISDEMEANOR FILING	10/1/2019	\$2,000.00	\$24,000.00	\$3,863.30
Quick, Timothy R.	Investigator V	INVESTIGATORS	7/1/2018	\$8,694.28	\$106,732.56	\$11,844.67
Quirino, Diego Silva	Paralegal Specialist I	SVU	10/1/2019	\$2,375.00	\$28,500.00	\$3,475.23
Ragsdale, Monika Ingrid	Secretary II	CR-C	10/1/2019	\$2,391.67	\$28,700.04	\$4,320.10
Randolph, Stacey Lynnette	Fiscal Administrator I	BUSINESS OFFICE - FISCAL	10/1/2019	\$3,000.00	\$36,000.00	\$5,026.50
Reddish, Aaron Timothy	Investigator III	INVESTIGATORS	7/1/2018	\$5,312.06	\$63,744.72	\$8,614.84
Register, Anna Renee	Legal Assistant/ Secretary III	SVU	10/1/2019	\$2,500.00	\$30,000.00	\$3,620.38
Reinhardt, Susan J.	Paralegal Specialist II	SVU	10/1/2019	\$3,580.00	\$42,000.00	\$4,781.58
Rice, Takelsa Nicole	Victim/Witness Counselor I	SVU	10/1/2019	\$2,491.66	\$29,899.92	\$4,436.21
Roberts, Gabriel Tolan	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$4,166.67	\$50,000.04	\$7,087.07
Roberts, Shirlina N.	Assistant State Attorney-Over Million	CLAY COUNTY	10/2/2019	\$4,250.00	\$51,000.00	\$6,414.10
Roden, Jessica D.	Legal Assistant/ Secretary I	CLAY COUNTY	4/29/2019	\$2,000.00	\$24,000.00	\$3,863.30
Rodriguez, Josephine	Secretary III	SVU	11/1/2019	\$3,010.50	\$36,126.00	\$5,038.69
Rodriguez, Samuel	Investigator I	INVESTIGATORS	1/1/2020	\$3,750.00	\$45,000.00	\$6,535.28
Roldan, Ivette	Legal Assistant/ Secretary I	SVU	9/17/2019	\$2,083.33	\$24,999.96	\$3,136.55
Rosenbloom, Leigh R.	Assistant State Attorney-Over Million	SAKI	10/1/2019	\$5,833.33	\$69,999.96	\$9,457.06
Rothermel, Barbara Gates	Paralegal Specialist I	PARALEGALS	10/1/2019	\$2,750.00	\$33,000.00	\$3,196.89
Rudisill, Rex A.	Investigator II	INVESTIGATORS	7/1/2018	\$5,663.68	\$67,964.16	\$8,257.44
Sacks, Jonathan D.	Assistant State Attorney-Over Million	CR-A	10/1/2019	\$8,333.33	\$99,999.96	\$12,781.23
Sadeq, Dina R.	Victim/Witness Counselor I	CIRCUIT COURT - OTHER THAN DIV.	10/1/2019	\$2,252.50	\$27,030.00	\$2,619.19
Shea, Crystal Dawn	Clerk II	FFD - FELONY FILING	10/1/2019	\$2,468.83	\$29,625.96	\$4,079.71
Shelley, Elizabeth Lukas	Assistant State Attorney-Over Million	CR-G	10/2/2019	\$4,250.00	\$51,000.00	\$5,658.61
Sheppard, Angela Leigh	Prosecution Support Specialist II	CLAY COUNTY	10/1/2019	\$3,691.96	\$44,303.52	\$5,830.00
Sheppard, John E.	Investigator II	INVESTIGATORS	7/1/2018	\$5,460.99	\$65,531.88	\$8,813.11
Shobe, Kelli L.	Assistant State Attorney-Over Million	SVU	10/1/2019	\$4,590.00	\$55,080.00	\$6,866.50
Shutt, Sherri L.	Legal Assistant/ Secretary III	NASSAU COUNTY	10/1/2019	\$4,498.57	\$53,982.84	\$6,766.64
Stegel, Stephen Wayne	Assistant State Attorney-Over Million	ADMINISTRATION	11/1/2019	\$12,750.00	\$153,000.00	\$17,729.30
Silverstein, Matthew Wayne	Assistant State Attorney-Over Million	CR-C	10/2/2019	\$4,208.33	\$50,499.96	\$6,358.65
Simak, Theresa E.	Assistant State Attorney-Over Million	CR-G	10/1/2019	\$8,000.00	\$96,000.00	\$12,340.90

1/2/2020

Skinner, Daniel R.	Assistant State Attorney-Over Million	CIRCUIT COURT - OTHER THAN DIV.	11/1/2019	\$11,750.00	\$141,000.00	\$17,332.16	
Smith, Alsha Cheraun	Secretary III	JUVENILE	10/28/2019	\$2,525.00	\$30,300.00	\$4,471.35	
Smith, Michael A.	Investigator I	INVESTIGATORS	7/1/2018	\$5,151.30	\$61,815.60	\$8,400.82	
Smith, Starleigh K.	Assistant State Attorney-Over Million	NASSAU COUNTY	10/2/2019	\$4,187.50	\$50,250.00	\$6,555.43	
Sneed, Lawrence Edward	Clerk II	FILE CONTROL	10/1/2019	\$1,925.00	\$23,100.00	\$2,952.69	
Sontag, Brad	Clerk II	PUBLIC RECORDS	9/11/2019	\$2,000.00	\$24,000.00	\$2,325.98	
Soto, Nicole Lee	Paralegal Specialist I	PARALEGALS	12/2/2019	\$2,291.67	\$27,500.04	\$4,203.98	
Sprunt, Stephen Kimball	Prosecution Support Specialist III	DIVERSION	10/1/2019	\$4,783.33	\$57,399.96	\$7,097.31	
Steele, Kierra Danielle	Clerk II	MFD - MISDEMEANOR FILING	10/1/2019	\$2,000.00	\$24,000.00	\$3,039.78	
Stevenson, Catherine Grace	Multimedia Specialist I	COMPUTER DIVISION	10/1/2019	\$3,677.32	\$44,127.84	\$5,212.90	
Suffer, Christina Simak	Assistant State Attorney-Over Million	TARGETED PROSECUTION	10/1/2019	\$5,000.00	\$60,000.00	\$8,345.90	
Stone, Dori Ann	Legal Assistant/ Secretary II	SPECIAL PROSECUTION	10/1/2019	\$4,025.00	\$48,300.00	\$5,637.94	
Stronko, Brandy Michelle	Victim/Witness Counselor II	SVU	10/1/2019	\$3,472.58	\$41,670.56	\$5,575.26	
Sutton, Valery E.	Clerk II	LOBBY	10/1/2019	\$2,085.83	\$25,029.96	\$3,139.44	
Swaney, Kelli Ann	Assistant State Attorney-Over Million	JUVENILE	10/7/2019	\$4,250.00	\$51,000.00	\$7,347.96	
Taylor, Ricky Cody	Paralegal Specialist I	NASSAU COUNTY	10/1/2019	\$2,724.99	\$32,699.88	\$4,707.16	
Terry, Ashley Young	Assistant State Attorney-Over Million	CLAY COUNTY	10/2/2019	\$6,543.33	\$78,519.96	\$9,426.56	
Thibodeau, Shelley Lynne	Assistant State Attorney-Over Million	CONVICTION INTEGRITY UNIT	11/1/2019	\$8,750.00	\$105,000.00	\$13,335.66	
Thurne, James Jackson	Investigator II	INVESTIGATORS	7/1/2018	\$5,506.79	\$66,081.48	\$8,874.09	
Thurston, Donna Gregory	Assistant State Attorney-Over Million	NASSAU COUNTY	11/1/2019	\$10,229.67	\$122,756.04	\$15,304.50	
Tomlinson, Madison Lee	Legal Assistant/ Secretary I	COUNTY COURT - MISDEMEANOR	10/1/2019	\$2,000.00	\$24,000.00	\$3,039.78	
Tran, Mai Thi Thanh	Assistant State Attorney-Over Million	SPECIAL PROSECUTION	10/1/2019	\$5,833.41	\$70,000.92	\$9,454.83	
Trent, Laura Kay	Intake Clerk I	FFD - FELONY FILING	6/3/2019	\$2,000.00	\$24,000.00	\$2,325.98	1/15/2020
Trew, Richard A.	Investigator II	INVESTIGATORS	10/1/2019	\$5,312.06	\$63,744.72	\$7,941.80	
Usman, Sarah Yousuf	Assistant State Attorney-Over Million	COUNTY COURT - MISDEMEANOR	10/1/2019	\$4,166.67	\$50,000.04	\$7,237.07	
Vaughan, Judith Ann	Word Processor II	COMPUTER DIVISION	10/2/2019	\$3,841.00	\$46,092.00	\$6,003.06	
Vidal, Sierra Lynne	Secretary II	COUNTY COURT - MISDEMEANOR	10/18/2019	\$2,000.00	\$24,000.00	\$2,322.40	2/21/2020
Wallace, Robin T.	Clerk II	CR-II	10/1/2019	\$2,901.27	\$34,815.24	\$4,911.86	
Waters, Robin	Investigator I	INVESTIGATORS	8/13/2019	\$4,213.08	\$50,556.96	\$6,326.25	
Waugh, Catherine Frances	Assistant State Attorney-Over Million	SVU	10/1/2019	\$4,590.00	\$55,080.00	\$7,800.26	
Weaver, Christopher Alexander	Assistant State Attorney-Over Million	SVU	10/1/2019	\$5,416.75	\$65,001.00	\$8,900.43	
Webber, Zachary Cole	Clerk II	CLAY COUNTY	10/1/2019	\$1,916.67	\$23,000.04	\$2,943.01	

Welas, Rebecca	Clerk II	MFD - MISDEMEANOR FILING	7/1/2019	\$2,041.67	\$24,500.04	\$2,374.36	
Welch, Charles E.	Investigator II	INVESTIGATORS	7/1/2018	\$5,460.99	\$63,531.88	\$8,813.11	
Welch, Victoria L.	Assistant State Attorney-Over Million	CR-B	10/2/2019	\$4,250.00	\$51,000.00	\$6,414.10	
Wells, Mary Susan	Clerk II	JUVENILE	10/1/2019	\$2,409.47	\$28,913.64	\$3,515.26	
Wesemann, Maxwell A.	Assistant State Attorney-Over Million	CR-B	10/2/2019	\$4,187.50	\$50,250.00	\$5,586.57	
Wever, Tallana	Secretary II	COUNTY COURT - MISDEMEANOR	5/28/2019	\$2,000.00	\$24,000.00	\$3,039.78	
Wheeler-Sanchez, Vanessa Nicole	Assistant State Attorney-Over Million	JUVENILE	10/1/2019	\$5,520.83	\$66,249.96	\$8,185.05	
White, Shanay Natasha	Secretary II	FFD - FELONY FILING	10/1/2019	\$2,341.66	\$28,099.92	\$3,436.51	
Whittle, Jermaine A.	Clerk II	DIVERSION	10/1/2019	\$2,375.00	\$28,500.00	\$3,475.23	
Wilber, Cynikia Gale	Clerk II	FPD - FELONY FILING	10/1/2019	\$2,016.66	\$24,199.92	\$3,059.12	
Wilk, Sylvia Karen	Paralegal Specialist I	PARALEGALS	10/1/2019	\$3,580.00	\$42,960.00	\$5,700.00	
Williams, Adrienne Lisa	Fiscal Administrator III	BUSINESS OFFICE - FISCAL	10/1/2019	\$3,416.67	\$41,000.04	\$4,684.81	
Williams, Kelly Jean	Legal Assistant/ Secretary II	DIVERSION	10/1/2019	\$3,833.33	\$45,999.96	\$5,994.16	
Williams, Ronterious Korte	Paralegal Specialist I	CLAY COUNTY	10/1/2019	\$2,669.16	\$32,029.92	\$3,816.81	
Wolfson, Erin J.	Assistant State Attorney-Over Million	SPECIAL PROSECUTION	10/1/2019	\$6,833.33	\$81,999.96	\$9,854.20	
Wollers, Megan	Paralegal Specialist I	SAKI	10/1/2019	\$2,424.99	\$28,848.96	\$4,358.80	1/31/2020
Works, Beth A.	Legal Assistant/ Secretary II	SVU	10/1/2019	\$2,933.73	\$35,204.76	\$4,124.03	
Worley, Susan A.	Legal Assistant/ Secretary III	CLAY COUNTY	10/1/2019	\$4,625.00	\$55,500.00	\$7,196.96	
Yonel, Samantha A.	Victim/Witness Counselor I	CIRCUIT COURT - OTHER THAN DIV.	10/1/2019	\$2,812.50	\$33,750.00	\$4,808.78	
Zippecar, John A.	Investigator II	INVESTIGATORS	7/1/2019	\$5,262.98	\$63,155.76	\$8,343.26	
Zornogodon, Cyrus P.	Assistant State Attorney-Over Million	SPECIAL PROSECUTION	11/1/2019	\$10,083.33	\$120,999.96	\$15,113.81	
Zukauskas, Roberta A.	Paralegal Specialist II	SVU	10/1/2019	\$3,875.00	\$46,500.00	\$5,217.03	

Gina Logan

From: curtlee59@aol.com
Sent: Sunday, March 08, 2020 2:18 PM
To: herb@bromagenlaw.com
Subject: Fwd: PRRs contained in 2.9.2020 letter
Attachments: Salary Report 3.4.2020.pdf; image001.png

this might suggest changes in the next complaint draft. Curt Lee

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

From: Nelson, Miriam <MiriamN@coj.net>
To: 'curtlee59@aol.com' <curtlee59@aol.com>
Cc: SAO4PRR <SAO4PRR@coj.net>
Sent: Wed, Mar 4, 2020 2:48 pm
Subject: PRRs contained in 2.9.2020 letter

Please see below regarding records related to the requests contained in your 2.9.2020 letter (your requests in black, my responses in purple). There are no records responsive to many of these requests. Questions about billing or invoicing should not require you to submit a public records request. Though posed as PRRs vs. questioning an invoice, I provide the following to assist you as I would anyone questioning an invoice.

In my email to you dated November 19, 2019, I explained that the invoices you received on 10/17/19 and 10/24/19 were reflective of time spent for retrieval and initial review of the records by me as Public Records Administrator and for the final review performed by Steve Siegel.

My hourly rate was charged at the "extensive rate" – extensive vs. extended are outlined in the public records policies and procedures ("PRD P/P"). We do not include the "cost to employ" or as you reference it "benefit load percentage" for every request. In fairness to both the work we have to process, the Office's commitment to transparency, and to the requestors, we tried to strike a balance. We have tiers for requests: (1) those that can be filled at no cost, (2) those that require less than two hours of work, and (3) requests that require two or more hours of work. As most of our requests come in at either the no cost level or the under two hour level, we did not want to add additional costs if it wasn't necessary. However, a request that takes longer than two hours is quite an extended project and warrants the extended project rate.

I am the Public Records Administrator. My salary has changed a few times since taking on this role, I was provided a raise at the time of my promotion, a raise at roughly 6/12 months (I will pull my salary history and provide it to you) and, another raise in October, 2019. My current hourly rate in the system (system refers to GovQA) has not been updated to accurately reflect at least one, if not two, of my raises, which is why it does not correspond to what is on the salary schedule. I am currently undercharging for my time. This is due to me being the only person who can update the salary information in our system, and I have simply – not gotten to it yet.

Mr. Siegel's time was charged as the ASA rate of \$50 per hour. His hourly rate since July 2018 has exceeded \$70 per hour. For the most part, ASA time is not charged unless there is a review by Mr. Hutton, Mr. Siegel, or SA Nelson, all of whom make more than \$50 per hour. Essentially, instead of going in and pulling their individual rates and updating the system every time that is required, I picked a number that was reasonable for covering the time expended on our behalf, but also not so much

that it went over any of their individual hourly rates. This system provides benefits to the requestor far more than it does to this Office. If at any time an ASA provides me with review time and their hourly rate is less than \$50 per hour (whether by a penny, a dollar, or \$25 dollars) I would go in the system and adjust the rate accordingly.

There is no instance where we round up. Not for the time required to complete a request and not for hourly rates. We are here to provide a service and we intend to provide the service as quickly, reasonably, fairly, and as fully as possible.

With this email (as noted below as well) I am providing an updated "Salary Schedule" – the schedule contains Names, Titles, Departments, Annual Salary, Monthly Salary, Effective Dates, and Benefit Load for each employee. Titles contained in the Salary Schedule are not reflective of titles such as "Public Records Administrator" as our payroll system does not have titles such as this. As an example, my title is both Public Records Administrator and Paralegal to Chief Assistant L. E. Hutton. However, my title on the Salary Schedule is still reflected as the title I received when I was hired – Executive Secretary.

We have two Prosecution Support Specialists or Public Records Specialists, who are capable of performing the reviews required. We have two Clerks, or Public Records Clerks, they handle customer service, intake, file retrieval, scanning, uploading, locating, etc. When charged for review it is at the Specialist rate **ONLY** when a Specialist performs the work. When we have a Clerk perform a simple review (perhaps a small arrest and booking report), we charge for the time at the Clerk rate, and that rate is the rate of the lower paid of the two Clerks. If a Specialist is performing tasks such as scanning, locating, retrieving files, etc., that time is charged at the rate of the lowest paid Clerk.

I hope that the foregoing, along with the Salary Schedule I am providing, the PRD P/P previously provided, and my personal salary history, to be provided, will alleviate some of your concerns or questions. Please feel free to contact me if you have any additional questions or concerns regarding any portion of this communication. (where below "See Above" is noted, it is referring back to this beginning portion of the email) -Miriam

1. Showing the effective or "as of" date of the previously provided Salary Schedule.
No records responsive, it was as of the date it was provided.

2. Showing what persons listed in such document were FL attorneys as of its effective date.
See Salary Schedule (no title changes have occurred between the original report and this report)

3. Re: the other persons there listed, who were not then attorneys, showing their titles and/or positions.
See Salary Schedule (no title changes have occurred between the original report and this report)

4. Salary schedules for all employees of the SAO as of the most recent available date. When providing me such schedules, indicate the effective date of such schedules, and provide documents showing which employees noted there were FL attorneys, and of the other employees, showing their titles and/or positions.
See Salary Schedule

5. Showing who the SAO deems to be "administrators", "specialists" and "ASAs" for PRA - related purposes.
No Records Responsive other than the Salary Schedule – See Above.

6. Showing what is often called a benefit load percentage and/or add - on re: SAO employees, as of the most recent available date. Such figure takes into account employer - paid FICA and Medicare taxes, employer contributions to pension and defined contribution plans, other employer paid benefit and insurance costs, and the like, that the SAO as an employer has, and that represent additional costs of employment, and determines the percentages of employees' compensation that such non - salary costs represent, or otherwise determines such add - on costs.

See Salary Schedule and See Above

7. Showing the effective date of such figures and determinations discussed in (6) above.

See Salary Schedule and See Above

8. Showing, as of Oct. 2019, which persons having which titles or falling within what employee categories performed the services for which I was invoiced by the SAO on 10/17/19 and 10/24/19. In short, provide documents showing their names, titles and positions.

No records responsive - See Above.

9. Re: such persons, showing their Oct. 2019 annual base pay, and the benefit load percentages or add - ons applicable to each of them, with resulting annual and hourly -- equivalent compensation costs for each of them.

See Salary Schedule

10. Showing why the SAO invoices in 2019, did not use hourly rates that were not reflective of documents provided above.

I do not understand this request - but I think I covered it above.

11. Re: said invoices, showing the basis of differential billings by and hourly rates of SAO administrators and specialists -- sometimes invoiced at extended rates, and sometimes apparently not.

See Policies and Procedures Previously Provided

12. Defining these terms and phrases that the SAO uses in its invoicing -- "extended project rates", and "extensive rates".

See Policies and Procedures Previously Provided

13. Showing the SAO's invoicing methodology especially re: invoicing its employees' time under the PRA. I am especially interested in said methodology re: use of any averages or rounded figures.

Other than what is outlined in the Policies and Procedures, there are no records responsive, but I believe I covered this above.

14. All SAO invoices to persons other than me, dated in 2019.

Estimate has been provided to complete this request, it is awaiting response or payment. As far as I am aware, PRD is the only area in the Office that produces invoices, therefore the estimate you received is the same with regard to the more narrow revision you submitted.

15. Re: each of the SAO invoices to me dated 2/4/19 and 7/19/18, provide documents showing:

- Why I was billed at a higher rate for one or more administrator's time in Feb 2019 than in Oct. 2019.

See Above, I will provide my salary history.

- The names of all persons for whose time I was thereby invoiced, and their titles and positions.

No records responsive - See Above.

- The annual base pay of such persons, and their benefit loads and/or add – ons.
See Salary Schedule

16. The 2019 Annual Report of the SAO.

No records responsive, we do not have one yet that I am aware of.

Please note, it has taken me approximately 4 hours to draft this email, obtain the documents that are responsive, request documents again that have all the fields you requested, and make sure that I have reviewed each place responsive material to the above could be located. This is time that you will not be charged for. -Miriam



Miriam Nelson, FRP

Public Records Administrator &

Custodian of Records

State Attorney's Office, 4th Circuit

311 W. Monroe St. – Jacksonville, FL 32202

O: (904) 255-2980

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