

Carpenter, Katherine

From: Chris Westmoreland <chrisw@thewestmorelandlawfirm.com>
Sent: Tuesday, January 12, 2021 8:33 AM
To: Long, Janet C; Gerard, Pat; Justice, Charlie; Eggers, Dave; Seel, Karen; Peters, Kathleen; Robinson-Flowers, Rene; Burton, Barry
Subject: Proposal to Name the Criminal Justice Center

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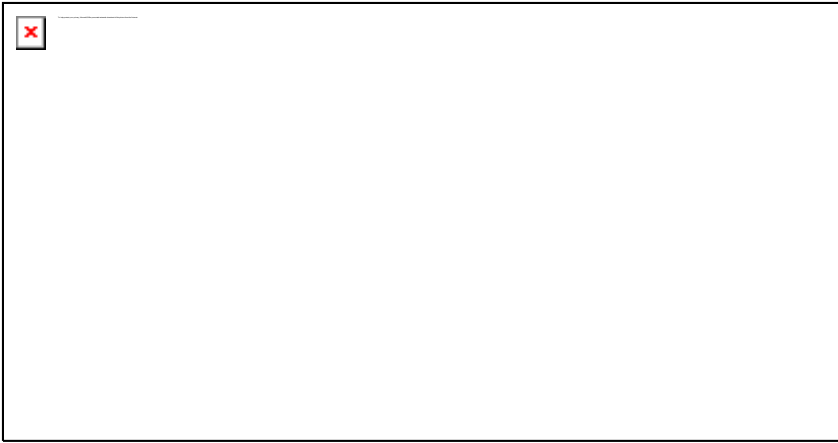
Esteemed Commissioners,

I hope this finds you and yours in excellent health and spirit. As both a citizen of Pinellas County and as an attorney with over 20 years in the practice of criminal law, I ask you to consider the following as you weigh the decision on the proposal to name the Pinellas County Criminal Justice Center after the late Bernard McCabe:

Though the sentiment driving the idea is admirable, I believe that taking this measure ultimately would do more harm than it would help anyone in our county. Surely a suggestion to name either of the civil courthouses in Clearwater or St. Petersburg, "The Plaintiff's Justice Center" would not gain much traction in a commission meeting. Likewise, putting the name of a prosecutor would create the impression that the county government at large has expressed its preference for the same side of every criminal case regardless of the individual merits, rendering the promise of "Justice for All" empty. Doing so would only work to further diminish the public's confidence in government leadership in these volatile times. As you know this issue has received significant media coverage, and the people are watching with interest. This is an opportunity to build trust.

On a fundamental level, the proposal at hand is far from "The right thing to do" as some proponents hold. There are plenty of other ways to honor the contributions of Mr. McCabe that would not have such negative repercussions for our community. I urge you for a decision that some alternative would be more wise.

Thank you for your attention and for the work you do.



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Carpenter, Katherine

From: Haydee Oropesa <oropesadefense@gmail.com>
Sent: Thursday, January 14, 2021 5:52 PM
To: Burke, Ken; Bob Gualtieri; Rondolino, Judge Anthony; Chris.Sprolws@myfloridahouse.gov
Cc: Long, Janet C; Gerard, Pat; Justice, Charlie; Eggers, Dave; Seel, Karen; Peters, Kathleen; Robinson-Flowers, Rene; Burton, Barry
Subject: Did the office of the late Bernie McCabe give preferential treatment to a SP Commissioner charged with Aggravated / Assault on a Deputy?
Attachments: Bernie McCabe Commissioner Plea Deal.jpg

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All,

House speaker Rep Sprolws last week requested that the County Commission vote to name the Pinellas Courthouse after Bernie McCabe and stated in the letter making the request,

“Mr. McCabe was fond of asking his young prosecutors when they asked him what they should do on a case, ‘What is the right thing to do?’ He had a way of making complex decisions easy with keen moral clarity,” the letter says.

Sprolws also went on to say that naming the courthouse after McCabe was the "right thing to do" On Jan 11, 2021 the **Tampa Bay Times** wrote an editorial on McCabe, "[Pinellas-Pasco Bernie McCabe remembered for doing the right thing](#)"). I did brief research and retrieved this **April 19, 1996 article published also by the Tampa Bay Times, "Official's Plea Deal called too light"**

Here is the text to the article and please also see attached copy of archived article... (the subject of the email therefore raises the question about whether the SP Commissioner received preferential treatment?)

Times photos JIM DAMASKE St. Pete Beach City Commissioner Saranan Lauck stands before County Judge Paul Levine with her attorney, Denis de Vlaming.

HEADLINE: Official's Plea Deal called too light

-St. Pete Beach Commissioner Saranan Lauck gets six months' probation, a sentence that angers the deputy who arrested her.

By CRAIG PITTMAN
Times Staff Writer

LARGO-St. Pete Beach City Commissioner Saranan Lauck was sentenced to six months' probation Thursday after she pleaded no contest to resisting arrest without violence and failure to obey an officer.

Her sentence, which defense attorney Denis de Vlaming worked out with Pinellas-Pasco State Attorney Bernie McCabe, angered the deputy who arrested Lauck and is now suing her.

"I think because of this lady's position as a commissioner in St. Pete Beach she was able to get preferential treatment," said the deputy's attorney, Michael Misa.

Misa noted that her case did not come up in court until a month after she was re-elected. "If that's not preferential treatment, I don't know what is," he said.

Both McCabe and de Vlaming denied Lauck received special treatment. McCabe said Misa made his accusation "out of ignorance and perhaps out of a desire to have his name in the paper."

"This is the way it should've turned out if she was Mary Home-maker," de Vlaming said.

Prosecutors on Thursday dropped a more serious charge of aggravated assault on a law enforcement officer because McCabe said there was no proof Lauck intended to injure Deputy Raymond Reyes.

In addition to her probation, County Judge Paul Levine ordered the 55-year-old Lauck to pay \$150 in court costs, but he withheld a formal finding of guilt and imposed no fine or restitution.

Misa contended Lauck should pay his client restitution because he hurt his back arresting her. But McCabe said Reyes' medical expenses were covered by workers' compensation.

After the hearing, Lauck handed reporters a written statement saying she changed her plea to spare her family further stress and cut her legal bills. "By doing this, I have not admitted any guilt at all, but I will be able to put this behind me so my family and I can get on with our lives," she wrote.

Lauck still faces the suit from Reyes and his wife, Rosa, who 11 days after Lauck's arrest sued her for damages. Assistant State Attorney Thane Covert, who prosecuted Lauck, said that by filing the civil suit Deputy Reyes lost his status as an unbiased witness in the criminal case.

Reyes arrested Lauck about 6 p.m. Jan. 18. Lauck was driving her Chevrolet Lumina to St. Pete Beach to pick up her granddaughter from day care. Then she planned to pick up her handicapped daughter at a South Pasadena bus stop.

But the St. Pete Beach Causeway bridge was stuck and Lauck's van became mired in traffic. Lauck used her cellular telephone to arrange for a neighbor to pick up her granddaughter. Then she tried to turn around so she could get her daughter.

Reyes was directing traffic through a parking lot so they could turn around. A "very irate" Lauck broke out of line and tried to make a U-turn ahead of everyone else, Reyes wrote in a report.

When Reyes told her to follow the cars in front of her, he wrote, "Mrs. Lauck stated she was not going that way and launched her vehicle at me as she was turning left, pushing me across the lane 10 feet. I put my left hand on the hood of her vehicle and asked her to stop several times. She refused to comply."

Reyes said he radioed for help, then reached into Lauck's van and shifted it into park. He said he told her she was under arrest and must get out of the van. Instead, she put the car back in drive and pulled up another 10 feet, he said.

Again, Reyes shifted the van into park, switching off the ignition and taking Lauck's keys. She still refused to step out of the van, he wrote.

When she reached toward her phone, Reyes squirted her with pepper spray, handcuffed her and put her in the back of his cruiser. She was taken to jail, strip-searched and eventually released.

Several witnesses gave written statements that tend to verify Reyes' story. Douglas Walters of St. Pete Beach wrote: "This woman obviously had no respect for the law or public property."

But in pretrial testimony, Lauck said she was only trying to pull her car out of the traffic to discuss the situation with the deputy. She flatly denied pushing or dragging Reyes with her van, the actions that Reyes said injured him.

Lauck said Reyes "was screaming and hollering so much it was like an in-your-face scream and holler. I don't know what he said. ... He certainly was mad."

After other deputies arrived, one asked Lauck whom they should call to pick up her van. She suggested her city's police force. "I'm probably as close to the St. Pete Beach police as I am to my own family," she testified. The deputies told her the police are not in the car pickup business.



St. Pete Beach City Commissioner Saranan Lauck stands before County Judge Paul Levine with her attorney, Denis de Vlamming.

Times photos — JIM DAMASKE

Official's plea deal called too light

■ St. Pete Beach Commissioner Saranan Lauck gets six months' probation, a sentence that angers the deputy who arrested her.

By CRAIG FITTMAN
Times Staff Writer

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Carpenter, Katherine

From: Haydee Oropesa <oropesadefense@gmail.com>
Sent: Friday, January 8, 2021 4:57 PM
To: Bob Gualtieri; Burke, Ken; Rondolino, Judge Anthony; Chris.Sprows@myfloridahouse.gov
Cc: Long, Janet C; Gerard, Pat; Justice, Charlie; Eggers, Dave; Seel, Karen; Peters, Kathleen; Robinson-Flowers, Rene
Subject: Should Pinellas Courthouse be named after Bernie McCabe?

CAUTION:

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All,

Current House Speaker Chris Sprows has spearheaded an effort to have the Pinellas County Courthouse named after the late Bernie McCabe. Supporting this effort include, Sheriff Gualtieri, Clerk Burke, and Chief Rondolino. They are urging the Pinellas Commission to make this happen....Sprows penned the letter to the Commission asking that this be done...

He wrote in part:

“Naming the building that he walked into every day to serve as a minister of justice, well ... it’s the right thing to do. We hope you will.”

Chris Sprows, it is being said, may be seeking to run for State Attorney in the 6th Circuit

<https://www.tampabay.com/news/2021/01/08/florida-house-speaker-rename-pinellas-courthouse-after-bernie-mccabe/>

cc:

Sheriff Gualtieri
House Speaker Chris Sprows
Pinellas Ken Burke
Pinellas Chief Judge Rondolio
Pinellas County Commissioners:
Janet Long,
Pat Gerard
Charlie Justice
Dave Eggers
Karen Williams Seel
Kathleen Peters
Rene Flowers

The Courthouse is of the People, not the State Attorney's office.....

The Courthouse is supposed to represent Truth and Justice (and neither side of a case is the absolute holder of those ideals) and it is supposed to be blind not visually focused on any one side....Why not name the Pinellas Courthouse after Sara Mollo, the first woman public defender in the 6th or after the recently retired Public Defender Bob Dillinger (who also served as a "minister of justice") we all know the answer to that....

It is not the "right thing to do" as Sprowls (a former prosecutor and acolyte of McCabe) suggests to the Pinellas Commission, to name a building after a man who represented the prosecutorial side of a criminal case, especially for those who will have to walk through its doors and are being prosecuted while they are to be **presumed innocent** until proven guilty by a jury of their peers under the law. There will be people who have been falsely accused within those that walk through the doors of that courthouse as well.....this is not the right thing for our community or system of justice.

Our Constitution (state and federal) calls for **equal justice under the law for all**not just justice for the prosecuting government side....

Keep Justice blind and equal for all. If Sprowls wants to pay tribute to McCabe, let him hang an adoring portrait of McCabe in his legislative office and/or home.....and so his constituents can question whether he is a staunch supporter of due process and fairness for all and not just one side.....

I will be broadcasting about this widely and let the public know how commissioners voted for this and its ramifications and also let them know that **Mr. McCabe's office was #1 last year in the STATE of FLORIDA in number of prison sentences**if Sprowls' real intent is to make it known far and wide that the 6th Circuit is a strong jurisdiction of "law and order" even though I have still not read any public condemnation by him against our current outgoing president who incited a riot and attack on our capital that have left 5 dead including a law enforcement officer, I'll be happy to spread the word....

there are over 180 attorneys blind copied on thisplease share

Haydee Oropesa

FW: Robert Jagger, first Pinellas-Pasco public defender, valued life and due process (Dual Name Inclusion of Courthouse)

Carpenter, Katherine <kcarpenter@co.pinellas.fl.us>

Mon 1/25/2021 1:48 PM

To: Comments, BCC Agenda <bccagendacomment@co.pinellas.fl.us>

From: Klug, Della <dklug@co.pinellas.fl.us>

Sent: Monday, January 25, 2021 8:46 AM

To: Carpenter, Katherine <kcarpenter@co.pinellas.fl.us>

Cc: Smitke, Arlene L <asmitke@co.pinellas.fl.us>

Subject: FW: Robert Jagger, first Pinellas-Pasco public defender, valued life and due process (Dual Name Inclusion of Courthouse)

For February 9th BCC Meeting – Honorary Naming Rights.

Della Klug

Senior Executive Assistant to

Barry A. Burton, Pinellas County Administrator

315 Court Street, 6th Floor, Clearwater, FL 33756

Phone (727) 453-3089

Fax (727) 464-4384

dklug@pinellascounty.org

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From: Burton, Barry <bburton@co.pinellas.fl.us>

Sent: Saturday, January 23, 2021 4:07 PM

To: Klug, Della <dklug@co.pinellas.fl.us>

Subject: Fwd: Robert Jagger, first Pinellas-Pasco public defender, valued life and due process (Dual Name Inclusion of Courthouse)

Begin forwarded message:

From: Haydee Oropesa <oropesadefense@gmail.com>

Date: January 23, 2021 at 4:05:07 PM EST

To: Chris.Sprows@myfloridahouse.gov

Cc: "Rondolino, Judge Anthony" <ARondoli@jud6.org>, Bob Gualtieri <rgualtieri@pcsonet.com>, "Burke, Ken" <kburke@co.pinellas.fl.us>, Kathryn Varn <kvarn@tampabay.com>, Charles Osowski <COsowski@wfla.com>, "Burton, Barry" <bburton@co.pinellas.fl.us>, "Robinson-Flowers, Rene"

<rflowers@co.pinellas.fl.us>, "Long, Janet C" <JanetCLong@co.pinellas.fl.us>, "Justice, Charlie" <cjustice@co.pinellas.fl.us>, "Eggers, Dave" <deggers@co.pinellas.fl.us>, "Seel, Karen" <kseel@co.pinellas.fl.us>, "Peters, Kathleen" <kpeters@pinellascounty.org>, "Gerard, Pat" <pgerard@co.pinellas.fl.us>, "Bartlett, Bruce" <bbartlett@co.pinellas.fl.us>

Subject: Robert Jagger, first Pinellas-Pasco public defender, valued life and due process (Dual Name Inclusion of Courthouse)

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Rep Sprowls,

Some attorneys have reacted to your request to re-name the courthouse after Bernie McCabe and have suggested that a dual name be considered representing both sides of the criminal justice system, **Jagger/McCabe Justice Complex**? Would you have an objection to that ? see article link published last year after the passing of Robert Jagger, **the 6th's Circuit first public defender...**

I would ask same question to those who have asked the County Commission to consider naming it after McCabe, **Sheriff Gualtieri, Chief Judge Rondolino** (who I believe served as a public defender under Jagger and the suggested dual name would help sustain an appearance of impartiality by a judge and not an appearance that the Chief of the 6th leans towards the prosecuting arm of the government), **Clerk Ken Burke, SAO Bruce Bartlett, and Bob Dillinger (I will forward this email to his cell)**.

I am having a live broadcast with community activists to inform the public of this issue and would appreciate your responses so that I can let the public know.

<https://www.tampabay.com/news/2020/08/03/epilogue-robert-jagger-first-pinellas-pasco-public-defender-valued-life-and-due-process/>

Haydee Oropesa