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THE DAYTONA BEACH

NEWS-JOURNAL

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SPECIAL SECTION INSIDE



A NEWS-JOURNAL SPECIAL REPORT:
OFFICER-INVOLVED SHOOTINGS

SHOTS FIRED

When Florida law officers shoot, no one keeps track

By Skyler Swisher and Frank Fernandez
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Two simple questions: How often do Florida law officers use deadly force? And under what circumstances are those shots fired? The News-Journal set out months ago to answer those questions. Hundreds of public records requests and thousands of pages of documents later, the newspaper's findings are startling. Among them:

■ No agency in Florida — or in the federal government — accurately tracks how often police in the Sunshine State shoot someone.

■ The News-Journal documented 249 officer-involved shootings in Florida during 2013 and 2014 — about one shooting every three days.

■ More than 40 percent of those shot were black men — a group that makes up less than 8 percent of the state's population.

■ More than 25 percent of those shot had histories of mental illness or drug issues. Police shot one mentally ill man who was armed with a broom.

■ Law enforcement agencies in Florida are mostly left to decide for themselves how to investigate officer-involved

shootings. About 70 percent of departments investigate themselves when one of their officers shoots someone.

The lack of transparency concerns lawmakers, and several were shocked to learn just how little information is available about police shootings in Florida.

"We can't decide if there is a problem until we can measure what is happening," said State Rep. Fred Costello, R-Ormond Beach.

Turn to our pullout section inside today's paper to read "Shots Fired." For the first time, you can find out the details about officer-involved shootings in Florida. You will also learn how little state officials know about the use of deadly force.

[SEE THE SPECIAL SECTION INSIDE TODAY'S NEWS-JOURNAL](#)

To obtain more information, including actual investigative reports, about the 2013 and 2014 shootings, go to [news-journalonline.com/policeshootingsdatabase](#).



FATAL SHOOTING

Off-duty cop who killed uncle has prior incidents

DeLand officer cleared in 2012 shooting but faces lawsuit

By Dustin Wyatt
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The off-duty officer who used his police-issued handgun to shoot and kill his uncle Friday evening has been involved in controversial use-of-force incidents in the past while on duty, including the excessive use of a Taser on a handcuffed suspect and firing shots at two men in their backyard who police said aimed a BB gun at officers.

In the 2012 shooting case, DeLand police officer Bobby Harrelson was cleared of any wrongdoing, but one of the men he shot, Javier Perez, was found not guilty of aggravated assault of a law enforcement officer in a jury trial this

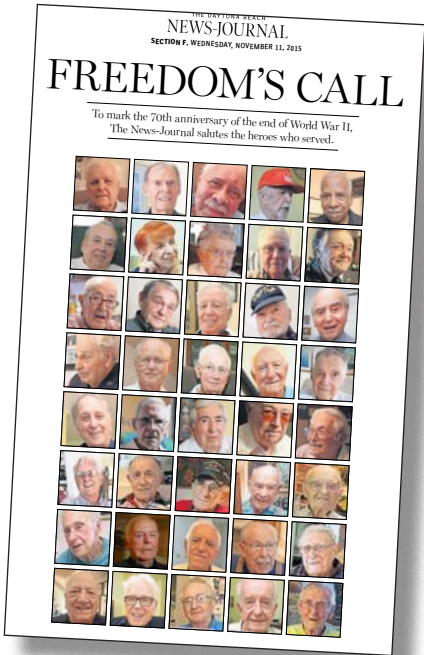
More Online



Read the lawsuit filed against Officer Bobby Harrelson at [news-journalonline.com](#)

SEE COP, A10

COMING WEDNESDAY



A Veterans Day Tribute

Seventy years after the end of World War II, local veterans share their amazing stories in a special section.

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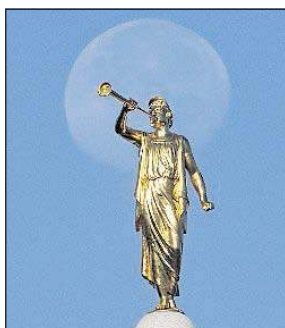
Phantom noise on cockpit recorder

Investigators heard "a noise" in the final second of the black box recording of the Russian flight that crashed in Egypt, but the team of experts has not yet determined what brought the plane down over the Sinai Peninsula last week. **A3**

NATION

Devastating new Mormon rules

Rights advocates in the LGBT community are reeling over new Mormon church rules that are aimed at making life more difficult for gay members and their children. **A5**





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A NEWS-JOURNAL SPECIAL REPORT

SHOTS FIRED

No state agency in Florida tracks police shootings. When there is a shooting, departments often investigate themselves.



Volusia County Sheriff's Deputy Joel Hernandez, in plain clothes, points his gun toward Edward P. Miller after shooting and killing him outside Fryer's Towing on Sept. 20, 2014 in Daytona Beach. Deputy Matthew Andracke, in a white shirt, is detaining Miller's son, Edward D. Miller. Hernandez said he opened the door to Edward P. Miller's SUV and Miller started to pull a revolver from his pocket, according to reports. Edward P. Miller was hearing impaired. VIDEO STILL PROVIDED BY VOLUSIA COUNTY SHERIFF'S OFFICE



By Skyler Swisher and Frank Fernandez
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Police shoot someone in Florida on average once every three days. But Danny Banks doesn't know that. He's the special agent in charge for the Florida Department of Law Enforcement in central Florida. Seventh Circuit State Attorney R.J. Larizza didn't want to hazard a guess on how often police use deadly force. State Rep. David Santiago, R-Deltona, and other lawmakers thought the information was readily available and were shocked to learn it wasn't. Not even the FBI is aware of how often police in Florida use deadly force. Cities aren't legally required to report officer-involved shootings to the FBI, and many of them don't. Nor does any state agency track officer-involved shootings.

It took hundreds of public records requests, and combing through hundreds of media reports, for The News-Journal to uncover how often police shot people in 2013 and 2014 in Florida. Many agencies cooperated and turned over records, but others put up substantial barriers, charging hefty bills to provide the information and refusing to answer questions. In 2013 and 2014, Florida law enforcement agencies shot at least 249 people, and 162 of the shootings were fatal. But even that number is likely an incomplete picture because agencies don't have to release records for cases that are still pending. Based on a review of media reports, 53 people have been killed by Florida law officers so far this year. As scrutiny mounts on police tactics, it's unacceptable that the public has no accounting of how often people are shot and killed by officers, said Jim Buermann, president of the Police

Foundation, a Washington, D.C.-based group advocating for better police training. "This is problematic nationwide," Buermann said. "The official (federal) data could be as much as 50 percent under-reported. It's a phenomenon we need to understand, and until we understand how often it happens, we may never get our hands around it and reduce the number of police shootings." Deadly force sometimes cannot be avoided. Just over half — about 55 percent — of the officer-involved shootings in 2013 and 2014 involved suspects who were armed with guns. Reports reviewed by The News-Journal describe incidents where officers acted heroically, sometimes defending themselves from a barrage of bullets. But the lack of transparency surrounding officer-involved shootings also has obscured the public's view of trends that deserve scrutiny:

■ Time and time again, police are called to help the mentally ill and end up shooting and killing them. In Boca Raton, a Palm Beach Sheriff deputy shot and killed a 28-year-old mentally ill man who was holding a Phillips head screwdriver, and who had called police asking for help. In the small North Florida town of Gretna, an unarmed 24-year-old man was killed after his mother requested police help to compel her son to take his medication and a scuffle ensued that led to the man being shot. In Miami Gardens, police fatally shot a mentally ill man who was waving a broom at officers. Only two states spend less per person on mental health services than Florida, meaning it is often left to law enforcement to handle the mentally ill. ■ Despite making up less than 8 percent of the population, black men comprised 40 percent of the people

SEE SHOTS, S2

MORE INSIDE:

BLACK MEN SHOT OFTEN
They make up less than 8 percent of Florida's population, but 40 percent of the people law officers shot in 2013 and 2014 were black men. **PAGE S3**

LETHAL ENCOUNTERS WITH THE MENTALLY ILL, DRUGGED
Florida ranks near the bottom nationally on spending to care for the mentally ill. That means police often must confront the mentally ill on the street — with sometimes tragic results. **PAGE S5**

WHEN POLICE SHOOT, THEY USUALLY INVESTIGATE THEIR OWN
It's up to individual police agencies to decide who investigates when one of their officers shoots someone. Most of the time, agencies investigate such shootings themselves. **PAGE S7**

TRACKING POLICE SHOOTINGS DIFFICULT, COSTLY
It took The News-Journal nearly a year, hundreds of records requests, and more than \$1,000 to compile a list of officer-involved shootings. **PAGE S9**

MORE ONLINE:

To obtain more information, including actual investigative reports, about the 2013 and 2014 shootings, go to news-journalonline.com/policeshootingsdatabase.

SHOTS

From Page S1

shot by the police. Thirty-eight people who were shot by police were unarmed. Twenty-one of those unarmed subjects — about 55 percent — were black men.

■ Nothing in Florida law requires an outside investigation of police shootings, and numerous law enforcement agencies across Florida investigate shootings involving their own officers. One of Florida’s largest counties, Palm Beach County, handles its own investigations and has fought efforts to set up an independent citizen’s review board to examine officer-involved shootings, despite calls to do so from citizens. Only one-third of law enforcement agencies have memorandums of understanding with FDLE to investigate officer-involved shootings.

■ Officers occasionally shoot people while off duty and not in uniform. Most recently, the shooting death of Corey Jones by a Palm Beach Gardens officer who was not in uniform has captured headlines. But a review of records by The News-Journal found this is not an isolated case. For instance, an off-duty Palm Beach County deputy was not carrying identification but was carrying his gun when he shot a man multiple times who was trespassing in an apartment complex hot tub with his girlfriend in 2014. The deputy said the man threatened him with an empty wine bottle, and the shooting was found to be justified following an investigation by the deputy’s own department. In Daytona Beach, a deputy in plain clothes shot and killed a 52-year-old hearing impaired man who was involved in a dispute at a tow yard.

■ Officers continue to shoot into moving cars, despite most major police departments and the U.S. Department of Justice discouraging the practice. Shooting at moving cars is banned by many agencies because it is viewed as ineffective at stopping the threat and dangerous for innocent parties. Despite this, police identified vehicles as the primary threat for 25 people shot in 2013 and 2014.

■ Police involved in shootings are rarely prosecuted on charges of excessive force. The last time a Florida police officer was successfully prosecuted for an on-duty shooting was in 1989, according to a survey of state attorney offices. An appellate court eventually overturned that conviction.

‘A TRAGIC, TRAGIC INCIDENT’

Beyond the statistics exist the stories of heartbroken families who must deal with the death of their loved ones and the police officers who must grapple with a split-second decision that can change their life.

On a rainy Oct. 21 afternoon, Sheila Cruise walked into a Volusia County courtroom. Her eyes grew watery, and it wasn’t difficult to know what was coming next. She took a seat on a bench in the courtroom. Family and friends surrounded her.

On March 4, deputies had arrived at 6:30 a.m. to serve a narcotics search warrant at the home of her 26-year-old son, Derek Cruise. A gunshot rang out. Cruise, wearing nothing but basketball shorts, fell to the ground with a gunshot wound to the face.

His hands were empty. State Attorney R.J. Larizza walked to the podium. Just moments before he had broken the news to Cruise’s family. The clicks of cameras and flashes filled the room. After two days of deliberations, a grand jury had declined to indict Volusia County Deputy Todd Raible, the man who shot and killed Sheila Cruise’s son.

“This was a tragic, tragic incident,” Larizza said with Sheila Cruise’s sobs in the background. “It was an incident that nobody wanted to happen. It’s an incident

that if we could turn back the clock, we would.”

It’s a scene repeated across Florida. Investigative files contain numerous incidents where officers make split-second decisions. In this case, Raible forced his way into the home after someone locked the door, and Raible said he saw Cruise clasp his hands together, according to investigative reports. Raible pulled the trigger.

Raible recalled going outside as Cruise lay on the floor dying. He took off his belt and dropped to his knees, thinking or speaking out loud about the gun he thought he saw.

“It was there. The gun was there. He was pointing something at me,” Raible said in an interview with investigators.

Police searched the home. They found about half a pound of marijuana, \$3,000 in cash, a drug ledger and a scale.

One thing they didn’t find — weapons. As she left the courtroom, reporters flocked to Sheila Cruise. She bowed her head and clutched a tissue in her hand. Tears rolled down her cheeks.

“It hurts,” she said. “It shouldn’t have happened the way that it did.”

While the deputy won’t face criminal charges, the Cruise family plans to pursue the matter in civil court.

Edward P. Miller’s family is also considering legal action in another Volusia County shooting.

On Sept. 20, 2014, a Volusia Sheriff’s deputy in plain clothes and Miller, who according to family members was classified as profoundly deaf by a hearing aid specialist, mixed in a fatal combination that continues to echo in the family’s memory. Miller, 52, was sitting in his SUV getting ready to drive away after taking his son to get his pickup from Fryer’s Towing in Daytona Beach. But after a complaint by Fryer’s workers, deputy Joel Hernandez, wearing street clothes and a badge, cuffs and gun on his belt, walked toward Miller. Hernandez announced he was a deputy, reports said. But Miller didn’t have his hearing aids, his family said. The hearing aids were in the shop being repaired.

After Hernandez opened the door to Miller’s SUV, Miller pulled his gun from his pocket, the report states. Miller had a permit to carry a concealed weapon. Hernandez shot Miller to death. Larizza determined that the shooting was justified.

Miller had worn hearing aids since age 3, said his sister Irena Crouch, 62, of Port Orange. Crouch, who is also deaf and depends on hearing aids and lip reading to communicate, dabbed at her eyes with tissue to wipe away the tears as she spoke about her only sibling.

“It’s a tragedy because a beautiful human being is no longer here,” Crouch said. “He was my baby brother.”

LAWSUITS AGAINST POLICE

If the Cruises and Millers take their cases to court, they’ll face an uphill battle.

Suing the police is immensely difficult, and for good reason, said Christopher Dillingham, a civil rights attorney who worked for the DeLand Police Department before becoming a lawyer.

“As a societal policy, we want the police to do their job without fear of lawsuits,” he said.

The 1989 court case *Graham v. Connor* gives guidance on when it is appropriate for police to use deadly force. Judging an officer’s actions should be based on the judgment of a “reasonable” officer on the scene rather than based on hindsight. Factors to consider when evaluating the use of deadly force include the severity of the criminal act, whether the suspect poses an immediate danger to the officers or others, and whether the suspect is resisting or evading.

At one time, Florida law allowed police to shoot any fleeing felon. The 1985 case *Tennessee v. Garner* limited



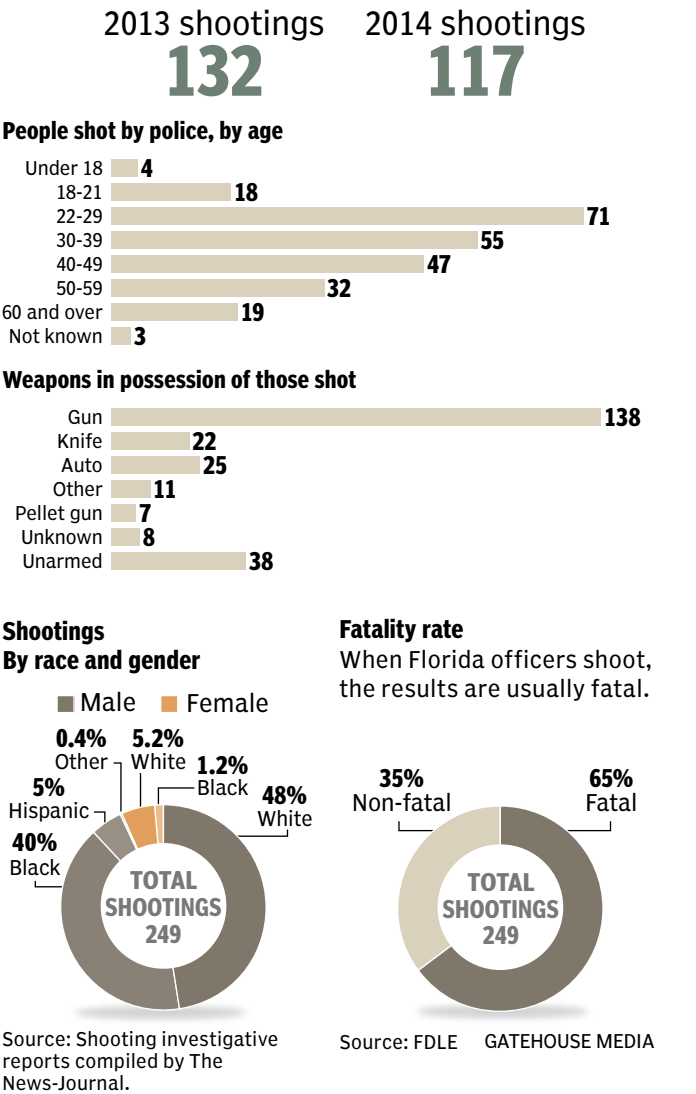
Sheila Cruise fights back tears as she stands next to Attorney Mark NeJame and other family members of Derek Cruise during a press confrence on October 21, 2015 following the grand jury decision not to indict a Volusia County deputy who shot and killed Derek Cruise in March during a drug raid.

NEWS-JOURNAL/DAVID TUCKER

Who Florida law officers shoot

The Daytona Beach News-Journal used hundreds of public records requests to gather investigative reports about officer-involved shootings in Florida during 2013 and 2014.

The figures below include people who died, as well as those who were wounded but survived.



that to only instances in which the fleeing suspect poses a significant threat to the officer or others.

Indictments of police officers for the use of deadly force are extraordinarily rare, and even successful lawsuits against the police are uncommon, Dillingham said. He estimates he receives hundreds of complaints about the police in a year, but he only has filed one lawsuit involving allegations of excessive force in 2015.

Officers are entitled to qualified immunity, meaning to be successful he must show the officer acted in bad faith in blatant disregard of someone’s constitutional rights.

SIMILAR SHOOTINGS, DIFFERENT RESULTS

Officers are unlikely to face sanctions in court. Even when it comes to internal disciplinary action, penalties can vary greatly by department.

In St. Petersburg, two officers were suspended and another terminated for shooting into a fleeing stolen car in April 2013, wounding 19-year-old Shaquille Sweat and a 15-year-old female passenger. Officers found the car backed into an alley and fired a collective 20 rounds when the car fled. One of the bullets struck a nearby house. Both Sweat and his passenger survived.

The city’s policy instructs officers to avoid moving cars, not shoot at them. Police are only authorized to use deadly force if the occupants are threatening them with a firearm. The girl in the car told investigators that neither she nor Sweat had a weapon.

Officer George Graves was fired for his role in the shooting, and former St.

Petersburg Police Chief Chuck Harmon wrote that Graves was 90 feet away from the car when he fired and it was driving past him. An arbitrator reinstated Graves in 2014 with back pay on the grounds that the disciplinary action wasn’t in line with that issued to other officers. Compare that shooting to one that happened in DeLand. DeLand police officers tried to stop Sean Grant on Oct. 21, 2013, after a convenience store clerk said he stole a 24-ounce can of Bud Light and a sandwich. Officer Joshua Santos opened fire after Grant backed up and hit another car, then pulled forward in the direction of Santos and out of the store’s parking lot. Bullets struck Grant and a backseat passenger. Both survived. At his trial, Grant’s attorney argued that he was just trying to get away. A jury found Grant not guilty of aggravated assault on an officer. Officer Santos didn’t face any disciplinary action, and DeLand Police Chief Bill Ridgway defended the officer. He added that officers don’t receive any special instruction regarding shooting into vehicles, and he thought Santos’ actions were used only as a “last resort.” After an FDLE investigation, the 7th Circuit State Attorney’s Office determined the shooting was justified.

LAWMAKERS WANT ACTION

Riots in Ferguson, Missouri, and Baltimore have directed the public’s attention on police shootings, but officers are likely using less deadly force than they have in the past, said Eugene Paoline, a professor of criminal justice at the University of Central Florida.

Officers also have access to less lethal options, such as stun guns, that weren’t available in the past.

“The use of force is a rather rare event,” Paoline said. “There is no evidence to suggest police are using more deadly force. If you compare it over time, it is less because the policies are more restrictive.”

But assessing how the use of force has changed over time or how it varies by department is difficult because of a lack of reliable data, Paoline said.

State Rep. Fred Costello, R-Ormond Beach, found it hard to believe there was no accounting of officer-involved shootings in Florida.

“I would have thought that there was one,” Costello said of an accounting of police shootings in Florida. “We can’t decide if there is a problem until we can measure what is happening.”

In terms of establishing a database of shootings, Costello thinks the cost would be negligible, and he’d support making it mandatory for FDLE to investigate all police shootings in Florida.

Other state lawmakers joined Costello in calling for more oversight.

Sen. Geraldine Thompson, D-Orlando, said she plans to introduce a bill requiring the Florida Department of Law Enforcement to investigate any officer-involved fatality in the state, whether it’s an officer-involved shooting or the person dies due to some other cause, such as police use of a chokehold or a Taser. Thompson said she wants a third agency to be involved since prosecutors who work daily with police also make decisions on whether to charge police with crimes.

“I want impartiality, particularly because the state attorney now makes this kind of decision and the state attorney depends on law enforcement to make the cases that they pursue,” Thompson said in a phone interview. “I believe a third party that is removed and impartial should be involved, and that would be FDLE.”

One bill supported by the Legislative Black Caucus would create a 15-member panel to review police shootings. Members would be appointed by the FDLE commissioner, and at least five could not be current or former law enforcement officers.

State Sen. David Simmons, R-Altamonte Springs, believes someone should be tracking how pervasive police shootings are in Florida. More importantly, he said, lawmakers need to focus on addressing the issues that contribute to police shootings. Increasing education funding to provide an extra hour of instruction at low-performing schools would be a good start.

“There exists a segment of society that feels like they have no future,” he said. “There are places in American cities simply stated where many people don’t want to go. What we have to do is we have to deal with the underlying problem. Education is the great equalizer in our society.”

In October, The News-Journal asked Republican Gov. Rick Scott whether he thought Florida adequately tracked officer-involved shootings and if a database is needed to track the shootings.

“First off, let’s think about where we are. We are at a 44-year-low in our crime rate. Whether you talk to FDLE . . . whether it’s FDLE, whether it’s our sheriff’s offices, our police departments, I mean, they’re working everyday to keep everybody safe,” Scott said.

Santiago, the Deltona representative, thinks the public deserves a clearer picture, and a database of police shootings would be a good place to start, he said.

“It educates us,” Santiago said. “It lets us know what is happening. It doesn’t mean I am demonizing the cops. Data is still data.”

A TROUBLING TREND

Black men make up less than 8 percent of Florida's population, but account for 40 percent of those shot by police

By Frank Fernandez
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Sean Grant, a black man shot by a DeLand police officer in 2013, carries the scars from the bullet wounds on his face and right arm, along with the knowledge that he represents a jarring statistic about officer-involved shootings in Florida.

Black men make up about 7.7 percent of Florida's population. But a News-Journal investigation has found that 40 percent of the 249 people law enforcement officers shot in the state during 2013 and 2014 were black men, according to investigative reports the newspaper obtained as a result of hundreds of public records requests.

Earlier this year, a jury acquitted Grant of two counts of aggravated assault with a deadly weapon on a law enforcement officer. His trial came after Florida Department of Law Enforcement investigated and the State Attorney's Office found that DeLand Officer Joshua Santos was justified in shooting Grant. Santos told investigators Grant tried to hit him with his car; Grant maintains he was simply trying to flee a dangerous situation.

Santos declined comment for this story. Grant is considering filing a lawsuit against DeLand and believes the color of his skin played a role in his being shot.

"I would say that due to the fact that me being a colored man it's easier for him to just unholster his gun than thinking about the situation," said Grant, 29.

STARK NUMBERS

The shooting of black men by law officers became a hot-button national issue after black suspect Michael Brown was shot dead by white police officer Darren Wilson in Ferguson, Missouri, in August 2014. An investigation found that Wilson was justified in shooting Brown after the two scuffled prior to the shooting. But that case, and other officer-involved shootings of black men since, ignited a national debate.

The subject raises troubling questions but no easy answers.

That police end up shooting black men at a rate five times greater than their population in Florida does not surprise the Rev. L. Ronald Durham, chairman of the civil rights commission of the Daytona Beach Black Clergy Alliance.

"It's painfully obvious that unfortunately there seems to be a systematic identifying of African-Americans in the United States as those upon whom police officers all too often target in their efforts for crime control and or trying to clamp down on illegal activity in communities," Durham said.

Hard feelings simmer beneath the surface for many black men, said former Circuit Judge Hubert L. Grimes, who retired in 2014 and was Volusia County's first black judge when he was elected in 1988. His response when told that 100 of the 249 people Florida law officers shot in 2013 and 2014 were black men: "Wow."

"We can't just snap our fingers and act like all the issues of the last 150, 200 years never occurred," Grimes added. "We have to be honest with ourselves and say we still have issues in this country and there's still a lot of anger and bitterness and hatred and sometimes it boils over and manifests itself with this kind of encounter between law enforcement and black males."

But Escambia County Sheriff Dave Morgan, who is white, said law enforcement simply responds to crimes when they occur. He said it's the job of



Sean Grant, with attorney Mark O'Mara in O'Mara's Orlando office, was shot by a DeLand police officer in 2013 in a convenience store parking lot after a shoplifting incident. The shooting was deemed justified and Grant is considering filing a lawsuit against the city of DeLand. He and O'Mara believe Grant's race may have been a factor in the shooting. NEWS-JOURNAL/JIM TILLER



Daytona Beach Police Chief Mike Chitwood points out a suspect to Rev. L. Ronald Durham during a press conference at the Daytona Beach Police Department in 2014. Durham, chairman of the civil rights commission of the Daytona Beach Black Clergy Alliance, sees a 'systematic identifying of African Americans in the United States' as targets in police 'efforts for crime control.' NEWS-JOURNAL FILE/JIM TILLER

When police shoot, it's often at black men

Florida police shot black men in 2013 and 2014 at a rate that is five times higher than that group's percent of the state's population

Black male population in Florida

7.7%

(of 18,801,310 people)

Black males police shot

40%

(100 of 249 people shot)

Sources: Shooting investigative reports compiled by The News-Journal; U.S. Census information. GATEHOUSE MEDIA

sociologists and psychologists to study why an inordinate number of minorities are involved in crime.

"Why is that phenomena there?" Morgan asked rhetorically. "(A) disproportionate number of minorities (are) engaged in criminal activity. Why is that?"

Morgan's department drew criticism and national attention in 2013 after deputies investigating a possible car theft shot a black man, Roy Middleton, who had been searching for a cigarette in his car parked in his driveway.

Middleton, then 60, was never charged with a crime. Deputies, who were both white, said they shot Middleton after he made a sudden movement toward them holding a shiny object. A grand jury eventually absolved the deputies involved in the shooting of any wrongdoing.

Morgan dismissed the notion that officers are quicker to draw on a black man.

"That's simply utter nonsense that our officers are more prone to resort to the ultimate use of force if confronting a black male as opposed to anybody else," Morgan said.

Volusia County Sheriff Ben Johnson pointed out that more than 90 percent of the suspects his county's deputies have shot in the past 33 years have been white — a rate slightly higher for whites than their actual percent of the county population.

He said one thing that leads to getting shot is battling with police.

"I don't care who you are," Johnson said. "If you are getting arrested, don't resist, don't fight. It doesn't have a

good outcome."

Seventh Circuit State Attorney R.J. Larizza said the statistics on black men being shot by police raise challenging questions.

"I think the statistic alone is troubling, but then you have to dig into it," Larizza said. "The number is the place to start, but then you have to ask why. And you know what? That is a tough a question to answer. Why?"

When you dig into the statistics, here's what you find: The youngest of the 100 black men law officers shot in 2013 and 2014 was 17. The oldest: 66. The average age was 27.

Many of the officer-involved shooting investigations provided to The News-Journal as a result of public records requests did not contain the race of officers involved in shootings. In the cases where The News-Journal could determine the races 69 of those shootings involved only white officers. Another seven involved multiple officers of different races, at least one being white. Seven shootings involved only black officers, three involved only Hispanic officers and another three involved only Asian officers.

Fifty-two of the 100 black men were armed with guns. An additional black man had a BB gun. Five had knives. Fifteen were accused of using vehicles as weapons. One had a crowbar. Another had a pipe. And 21 black men shot by police had no weapons.

A SANDWICH, BEER AND BULLETS

Grant, of Deltona, admits to making some errors in judgment in the minutes before

DeLand Officer Santos shot him on Oct. 21, 2013. Grant said he had enough money in his pocket to pay for a 24-ounce can of Bud Light and an Italian wrap sandwich at a RaceTrac on Woodland Boulevard. But the line at the register was long and the door to the parking lot was right there. Grant said he decided to walk out the door.

"It wasn't my intention to do it," Grant said during an interview in the Orlando office of his attorney, Mark O'Mara. "It was just a dumb decision that I did that led to this whole situation that happened."

A clerk noticed Grant stealing the beer and sandwich and told Santos and Officer Julian Rioz, who happened to be in the store. The two officers walked outside, and Santos asked Grant to stop so he could talk to him, according to the FDLE's investigation of the incident.

Grant said he didn't even know Santos was trying to talk to him until he was inside his car, a green 2003 Honda Accord. Why didn't he stop then when he saw Santos in a police uniform trying to talk to him?

"To be honest, 'cause I knew what I did was wrong and I was trying to get out of that situation," Grant said. Until then, his greatest trouble with the law had been a traffic ticket.

Grant said he was attempting to drive away when he saw Santos draw his gun.

"I was already in the car, the car had already started," Grant said. "I seen him say something. I don't know exactly what he said, but as I reversed the car and I'm going back, he unholsters his gun. That's when I just got kinda into survival mode. I didn't think that would ever happen and I never had a gun actually put towards me or pointed at me. That's when everything, the bad situation started. That's when I reversed into the back of another person's car and just tried to get out of there."

Santos told FDLE investigators Grant aimed the Honda at him and he was in fear for his life. So he opened fire. Santos hit Grant in the arm and face. A backseat passenger, William Alan Cole Kitchen II of DeLand, who is white, was hit in the chest. The other officer on the scene, Rioz, did not unholster his gun.

Grant dropped off Kitchen at a nearby car dealership, and drove himself to Florida Hospital Fish Memorial Medical Center in Orange City. He was then transported to Halifax Health Medical Center, where he was arrested and charged with two counts of aggravated assault on a law enforcement officer with a deadly weapon — his vehicle.

A jury returned not guilty verdicts at Grant's trial in March on the felony aggravated assault charges. But the

jury found him guilty of leaving the scene of an accident involving damage, a misdemeanor. Grant also pleaded no contest to retail theft, a misdemeanor, before the trial. He received six months probation.

Kitchen, who was simply getting a ride and was never charged with a crime, has filed a federal lawsuit against DeLand police. Grant said he is also considering filing a lawsuit. Santos, who is Hispanic, is now a sergeant with the DeLand police.

Race influences all police interactions, said O'Mara, who represented Grant in his criminal trial.

"I think without question that was a contributing factor," O'Mara said. "Did Santos come out and say, 'I get to shoot a black guy?' I don't think so. Did he pull his gun out a little quicker because he was black? Absolutely. Did he perceive a threat quicker because he was black? Absolutely. And did he react to that perceived threat much quicker and with more deadly force than he would have if it was me in the car? No doubt in (my) mind."

O'Mara said there has not been a big spike in the number of blacks being shot. But there has been a big spike in society's awareness. Cell phone videos and police body cameras have captured the shootings.

"While it was happening in the shadows, it's now happening in the cold light of day and we can't ignore it anymore," O'Mara said.

SHOT IN HIS DRIVEWAY

Roy Middleton's shooting in Escambia County received international attention.

Middleton was looking for a cigarette in his car after arriving home about 2:30 a.m. on July 27, 2013 near Pensacola. A neighbor mistook Middleton for a car thief and called the Escambia County Sheriff's Office, saying a black man was trying to steal a car.

Deputy Jeremiah Meeks said when he arrived he saw a black man in the car and ordered him to show him his hands, according to the FDLE report of the incident. Middleton then stuck his hands out of the car, withdrew them and then leaned over into the car's center console, the report said. Middleton then got out of the car and turned toward Meeks, extending his hand while holding a metallic object toward the deputy, the report states. Meeks believed Middleton was pointing a gun at him and fired 12 shots from his Glock handgun. Deputy Matthew White fired three shots.

Two shots hit Middleton, one in each leg. The deputies did not find any weapons on Middleton, the FDLE report said. They did find a small gold-colored key chain flashlight and a nail puller tool, the report said.

Middleton told FDLE investigators the deputies shot him as he got out of his car and began to raise his hands, the report said. Herepeated that story in a phone interview with The News-Journal.

"Why are you really trying to kill this person?" Middleton asked, speaking about himself in the second person. "How much disrespect do you have for human life, that you will shoot at somebody that many times?"

An Escambia County grand jury in October 2013 decided not to charge the deputies in the Middleton shooting. But the grand jury did recommend "more focused and intensive training for the first four years of a law enforcement officer's career" and encouraged "greater mentoring" between junior and senior deputies.

Morgan said his department incorporated the grand jury's recommendation, which also included a separate officer-involved shooting in which deputies were not charged and

Plainclothes police can risk confusion

Hazy identification can play a role in shootings

By Frank Fernandez
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Corey Jones’ sports utility vehicle had broken down on Interstate 95 in Palm Beach County just before he was killed. Edward Miller was sitting in his sport utility vehicle outside a Daytona Beach towing yard just before he was killed. Anthony Ribeiro was trespassing in a hot tub with his girlfriend just before he was shot.

While the circumstances are different, the men share something in their shootings: Each was shot by a law enforcement officer in plain clothes.

Jones’ shooting death on Oct. 18 by Palm Beach Gardens plainclothes police officer Nouman Raja was another in a string of controversial officer-involved shootings across the nation. In particular, there is speculation that Jones may not have known Raja was a law officer when the shooting occurred.

A News-Journal examination of 249 officer-involved shootings in Florida in 2013 and 2014 found two other shootings involving officers in plain clothes. In both those cases, questions regarding whether the officers’ identities were clear also arose.

Plainclothes law enforcement officers need to decide whether a situation is worth the risks of intervening, said Raimundo Socorro, director of the School of Justice at Miami Dade College.

“We look at officer safety and public safety. We generally discourage action by somebody in plain clothes unless somebody’s life is in danger,” Socorro said.

Law enforcement officers should always act if they see something wrong, he said. But if they are in plain clothes and no one is in danger it’s usually best to call for a marked police car with a uniformed officer, Socorro said. A citizen could think a man in cargo pants and a plain shirt claiming to be a cop is just a wanna-be. And uniformed cops might think so as well.

“They always have to be cautious of their situation, because they don’t want to be confused as a police impersonator by somebody and they don’t want to be confused as a threat by an officer that doesn’t recognize them,” Socorro said.

A SHOOTING AT A TOW YARD

Edward P. Miller, 52, had



Attendees hold signs in support of Corey Jones at a ‘rally for answers’ on Oct. 22, 2015, in Palm Beach Gardens. Jones was fatally shot by a plainclothes South Florida police officer. AP PHOTO/JOE SKIPPER

driven his son on Sept. 19, 2014, to retrieve his pickup which had been impounded at Fryer’s Towing in Daytona Beach. They had an argument with tow yard workers that day, and uniformed Daytona Beach police officers arrived, according to investigation records. The father and son left.

They returned the next day, paid a fee and were preparing to drive off. Volusia County Sheriff’s Deputy Joel Hernandez and another deputy were in plain clothes at the tow yard on an unrelated assignment. Hernandez decided to approach Miller after tow yard employees said Miller had threatened them and was blocking the gate. A video shows Hernandez was in pants and a T-shirt as he walked toward the SUV. Hernandez’s badge was on his right side on his belt next to his gun. As Hernandez and the other deputy, who was unarmed and had no apparent ID on the video, walked up to the gate, it started to slide open. The video shows Miller’s SUV moving forward, at least partially clearing the gate.

The video does not show the actual shooting. Hernandez told investigators he announced to Miller that he was a deputy. But the windows’ to Miller’s SUV were up. Family members said Miller was profoundly deaf, and he didn’t have his hearing aids. Hernandez said he ordered Miller several times to show him his hands. Hernandez said Miller was yelling something but he couldn’t understand what. Miller, who had a concealed weapons permit, began to pull a gun from his pocket. Hernandez opened fire, killing him. A 38-caliber revolver was found in Miller’s lap, a report states. Deputies next handcuffed Miller’s son, also named

Edward, who was sitting in his pickup and heard the shots.

Edward D. Miller, 26, was too upset to attend an interview with The News-Journal at the office of the family’s attorney Ward Berg



Edward P. Miller

in New Smyrna Beach, his family said. Edward P. Miller’s other son, 23-year-old Leon Miller, and Miller’s widow,

53-year-old Gina Miller, said they were both at work at the Walmart on Beville Road when members of the Sheriff’s Office and the Florida Department of Law Enforcement arrived and asked to speak to them in a room away from the store’s bustle. The officers tried to ease the Millers’ concerns at having police suddenly show up asking for them.

“They told me that nobody was really in trouble,” Leon Miller said.

“Yeah, nobody was in trouble,” said Gina Miller, looking at her son as the words hung in the empty space between them.

Leon Miller then asked the officers about the investigation. That’s when he learned that his father had been shot by a deputy.

“It took every ounce of my strength to ask them if they caught the perpetrator, and when I learned it was a cop, it got really bad. I never expected to hear that,” Leon Miller said. “Neither did I,” Gina Miller said.

Seventh Circuit State Attorney R.J. Larizza said the video shows Hernandez had the badge on his belt. But Larizza said he does not know whether Miller saw the badge. After an investigation by the FDLE, Larizza determined the shooting was justified.

In an interview, Volusia County Sheriff Ben Johnson

“It was more words exchanged, and then he hopped up, ran up this flight of stairs and started shooting me.”

Anthony Ribeiro, shot by a police officer in plain clothes.

pointed out that Hernandez’s badge was clearly visible. But he added that the shooting prompted him to order that plainclothes deputies wear their badges around their necks instead of their belts.

“Immediately, we ordered badges that hang around their necks. That’s a little more visible in general. It’s just closer to the area that the eye would generally see,” Johnson said.

A 2012 study by the Kansas City Police Department’s firearms training section focused on badge placement. The study found that officers who wore their badges on their belts were about six times more likely to be shot by other officers, according to a newsletter from the Kansas City Police Department.

NO BADGE BUT A GUN

Anthony Ribeiro, 49, and his girlfriend decided to go to a nearby Boca Raton apartment complex and use its hot tub on the evening of March 29, 2014. Ribeiro was blowing bubbles on his topless girlfriend’s stomach when the law showed up. But the law wasn’t dressed like the law.

Off-duty Palm Beach County Deputy Alex Alfonso, who lived in the apartment complex, was dressed casually and did not have any identification. He told the trespassing couple he was a deputy sheriff and they had to leave, investigation reports said. Ribeiro said in a phone interview that he didn’t believe that Alfonso, who wore shorts and shirt and had no badge or ID, was a deputy.

The couple left but returned later and confronted Alfonso, who was sitting by the hot tub in a lounge chair. Ribeiro said he was holding a wine bottle but he did not threaten Alfonso with the Pinot noir.

“It was more words exchanged, and then he hopped up, ran up this flight of stairs and started shooting me,” Ribeiro said in an interview.

Alfonso told investigators Ribeiro took an “aggressive posture” toward him, “standing over him and waving the bottle.” The deputy said Ribeiro was going to hit him in the head with the bottle.

“I did have a wine bottle in my hand but I wasn’t wielding it,” Ribeiro countered. “It was in my hands ready to drink it.”

Ribeiro, 49, was shot twice in the chest and once in the thigh, right hand and left forearm. Some of the bullets left entry and exit holes. Ribeiro

survived.

Ribeiro was charged with aggravated assault with a deadly weapon, but later pleaded guilty to reduced charges of a misdemeanor simple assault and trespassing. He said he pleaded because he didn’t want to take a chance losing in court on felony charges.

The Palm Beach County State Attorney’s Office found that Alfonso’s actions were legal. But the Palm Beach County Sheriff’s Office, which conducted the investigation into the shooting, did find that Alfonso violated policy by failing to display identification. Palm Beach County Sheriff Ric Bradshaw did not return emails seeking comment.

Ribeiro questions the validity of the Sheriff’s Office investigation of its deputy.

“You can’t investigate yourself fairly,” Ribeiro said.

A DISABLED CAR, A DRIVER’S DEATH

Corey Jones’ SUV broke down on Interstate 95 in Palm Beach County early in the morning on Sunday, Oct. 18. Jones, who had a concealed weapons permit, was carrying a gun he had purchased three days earlier, a press release from the city of Palm Beach Gardens said.

Palm Beach Gardens Police Officer Nouman Raja, who was in plain clothes and driving an unmarked police vehicle, drove up to investigate what he believed to be an abandoned vehicle, according to the press release.

“As the officer exited his vehicle, he was suddenly confronted by an armed subject. As a result of the confrontation, the officer discharged his firearm resulting in the death of Mr. Corey Jones,” the press release said.

The Palm Beach County Sheriff’s Office has requested and is receiving the assistance of the FBI in the Jones investigation, said Teri Barbera, director of the media relations bureau at the Sheriff’s Office. The Sheriff’s Office along with the FBI will investigate and turn over the information to State Attorney Dave Aronberg of the 15th Circuit. Aronberg will decide whether to file criminal charges against Raja, Barbera said.

Attorney Benjamin Crump, who is representing Corey Jones family, could not be reached for comment.

BLACK

From Page S3

unrelated to Middleton’s case. But he added that two-thirds of the people law officers shoot are fired upon because they make “furtive movements” and don’t follow the officer’s directions. He said Middleton fell in that category, and the shooting had nothing to do with his race.

“Let’s just stop and think of the silliness of that statement,” Morgan said. “I’m not going to draw my weapon if you’re white and I feel threatened. I mean that doesn’t make any sense, does it?”

TRAINING AND BIAS

Florida Sen. Geraldine Thompson, a black Democrat in Orlando, believes the disproportionate shooting by police of blacks is a reflection of their place in society.

“I think it’s a factor of how African-Americans have been projected and portrayed in our society as threatening and menacing even when they are unarmed and are not posing a threat or initiating any kind of confrontation,” Thompson said. “And I think police officers, like everyone else, respond to these projections and therefore you have a higher incidence of police officers shooting

African-Americans.”

More training is needed for law enforcement, she said.

“I believe it begins with education and seeing African-Americans projected in a more realistic light and beginning with our textbooks and our curriculum and our lesson plans,” Thompson said. “It’s an educational function. It’s also a societal function.”

Demeaning depictions of blacks in the media contribute to bias and the disproportionate shootings of blacks, said Carlton T. Mayers II, an attorney and the criminal justice manager for the NAACP at its national office in Baltimore.

Police officers should be aware of implicit bias and train to overcome that, he said. One way would be role playing with community members, Mayers said. They also need to learn about the civil rights movement, he said. All go toward counteracting the bias.

Police chiefs need to sit down with officers when they pull their guns, Mayers said.

“They tend to display their guns when there is no need to,” he said.

Human biases and police contact are two potential major reasons black men are shot in disproportionate numbers to the entire population, said Lorie Fridell, a University of South Florida criminology

professor. She said society links certain groups to aggression and danger.

“We are more likely to ‘see’ danger in young people, males, people of color, people in low-hanging pants,” Fridell said. “I mean these are implicit biases that pretty much all of us have, so the tendency would be to ‘see’ more threat in those people.”

Fridell said that people of color are disproportionately represented among low-income groups, and low-income groups are disproportionately represented among groups that commit street crime.

“We don’t find a causal relationship between race and crime,” Fridell said. “We find a causal relationship between income and street crime.”

Law officers should be presented with simulator training scenarios that break from the stereotypes, she said.

“The key to effective use-of-force training is putting these officers through these scenarios over and over again whereby the person who turns out to be a threat is just as likely to be a woman as a man, just as likely to be elderly as young, just as likely to be white as black,” Fridell said.

Daytona Beach Police Chief Mike Chitwood said a police officer’s view could be skewed if he or she works

in a predominantly black neighborhood where the perpetrators of crime and victims are both black. But he added that the same thing would be true if the officer worked in predominantly Italian or Irish neighborhoods. One way to combat preconception, he agreed, is through training, including putting officers through simulators in which the criminals come in all colors.

Chitwood said another way to fight bias is by fielding a diverse police force. But that’s easier said than done.

To illustrate, Chitwood recited numbers from the state test that law-aspiring officers take to gain certification. In 2014, 1,670 people took the test, including 276 females. Of those who passed the test, 523 were white, 176 Hispanic, 97 black, 3 Asian, and 29 “other.” That leaves few minorities for the multitude of law agencies in the state.

According to the FDLE, the Daytona Beach Police Department is 14 percent black. But 35 percent of the city’s 63,011 residents are black. Just 4 percent of the deputies in the Volusia County Sheriff’s Office are black, while 11 percent of the county’s 507,531 residents are black, according to the Census Bureau.

That disparity plays out in police departments throughout Florida.

In Tallahassee, 15 percent of the city’s street police officers are black, compared to a city population that is 35.5 percent black.

The disparity is even greater in many smaller cities. Chipley in Washington County has 11 police officers, none of them black. The city’s 3,605 residents are 32.8 percent black.

Larizza said the relatively high rate of officer-involved shootings of black men poses difficult questions that are much more complicated than simple explanations such as the racial makeup of law enforcement or biases against black men.

Her recently indicted three teenagers in St. Johns County on charges of first-degree murder. They were all black males.

“Did I control that? No,” Larizza said. “It’s what happened.”

Larizza said bias doesn’t explain everything.

“That’s why it’s so important not to paint this with some broad brush and say that’s the reason,” Larizza said. “Yes, it’s the reason sometimes. No, it’s not the reason other times. The sad reality is we have to dig in individually to these cases.”

FATAL ENCOUNTERS

By **Skyler Swisher**
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Police shootings often involve the mentally ill

Police were called to help Marlon Woodstock. Instead, they shot him dead.

It's a scene repeated across Florida. A first-of-its kind News-Journal review of officer-involved shootings found time and again that law enforcement in Florida ended up killing people with symptoms of mental illness, often despite calls for help from loved ones and pleas to show restraint.

"The police are in a very, very difficult situation," said Laura Usher, program manager with the National Alliance on Mental Illness. "They are being asked to be front-line responders for a mental health system that is entirely inadequate. We wait and wait until a person is in a crisis, and the only option is to call the police."

Training models for law enforcement stress restraint in dealing with the mentally ill.

Still, 66 police shooting reports from 2013 and 2014 in Florida explicitly mention the person shot had a mental illness, was suicidal or had substance abuse issues — about a quarter of the 249 officer-involved shootings The News-Journal uncovered as a result of public records requests. It's not clear how many officer-involved shootings in 2015 involved people with mental health issues because officer-involved shooting investigations normally take months to complete.

The U.S. Supreme Court examined the issue earlier this year in the case San Francisco v. Sheehan. The high court sided with two San Francisco police officers who shot and killed a mentally ill woman who threatened them with a bread knife. Justices, though, left unresolved the bigger question in the case: Does the Americans With Disabilities Act apply to police encounters with the mentally ill?

A SYSTEM UNDER STRAIN

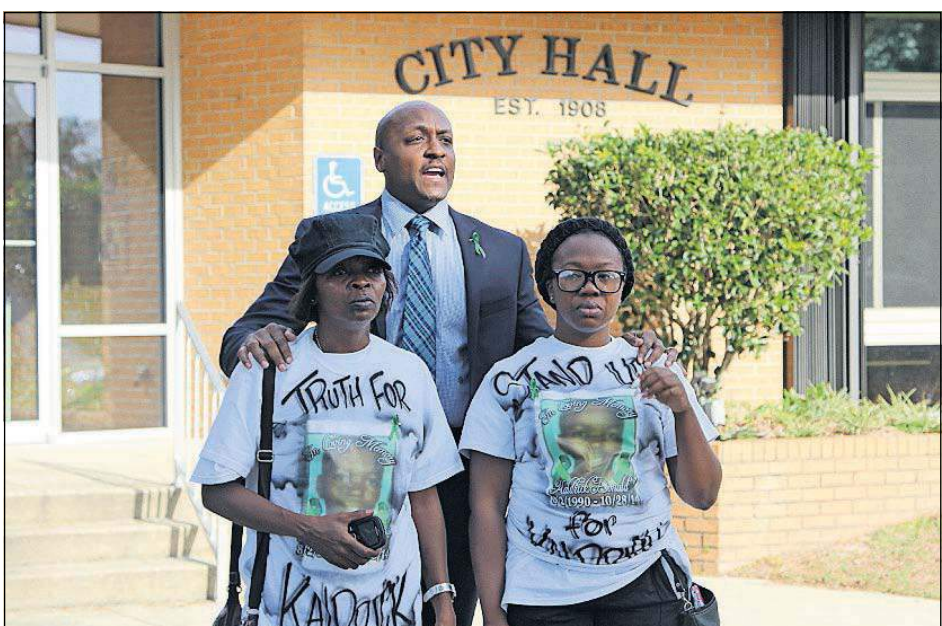
The mental health system is strained on several fronts in Florida and the nation, Usher said. Millions lack health insurance that allows them to access services. A shortage of mental health workers results in long wait times and overloaded case managers. More than \$4 billion in funding cuts nationally during the Great Recession closed vital services and tattered the mental health safety-net, according to the mental health advocacy group NAMI.

Florida in particular spends comparatively little on its mental health care system, with only two states spending less per person on services. More funding is needed to add beds in state mental hospitals and establish group homes where the chronically mentally ill could live in a supervised setting, said Chuck Flavio, director of behavioral services for Halifax Health Medical Center.

Halifax Health, a 678-bed public hospital system based in Daytona Beach, conducts about 600 psychiatric evaluations a month, with 75 percent of those



Patricia Marianetti, who attempted to commit suicide by cop in 2013, shows her injuries from a police shooting. She called the police and went into her yard holding a pressure washer wand. She refused to put the wand down and a deputy, thinking it was a gun, shot her. She survived but now says deputies should not have shot her but tased her instead. NEWS-JOURNAL/DAVID TUCKER



Kaldrick Donald's mother, Juanita Donald, left, and sister Shameka Donald stand with their attorney Craig Brown outside of Gretna City Hall in October 2014. Kaldrick Donald was fatally shot by a Gretna police officer. KARL ETTERS/TALLAHASSEE DEMOCRAT

evaluations being initiated by law enforcement under the state's Baker Act. That law allows involuntarily exams for people deemed to be a threat to themselves or others.

"The system has not been adequately funded for 30 years — now we are starting to see the effects of that," Flavio said. "The jail has become the biggest mental health provider in (Volusia) County."

In the past five years, more than 300 people have been discharged from the state mental hospital in Macclenny — located 30 miles west of Jacksonville — to Volusia, Flagler, Putnam and St. Johns counties, said Ivan Cosimi, CEO of Stewart-Marchman-Act Behavioral Healthcare. The agency only has the resources to connect about 20 of those people to a dedicated team of mental health professionals who help monitor them and ensure they make a smooth transition back into society.

"We could have an impact on the judicial system if we had expanded capacity," Cosimi said. "Meeting the immediate crisis is all well and good, but there is a real big gap between the crisis services and getting them stabilized in the community."

Prosecutors and law enforcement leaders themselves have pushed for increased funding for mental health services, saying lack of treatment is putting a strain on the criminal justice system.

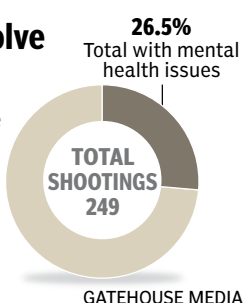
Seventh Circuit State Attorney R.J. Larizza has testified before state lawmakers and called for increased mental health funding.

"We need more training," he said. "We need more dollars, but smart dollars to address mental

Many police shootings involve the mentally unstable

More than 1 in 4 of the people police shot in 2013 and 2014 had histories of mental illness or drug problems.

Source: Shooting investigative reports compiled by The News-Journal.



health issues."

Gov. Rick Scott has acknowledged the way Florida's mental health care system is funded is "too fragmented," and the state needs to better coordinate services. He's calling for \$19 million in additional funding, but mental health providers say that is a "drop in the bucket" when spread across the entire state.

For the 2015-16 fiscal year, the state budgeted about \$1 billion for mental health and substance abuse treatment, an increase of about \$35 million from the previous year, according to the Florida Department of Children and Families.

POLICE ON FRONT LINES

Too often, police are forced to deal with the fallout when the mentally ill don't receive adequate treatment, Usher said.

And, as a general rule, mental health advocates say, people with mental illness are not an exceptionally violent group. Research studies have shown the mentally ill are more likely to be victims of violence as opposed to perpetrators.

But the mentally ill often end up in encounters with Florida law enforcement that lead to them being shot.

In Sunrise, O'Neil Woodstock informed a 9-1-1 dispatcher on Sept. 30, 2014, that his brother, Marlon Woodstock, was off his medication and acting erratically. Earlier in the day, Marlon Woodstock



Woodstock

needed to be Baker Acted and hospitalized," said O'Neil Woodstock in the 9-1-1 call, referencing the law that allows people believed to be a harm to themselves or others to be involuntarily held for up to 72 hours.

When police arrived, they found Marlon Woodstock, 38, clutching a knife. Officers used a stun gun and unleashed a dog that bit Woodstock's left leg, but it had no effect, according to a police report. Then Officer Gregory Loor fired a fatal shot. A determination on whether the shooting was justified is pending.

In a similar incident, Gretna Police Department Officer Sgt. Charles Brown was called Oct. 28, 2014, to help 24-year-old Kaldrick Donald because he was not taking his medication. Brown used his stun gun on Donald, but it had no effect, according to an investigative report by FDLE. Donald punched the officer in the face, and the two men struggled into the home. The floor collapsed, and Brown's legs became pinned in the floor, the report states.

"Sgt. Brown added he believed his life was in immediate danger,

and that he was going to lose consciousness," the report states. At that point, Brown shot and killed Donald.

Many people in the community rallied in support of the Donald family, calling it an unjust shooting of an unarmed man. A grand jury found the shooting to be justified, but the family has filed a lawsuit in state court.

Officers in Miami Gardens opened fire on Feb. 15, 2015, on a man with schizophrenia wielding a broomstick. An officer yelled at Lavall Hall, 25, to get on the ground or "you are dead," according to footage captured on a dash cam. He yelled several more times for Hall to get on the ground, and then he unleashed five shots from his handgun.

Two bullets struck Hall, killing him. A determination on whether the shooting was justified is pending.

Elsewhere in the state, a Palm Beach County Sheriff deputy shot and killed 28-year-old Matthew Pollow, who had called 9-1-1 asking for help on April 2, 2014.



Pollow

to an investigation by the Palm Beach County Sheriff's Office.

Prosecutors determined the shooting to be justified, but Pollow's family has filed a federal wrongful death lawsuit in April. The family argues the officer "used excessive force without justification to shoot and kill Matthew, despite the fact that Matthew had broken no laws, had not been placed under arrest, was in a place he was legally permitted to be, and was unarmed."

Deputy Evan Rosenthal, the one who shot Pollow, had a stun gun and pepper spray at his disposal, but neither were used, according to the lawsuit. The 15th Circuit State Attorney's Office determined that the shooting was justified.

POLICE FOCUS ON DE-ESCALATION

No state or federal agency tracks how often the mentally ill are killed by police, but agencies are working to improve how they deal with people in crisis. A

program called Crisis Intervention Training stresses techniques to de-escalate standoffs with mentally ill suspects.

Working with mental health advocates, the Memphis Police Department developed the CIT model following a police shooting of a mentally ill man wielding a knife in 1987. Since then, it has spread throughout the nation.

Daytona Beach Police Chief Mike Chitwood credits the training with saving the life of a man with mental illness who was wielding a knife this summer. Derrick Fletcher, 40, was possibly off his medication for schizophrenia, suicidal and threatening to kill people when police responded on the night of July 21 to Whitney Street, according to a police report. Chitwood said one officer kept his gun ready while another officer used a Taser to stun Fletcher and arrest him.

As officers subdued Fletcher, he muttered to police that he was Jesus Christ and their bullets could not hurt him, according to body camera footage.

Far too often, police encounter mentally ill people who want the police to shoot them but aren't posing a threat to others, Chitwood said.

"What do we do? We open the door, go charging in there and kill them," he said. "You have to say to yourself, 'What are we doing? Why are we doing that?'"

Suicidal subjects often later want to live. That's what happened with Patricia Marianetti, 64, of Ormond-by-the-Sea. She said she pointed a pressure washer wand at police in hopes that they'd think it was a gun. Despite her history of mental illness and previous Baker Acts, officers shot her near her right armpit, Marianetti said.

"I feel that they knew that I had mental problems before," she said. "How they didn't see that I did not have a frigging rifle I don't know."

The 7th Circuit State Attorney's Office determined the shooting was justified.

About 40 of Florida's 67 counties have received some level of CIT training, said Michele Saunders, chairperson of the Florida CIT Coalition.

Most agencies that haven't implemented the program are in rural areas, she said, and interest is spiking in the training program because of increased public attention on police shootings.

The training saves lives, but it is only effective if law enforcement agencies embrace it and have CIT-trained officers on staff to respond to mental health crises, said Sam Cochran, a retired Memphis Police Officer who helped found the CIT program.

It'll take more than training to address the issue, he said.

"I wish there was a magical formula, but there is not," Cochran said. "You are not going to find a magical prescription that makes everything better. You need multiple levels of services."

ROUTINELY SLOW

Investigating police shootings in Florida can takes months, sometimes years to finish

By **Skyler Swisher**
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By their own account, Miami-Dade police officers have shot at least 31 people since 2013.

Only five of those investigations have been closed by the 11th Circuit State Attorney’s Office, according to documents obtained by The News-Journal. It routinely takes months — sometimes years — for agencies in Florida to close investigations into officer-involved shootings.

One Miami Police Department case involving the 2010 shooting death of 16-year-old Joel Lee Johnson took nearly five years to complete. The State Attorney’s Office determined the shooting to be justified.

The glacial pace in Miami is only slightly slower than the speed of most officer-involved shooting investigations in Florida. Such investigations routinely take months to complete. Investigators and prosecutors say that’s a result of efforts to be thorough. But critics wonder why officer-involved shootings always take months, when investigations of shootings involving private citizens are often resolved in days and sometimes hours.

The slow pace of officer-involved shootings investigations is unacceptable, said Nathaniel Wilcox, executive director of the Miami-based community group People United to Lead the Struggle for Equality. He thinks prosecutors are complacent when it comes to rooting out police misconduct, and the public should be entitled to a speedier resolution of cases.

“There has always been push back from the State Attorney’s Office on investigating police misconduct and shootings,” said Wilcox, whose group formed in the wake of the “McDuffie riots” that devastated Miami’s black neighborhoods of Overtown and Liberty City. “If someone shot the state attorney, it wouldn’t take them that long to find somebody, to bring them to court and take them to trial.”

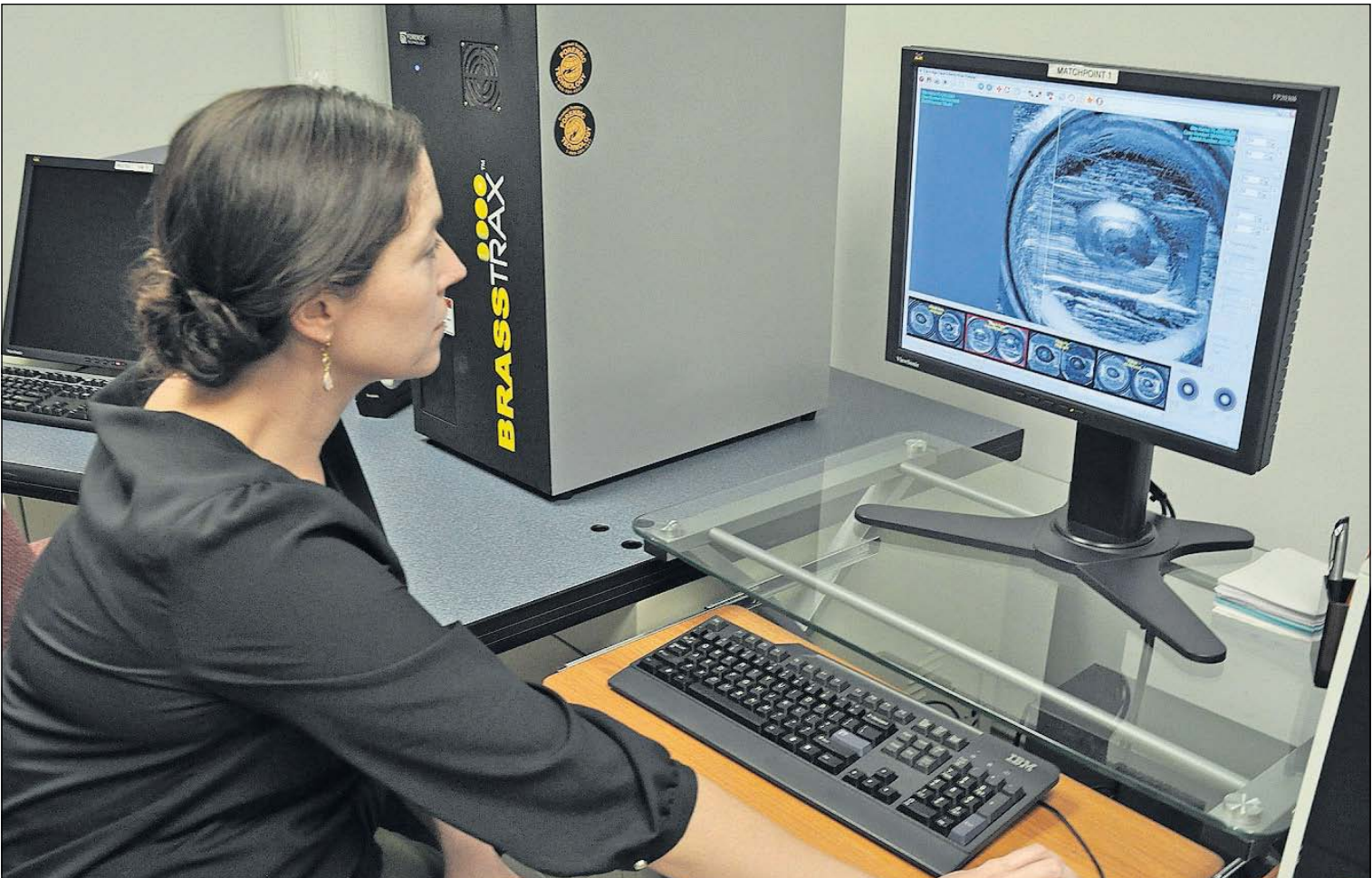
Frustration with the police boiled over in Miami in 1980. Riots erupted after Miami-Dade police officers were acquitted in the bludgeoning death of 33-year-old Arthur Lee McDuffie. The uprising caused \$100 million in property damage and resulted in 18 deaths.

Prosecutors say officer-involved shooting investigations are a top priority. But the cases are often complex, and it takes time to do a thorough investigation, said Don Horn, chief assistant state attorney for State Attorney Katherine Fernandez Rundle in Miami.

“Most cases are basically self-defense cases, and it doesn’t matter that they have a uniform on or that they are police officers,” Horn said. “Even if they were a civilian and the same activity occurred, particularly with stand your ground, you would be authorized to do the same thing the police officer did if you were in fear for your life.”

Wilcox’s group pressured the U.S. Department of Justice to investigate the Miami Police Department amid a wave of police shootings. From 2008 to 2011, Miami police officers shot 33 people, including the killings of seven black men in an eight-month span, according to the Justice Department’s review.

The Justice Department determined in July 2013 the department “did not provide



Kristin Durfee shows similarities in two shell casings in an electronic database that cross references police evidence from around the state at the Florida Department of Law Enforcement, in Orlando. NEWS-JOURNAL/PETER BAUER



Linzee Willette, a crime lab analyst, does a microscopic inspection of two shell casings at the Florida Department of Law Enforcement, in Orlando in August. NEWS-JOURNAL/PETER BAUER

close supervision or hold individuals accountable for their actions by failing to complete thorough, objective and timely investigations of officer-involved shootings.” It determined three of the shootings were unjustified and others involved excessive force stemming from inadequate training.

Officers are almost always found to be justified in using deadly force by state attorney offices in Florida. The last time a police officer in the state was convicted for killing someone while on duty was in 1989. Miami Police Officer William Lozano was convicted of two counts of manslaughter for shooting a fleeing motorcyclist in the head and the death of a passenger in the crash that followed. An appellate court reversed the conviction two years later, and he was acquitted in a retrial.

Investigators face numerous challenges in completing investigations of officer-involved shootings, said 7th Circuit State Attorney R.J. Larizza, who serves Volusia, Flagler, Putnam and St. Johns counties. Witnesses might be



Larizza

reluctant to talk. Officers are sometimes represented by legal counsel and might take weeks to deliver a statement. Prosecutors might want to consult with an expert and interview additional witnesses.

“I don’t want to create a situation where we make a bad decision because we are rushing because of public sentiment or because of violence in the streets,” Larizza said. “You have to balance it. We want to do them as quickly as we can but not sacrifice quality.”

Most recently, it took Larizza’s office and the Florida Department of Law Enforcement more than eight months to complete the investigation of a Volusia County Sheriff’s Office deputy’s shooting of an unarmed man during an early-morning drug raid March 4 in Deltona. At the end of that investigation, Larizza sent the case to a grand jury, which decided not to indict Deputy Todd Raible on a charge of manslaughter by culpable negligence for shooting Derek Cruice, 26. Grand jury proceedings are conducted in secret.

FDLE investigates most officer-involved shootings in Central Florida. Throughout

“In my opinion, the vast majority of these are cut and dry. The bad guy had a gun. He opened fire on the cop. The cop returned fire. That’s easy. That should be a no-brainer.”

Mike Chitwood, Daytona Beach police chief

the state, many law agencies investigate officer-involved shootings without FDLE input.

FDLE has a devoted team of seasoned investigators who arrive on the scene of an officer-involved shooting typically within an hour, said FDLE special-agent-in-charge Danny Banks. The investigations typically take about three or four months but can take as long as a year depending on the circumstances, he said.

“It takes us that long because we are trying to ensure that we are being that thorough,” Banks said. “There’s nothing worse to me than us turning in an investigation where we missed potential witnesses or forensic evidence that could lead toward an evaluation.”

Some in law enforcement think the investigations could be completed more quickly.

Daytona Beach Police Chief Mike Chitwood disagrees that police shootings are inherently more complicated than other criminal investigations.

“In my opinion, the vast majority of these are cut and dry,” Chitwood said. “The bad guy had a gun. He opened fire on the cop. The cop returned fire. That’s easy. That should be a no-brainer.”

The criminal justice system moves much faster in shooting cases involving private citizens.

When two Bethune-Cookman University students were killed in a shooting at a Daytona Beach apartment complex in September, officers obtained an arrest warrant within seven hours, Chitwood said. When officers use deadly force, it can take months until the State Attorney’s Office releases a ruling and investigative files become public.

But Banks said officer-involved shootings typically are more complicated because they involve a question of whether a crime was committed as opposed to who the perpetrator is.

Take the Sept. 25, 2013, shooting of Jermaine Green



Chitwood

in Daytona Beach. Officers captured the incident on a body camera, giving investigators a good sense of what transpired. Still, it took until Feb. 18, 2014 — nearly five months — to complete the investigation and determine that the shooting was justified.

The body cam footage showed two officers entering a house with their guns drawn. Green held his girlfriend at knifepoint and refused to drop the knife. The officers opened fire, hitting Green multiple times and striking the girlfriend in the right arm. Both survived, and Green was sentenced to 12 years in prison.

Records show the investigation involved speaking to officers, the girlfriend, emergency personnel, three witnesses, canvassing the neighborhood to talk to neighbors, reviewing call logs and footage of the incident and examining physical evidence, such as shell casings. One of the officers retained an attorney and declined to give a statement, referring investigators to the body cam footage.

Eugene Paoline, a professor of criminal justice at the University of Central Florida, said he isn’t surprised officer-involved shootings take so long to investigate. The cases seldom involve a “rogue police officer shooting citizens,” but instead involve complicated questions of whether force was excessive, he said.

Earlier this year, Miami-Dade decided to have FDLE investigate shootings there going forward. That in turn led FDLE to ask for additional money to increase the number of investigators devoted to officer-involved shootings. Without the additional investigators, it will take FDLE even longer to investigate officer-involved shootings.

Wilcox, the Miami activist, said citizens need to feel confident that justice will be served when police exceed their authority.

“I could be one of the not-very-often casualties,” Wilcox said. “Everybody counts. Everybody matters.”

“I don’t want to create a situation where we make a bad decision because we are rushing because of public sentiment or because of violence in the streets. You have to balance it. We want to do them as quickly as we can but not sacrifice quality.”

R.J. Larizza, 7th Circuit State Attorney serving Volusia, Flagler, Putnam and St. Johns counties

INVESTIGATING THEIR OWN

More than two-thirds of law agencies don't use FDLE to investigate officer-involved shootings

By Frank Fernandez
frank.fernandez@news-jrnl.com

Who investigates when a law officer in Florida shoots someone? That depends. In Daytona Beach and throughout Volusia County and Flagler County, the Florida Department of Law Enforcement is called in to investigate all officer-involved shootings. But just up Interstate 95 in St. Johns County, the sheriff's office investigates deputy-involved shootings themselves. So does the Jacksonville Sheriff's Office. On the other side of the state in St. Petersburg, the State Attorney's Office handles all officer-involved shootings. A News-Journal investigation of officer-involved shootings discovered what many citizens may not know: It's completely up to local police and sheriff departments to decide who investigates when one of their officers shoots someone. Departments often decide the best course is to investigate such shootings themselves.

Although FDLE makes its experts available to investigate officer-involved shootings, in 2013 and 2014 the state agency investigated only about one-third of the 249 officer-involved shootings in the state, The News-Journal found. In none of those 249 shootings was an officer charged with criminal wrongdoing. The last time a Florida officer was criminally charged for shooting someone was in 1989 in Miami.

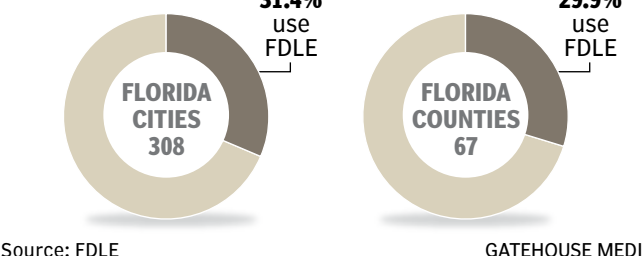
According to FDLE, just 31 percent of Florida's municipal police departments and 30 percent of county sheriff's offices have agreements for FDLE to investigate officer-involved shootings. "It's always dangerous to have people essentially investigating themselves," said Tamara Lave, a law professor at the University of Miami School of Law. When law enforcement agencies investigate one of their own, bias can too easily creep in, whether consciously or subconsciously, Lave said. "Some people are going to



Danny Banks, special agent in charge of the Florida Department of Law Enforcement's Orlando Regional Operations Center, says a growing number of law enforcement agencies are seeking out the services of FDLE. In the past year, both Miami and Miami-Dade County Police reached agreements with FDLE to investigate officer-involved shootings. NEWS-JOURNAL/PETER BAUER

Investigating their own

The Florida Department of Law Enforcement is willing to investigate officer-involved shootings of other agencies in the state, but the majority of city police departments and county sheriff's offices continue to investigate their own shootings.



Source: FDLE

GATEHOUSE MEDIA

go into an investigation with the best of intentions, and it's just harder to be impartial when you have one of your own," Lave said. The hodgepodge approach to investigating officer-involved shootings concerns state Sen. Geraldine Thompson, a Democrat from Orlando. Orlando is among the minority of departments that has FDLE investigate its officer involved shootings. Thompson plans to introduce legislation that would require FDLE to investigate any officer-involved fatality in the state, whether it's an

officer-involved shooting or the person dies due to some other cause, such as police use of a chokehold or a Taser. "I believe a third party that is removed and impartial should be involved, and that would be FDLE," Thompson said in a recent interview. An outside agency should investigate all officer-involved shootings to keep the inquiry impartial and prevent someone from tampering with the evidence, said Carlton T. Mayers II, an attorney who is the criminal justice manager at the NAACP's national office in Baltimore.

"We need to make sure that the department with the officer involved in the incident is not the department that is investigating that case," Mayers said. Daytona Beach Police Chief Mike Chitwood said it would be a good idea for FDLE to investigate all officer-involved shootings in the state, but said that the agency probably doesn't have the resources to take the task on. "I think it lends transparency," Chitwood said. "I think it should be an outside set of eyes. Certainly there's nothing wrong with that." But officials of other departments that investigate their own officer-involved shootings question the need for change. "I'm not sure what the benefit is," said Mike Bruno, who directs investigations for the Jacksonville Sheriff's Office. **OUTSIDE INVESTIGATION ALWAYS OPTIONAL** More than two-thirds of law enforcement agencies investigate their own officer-involved shootings. But even those that use FDLE to investigate their shootings can decide to investigate their own

whenever they want. The FDLE's non-binding agreement with some law enforcement agencies is called a "memorandum of understanding," or MOU. The MOU calls for FDLE to investigate officer-involved shootings for those agencies. But even with that agreement, those departments can wave off the FDLE and investigate shootings involving their officers if they want. "If an agency does have an MOU and they don't call us because for whatever reason they say 'Hey, this is pretty cut and dried and we don't need FDLE,' then we won't respond," said Gretl Plessinger, communications director for the FDLE. Conversely, an agency without an agreement can also call the FDLE and request that they investigate an officer-involved shooting, Plessinger said. "We don't track them but it's certainly not uncommon for an agency that doesn't have an MOU to call us and ask us to investigate," she said. When FDLE does investigate, its agents interview officers and witnesses. They gather DNA, guns and bullets and send them off to labs for testing. After FDLE completes its investigation it turns it over to a State Attorney's Office in the area where the shooting occurred, which decides whether to file any criminal charges against the officer. A State Attorney can also request additional information or conduct his or her own investigation. A growing number of law enforcement agencies are seeking out the services of FDLE, said Danny Banks, special agent in charge of FDLE's Orlando Regional Operations Center, which has 11 personnel dedicated to investigating officer-involved shootings. In the past year, both Miami and Miami-Dade County Police reached agreements with FDLE to investigate officer-involved shootings. FDLE's officer-involved shooting investigations have increased 117 percent over the past five years, according

SEE INVESTIGATE, S8

MICHELLE O'CONNELL CASE

FDLE, sheriff's office clash over death of deputy's girlfriend

By Frank Fernandez
frank.fernandez@news-jrnl.com

When the St. Johns County Sheriff's Office was unhappy with FDLE's investigation of its deputy-involved shootings, it simply picked up the phone and fired the state police. That sheriff's office had signed a Memorandum of Understanding in January 2009 for FDLE to investigate its officer-involved shootings. St. Johns County Sheriff's Office spokesman Chuck Mulligan said it stopped using the FDLE because it was taking too long. But bad blood had started brewing between the sheriff's office and FDLE during an investigation into the death of a deputy's girlfriend, which was ruled a suicide. Michelle O'Connell died of a gunshot wound on Sept. 2, 2010 from the service pistol belonging to Deputy Jeremy Banks. She was preparing to move out of the house she shared with Banks at the time of her death. The sheriff's office initially investigated, and a medical examiner ruled it a suicide. The case was the focus of a New York Times and Frontline investigation which questioned the circumstances around O'Connell's death. Although the sheriff's office had an agreement with FDLE to investigate officer-involved shootings, it did not call the agency because O'Connell's death was investigated as a suicide and it was not an officer-involved shooting,

sheriff's office spokesman Chuck Mulligan said in a phone interview with The News-Journal. However, in January 2011, St. Johns County Sheriff David Shoar asked FDLE to review the death. That was prompted by questions from the dead woman's family, Mulligan said. "The family was not happy with the findings that we had," Mulligan said. Eventually, the sheriff's office would not be happy with FDLE, and in particular agent Rusty Rodgers. From the start Rodgers reached the conclusion that Banks was "criminally culpable" for O'Connell's death and began calling the case "a homicide," according to a lawsuit Banks filed against Rodgers and FDLE. Rodgers used "falsehoods and unsupported innuendo" to convince O'Connell's family and friends that Banks killed her, according to the lawsuit now in federal court. Rodgers also "unlawfully detained and arrested" Banks without probable cause or due process, the lawsuit states. Rodgers also falsely reported to the sheriff's office that "high-velocity blood splatter" had been found on Banks' shirt, the lawsuit states. Rodgers' supervisor at the time, FDLE special agent in charge Dominic Pape, was advised of concerns about Rodgers but did nothing, according to the



O'Connell



Banks

lawsuit. In the meantime, 7th Circuit State Attorney R.J. Larizza recused himself from the case in October 2011. In a recent interview with the News-Journal, Larizza cited his contacts in the St. Johns County Sheriff's Office for stepping aside. "As you can see, the controversy was quite extreme even with that, and I think it would have been worse had I stayed on the case," Larizza said. "And I didn't want that to happen." One of O'Connell's sisters, Jennifer Crites, said in a phone interview that Larizza should have recused himself much sooner. "He has a working relationship with the St. Johns County Sheriff's Office," Crites said. Additionally, Shoar and his wife each gave Larizza \$500 toward his 2016 reelection campaign. Gov. Rick Scott assigned the case to 5th Circuit State Attorney Brad King, who closed the case in March 2012 without filing charges. The St. Johns County Sheriff's Office told the FDLE it would no longer be needed to investigate officer-involved shootings and in 2013 began handling the investigations itself, Mulligan said. Neither he nor FDLE could provide a date for termination of their agreement. Mulligan said the decision to discontinue using FDLE for

officer-involved shootings had nothing to do with the O'Connell case. "I don't believe that had any bearing on it," Mulligan said. Rather, he said FDLE was simply taking too long to investigate officer-involved shooting cases. "Officer-involved shootings were taking a year or more to get the results back," he said. Crites said the timing makes Mulligan's explanation questionable. "Yet, the timing of it shows otherwise. The timing contradicts that statement," Crites said. In March 2013, Sheriff Shoar also asked FDLE for an internal investigation into Rodgers and Pape, according to a timeline on the St. Johns County Sheriff's Office web site. Pape resigned the following month. In July 2013, Gov. Scott assigned 8th Circuit State Attorney Bill Cervone to investigate Rodger's conduct. Banks filed his lawsuit against Rodgers and FDLE in November 2013. Then, after new information surfaced, Gov. Scott in September 2014 assigned 9th Circuit State Attorney Jeffrey Ashton to review the O'Connell case. Ashton, like King, did not find sufficient evidence of probable cause that O'Connell's death was a homicide, according to a July 29 letter from Ashton. Ashton wrote that while he agreed that some evidence found by King's investigation might suggest O'Connell was the victim of a homicide, most

of the evidence was "equally suggestive" she committed suicide. Ashton also wrote his office learned of some unusual behavior by O'Connell and the possibility that she suffered some emotional or mental instability, which if anything supported her death being a suicide. He noted that three forensic pathologists had concluded her death was a suicide. O'Connell's brother, Scott O'Connell, who is also a St. Johns County Sheriff's deputy, also filed a lawsuit in April 2014 against Rodgers in circuit court. He accuses Rodgers of intentionally inflicting emotional distress on him, and accuses FDLE of negligently retaining and supervising Rodgers. The next development came in an August 7 letter from State Attorney Cervone, who found no criminal wrongdoing by Rodgers. But Cervone did write that Rodgers engaged in "questionable investigative techniques." Cervone also said that Rodgers "arguably but not provably" drafted warrants in a way that could be viewed as intended to mislead investigators. Cervone also said that to prosecute Rodgers on the evidence available would open the gates for people to request criminal prosecutions whenever they are unhappy with the actions or behavior of a law enforcement officer. Rodgers remains on paid administrative leave while the FDLE conducts an internal investigation, Plessinger said.

Police oppose civilian review boards

By **Skyler Swisher**
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Two years ago, Jace Pomales started Florida Cop Watch after a bad run-in with the Marion County Sheriff's Office.

Today, the group's Facebook page has attracted more than 80,000 likes. The 30-year-old Orlando resident is part of a growing movement demanding the public have greater oversight on police action.

Cellphone cameras and social media are powerful tools to protect against police abuse and brutality, Pomales said. "This has always existed, but there was never a platform for people to share their stories," said Pomales, whose organization encourages citizens to film their encounters with police. "It has provided this outlet for people to go who have dealt with this."

Pomales wants to see committees composed of citizens and law enforcement to review police shootings and misconduct. Several communities in Florida and across the country have civilian review boards with varying degrees of power. Some have full investigative authority, can subpoena records and witnesses, and maintain paid staffs. Others are more advisory in nature.

Pomales and his wife settled a civil rights lawsuit for \$30,000 they filed against the Marion County Sheriff's Office. The couple argued deputies falsely arrested them and charged them with resisting arrest without violence when investigating a house party.

The 5th Judicial Circuit State Attorney's Office dropped the charges filed against the couple, thanks in part because Pomales' wife captured the incident on a cellphone camera.



"They can sit basically in an ivory tower and make a decision without knowing what goes on out on the street and what goes on in that split second. Hardly any of them have ever been through a situation of pure terror on the street."

Ben Johnson,
Volusia County Sheriff



"This (police abuse) has always existed, but there was never a platform for people to share their stories. It has provided this outlet for people to go who have dealt with this."

Jace Pomales,
founder of Florida Cop Watch



"Our main problem with these boards is their lack of insight and understanding into what police do and why they do it. In many instances, there is a built-in bias against the police. They tend to be community activists and academics with no real police experience."

James Pasco, executive director
of the Fraternal Order of Police

an ivory tower and make a decision without knowing what goes on out on the street and what goes on in that split second," Johnson said. "Hardly any of them have ever been through a situation of pure terror on the street."

Daytona Beach Police Chief Mike Chitwood agreed. He said his department is transparent enough with the public, making a board unnecessary.

"A citizen review board adds another level of bureaucracy and slows down the process," he said. "In most cases, the civilians don't get it right because they don't understand it. Their penalties are much less stringent than the chief's would be."

Efforts to establish new boards have met resistance elsewhere. In Palm Beach County, County Commissioners voted in September not to create a citizen's review board because it would have no authority over Palm Beach Sheriff Ric Bradshaw, an elected constitutional officer.

Established boards also have encountered problems. A Miami Herald investigation found Miami's board was plagued by delays in closing cases, staff disputes and had not used its subpoena power in years.

Lynne Hubbard, president of the Florida Democratic Black Caucus' Palm Beach County Chapter, said she's frustrated that there isn't more of a check on police power. The Palm Beach County Sheriff's Office investigates its own police shootings, and the sheriff is the one who must launch efforts to establish a civilian review board.

"My position is that is kind of like putting the fox in the henhouse," Hubbard said. "Why would someone appoint somebody not to hold up their views?"

"A citizen review board adds another level of bureaucracy and slows down the process. In most cases, the civilians don't get it right because they don't understand it. Their penalties are much less stringent than the chief's would be."

Mike Chitwood, Daytona Beach Police Chief

INVESTIGATE

From Page 57

to a budget request made this year. In the 2014-2015 fiscal year ending June 30, investigations increased 31 percent and consumed 25,030 investigative hours, the document states. FDLE is requesting nearly \$3.4 million in additional general revenue to pay for 26 more full-time positions to handle officer-involved shootings and use-of-force investigations in Miami, the Tampa Bay region, Jacksonville and possibly Orlando, according to the budget request.

Law enforcement agencies in Volusia and Flagler counties already bring in FDLE to investigate officer-involved shootings.

"We could do them just as well, but by going outside it takes away from the look of you investigating yourself," said Volusia Sheriff Ben Johnson.

Chitwood also said he prefers to have FDLE investigate his department's officer-involved shootings, and believes FDLE should do that throughout Florida.

"That should be a priority for the state," Chitwood said.

Holly Hill Police, which has 26 officers and last had an officer-involved shooting in 2012, also opts to have FDLE investigate, said Police Chief Stephen Aldrich.

"I think this gives one more layer of transparency and the FDLE does a very thorough job," Aldrich said.

Some departments were

not interested in talking about the issue. The Broward Sheriff's Office Director of Public Information Veda Coleman-Wright wrote emails asking for more details about a requested interview. After receiving a sampling of the questions, including should a sheriff's office investigate its own shootings, Coleman-Wright wrote that Sheriff Scott Israel declined to be interviewed.

Palm Beach County Sheriff Ric Bradshaw also did not return an interview request relayed through his public information office.

INVESTIGATING THEIR OWN

More often than not, law enforcement agencies small and large in Florida — including the Jacksonville Sheriff's Office with 1,600 officers — investigate their own officer-involved shootings.

The Jacksonville Sheriff's Office runs a "parallel investigation," with the 4th Circuit State Attorney's Office, said Mike Bruno, director of investigations and homeland security of the agency.

He said Jacksonville's investigators will interview witnesses, then turn the interviews over to State Attorney Angela B. Corey. Some items, like DNA tests, might be sent to FDLE or another outside lab for processing, he said.

"If there's something they (prosecutors) want in addition to that, they are certainly capable of conducting interviews and such," Bruno said.

Bruno could not remember a Jacksonville officer ever being criminally charged after an officer-involved shooting. He

said there have been "three or five" that have been fired for violating policies in relation to officer-involved shootings.

If the Jacksonville Sheriff's Office does not do a thorough investigation it would be evident to the State Attorney's Office, FDLE, and civil attorneys who often represent the families of people police have shot.

"The facts are what the facts are," Bruno said.

A PROBLEM INVESTIGATION

But how facts are interpreted by one investigator may differ from the interpretation of another.

The U.S. Justice Department, in 2013, found fault with the Miami Police Department's investigations of officer-involved shootings.

Among the problems: Miami investigators did not probe significant details such as where officers and the people shot were standing at the time of the shootings. Also, police investigators asked leading questions and did not properly follow up on answers of those they interviewed, according to a July 2013 letter the department received from the Justice Department.

The shortcomings on the part of Miami Police investigators were "especially troubling" because there were inconsistencies in officers' statements and physical evidence, the letter states. The Justice Department found "reasonable cause to believe" that Miami police engaged in a pattern of excessive force with respect to shootings, the letter added. And, Miami police also took too long to investigate

the shootings.

It was the Justice Department's second investigation of the Miami Police Department. The first investigation, which began in 2002, followed the indictment of Miami Police officers on conspiracy charges that included accusations of lying and planting physical evidence, including guns, in relation to four officer-involved shootings, according to the Justice Department. Seven of those officers were convicted in 2003 and in 2004 in separate trials on conspiracy and obstruction of justice charges, according to news accounts.

Miami Police Chief Rodolfo Llanes did not return requests for interviews.

PROSECUTOR'S ROLE QUESTIONED

On the state's west coast, St. Petersburg Police spokeswoman Yolanda Fernandez said the State Attorney's Office for the 6th Circuit does the criminal investigation into officer-involved shootings.

"The criminal proceeding is done from the State Attorney's Office from the very beginning," she said.

St. Petersburg Police handle any internal investigation into whether policies or procedures were violated, she added.

But Lave, the law professor at the University of Miami, said the question of impartiality extends into the office of the prosecutors who are making decisions on whether to charge officers.

"It's a huge problem," Lave said. "The problem is both the prosecutor and the police

are tied up with each other, they know each other, they are friends with each other. It makes it hard to be impartial."

Prosecutors disagree. If a charge fits, prosecutors will file it, said Don Horn, chief assistant state attorney for 11th Circuit State Attorney Katherine Fernandez Rundle in Miami.

Horn was on the team that won the last conviction against an officer in Florida for shooting someone when a jury returned guilty verdicts on two counts of manslaughter against former Miami Police officer William Lozano in 1989. Lozano shot a black motorcyclist named Clement Lloyd on Martin Luther King Jr. Day, which also resulted in the death of the Lloyd's passenger, Allan Blanchard. The incident led to riots in the city. But the conviction was eventually overturned, the trial moved to Orlando and a second jury acquitted Lozano.

Horn said that his office would not hesitate to charge officers.

"We don't have a problem with filing cases no matter who the person is," Horn said. "If the evidence is there for fill-in the blank, we are going to file it."

Larizza said his executive team is not in the courtroom working alongside police prosecuting cases. He said decisions related to officer-involved shootings are made on a case-by-case basis, as are decisions to recuse.

"I'm comfortable that we, as an executive staff, we can go through to the reports and reach a good, fair, honest objective decision in almost all cases," he said.

"It's a huge problem. The problem is both the prosecutor and the police are tied up with each other, they know each other, they are friends with each other. It makes it hard to be impartial."

Tamara Lave, a law professor at the University of Miami School of Law

Records costly, hard to access

By **Skyler Swisher**
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Finding out how often police use deadly force in Florida involved spending more than \$1,400 on public records, contacting hundreds of city police departments and sheriff's offices across the state, and sometimes breaking through the resistance of agencies reluctant to turn over public records.

Even then, the public doesn't have a full accounting of how often police shoot. Law enforcement agencies can legally withhold records pertaining to active investigations. Many investigations of officer-involved shootings dating back to 2013 are still pending.

Citizens shouldn't have to spend more than \$1,000 to find out how often police use deadly force in Florida, said Barbara Petersen, president of the First Amendment Foundation. It would be far better to post the information online on a publicly accessible website.

"Fees can be an effective barrier to the right of access and frequently important public interest stories are not told because of the fees," Petersen said.

While many agencies waived fees for providing records, the total bill for records related to police shootings in 2013 and 2014 still totaled about \$1,429.

Some agencies even violated the public records law, Petersen said.

Miami Gardens initially wanted to charge The News-Journal \$182 for records, including 12 compact discs at \$10 a piece. But a package of 100 compact discs costs about \$17 on Amazon.com. Under Florida's Sunshine Law, agencies aren't supposed to charge more than the actual cost of duplication, Petersen said.

A clerk at the Hollywood Police Department said that agency only accepts public records requests via the U.S. Postal Service. Only after intervention by the city's public information officer did the clerk agree to accept a request that wasn't sent

Newspaper spent more than \$1K compiling records



This stack of checks, totaling more than \$1,400, were paid by The News-Journal to get public records on police shootings. NEWS-JOURNAL/JIM TILLER



"Our state agencies and local governments need to understand the benefit of transparency," says Barbara Petersen, president of the Florida First Amendment Foundation. NEWS-JOURNAL FILE/DAVID TUCKER

through the postal service. Citizens have a right to request records orally or via email, Petersen noted.

Getting answers, in some cases, proved to be difficult. Some public information officers refused to answer questions about police shootings, other than to provide reports of completed investigations that

sometimes didn't include such information as the race of the officer involved in the shooting.

Some departments, such as Miami-Dade Police, provided information about race when it was requested. Others, such as the Jacksonville Sheriff's Office, did not. Vanessa Moore, a legal advisor to the Jacksonville Sheriff's Office,

said that no public record existed containing race information and the agency was not required to compile it.

"The law does not require us to go to their supervisor and ask us to write down the race and name of all of them," Moore said.

While the law does not require the agency to answer questions, the Jacksonville

Sheriff's Office does employ public information officers, whose job responsibilities include answering questions from the media and public.

Some agencies, though, say they have embraced transparency.

Law enforcement agencies would rather the public have access to investigate files, said special-agent-in-charge Danny Banks, who oversees the Florida Department of Law Enforcement's Central Florida operations. The FDLE investigated roughly a quarter of the officer-involved shootings The News-Journal chronicled from 2013 and 2014.

"I encourage anybody to look at them, particularly those who have a question about how are we ensured that you put a lot of effort into this, how are we ensured you knocked on doors and talked to witnesses," he said. "The answer is, please read our reports."

But to get investigative reports from the FDLE took months, and cost The News-Journal hundreds of dollars. When an editor asked why the FDLE couldn't provide those reports to The News-Journal at no cost, spokeswoman Gretl Plessinger said the agency was allowed by law to charge for the cost of assembling records, and declined to waive the cost. Banks told News-Journal reporters his department has limited resources and lacks the manpower to provide the documents for free.

The solution, Petersen said, is to simply post commonly requested public records, such as police shooting investigative reports, online where they could be easily accessed at no cost.

Some agencies in other states have done just that. The Orange County, California, district attorney posts investigation letters for officer-involved shootings online.

"There needs to be more transparency," Petersen said. "Our state agencies and local governments need to understand the benefit of transparency. They don't seem to be embracing it."

"Fees can be an effective barrier to the right of access and frequently important public interest stories are not told because of the fees."

Barbara Petersen, president of the First Amendment Foundation

SHOTS FIRED

THE NEWS-JOURNAL TEAM

It took a team of journalists and 10 months to make hundreds of public records requests, gather thousands of pages of records, and interview the dozens of people necessary to fully report "Shots Fired."



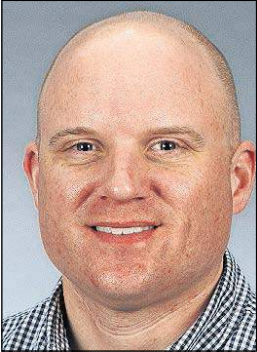
Frank Fernandez has worked for The News-Journal for nine years and covers courts. He has also served as an editor and reported on municipal government.



Skyler Swisher, a four-year member of The News-Journal, works on special projects and also covers health care.



Dinah Voyles Pulver is a 24-year veteran of The News-Journal whose main focus is covering the environment and investigative projects. She built The News-Journal's database of officer-involved shootings.



Keith Saunders is a former member of The News-Journal staff who is now special sections coordinator for GateHouse Media's Center for News & Design. He designed this section.

Join the discussion

Dear Readers,
The News-Journal spent months investigating officer-involved shootings in Florida. Among our findings: It's nearly impossible for citizens to know how often police use deadly force here because no state agency tracks such cases or makes records easily available to the public.

Please take the time to read our entire report, and also view our data base of officer-involved shootings at news-journalonline.com/policeshootingsdatabase. The database includes investigative reports of many of the shootings.

I'd also like you to share your thoughts about this project. You can email me directly at pat.rice@news-jrnl.com.

Thanks,
Pat Rice, Editor

To obtain more information, including actual investigative reports, about the 2013 and 2014 shootings, go to news-journalonline.com/policeshootingsdatabase.

OFFICER-INVOLVED SHOOTINGS

2013-2015

News-Journal reporters spent nearly a year gathering information about officer-involved shootings in Florida. The effort included filing hundreds of public records requests to law enforcement agencies across Florida to obtain investigative reports about officer-involved shootings – both fatal and non-fatal – that occurred in 2013 and 2014. In addition, the newspaper used media reports to chronicle fatal shootings that have occurred so far in 2015.

Date, person shot, location

2013		
1/2	Morrow, Kenneth D.	Ormond Beach
1/4	Powell, Joseph Blake	Fort Myers
1/4	Johnson, Xavier	Miami-Dade
1/4	Thomas, Yolanda	Miami-Dade
1/5	Reeves, Louanne	Orlando
1/8	Falconi, Angela	Lake Worth
1/9	Davis, Linda	Tamarac
1/9	Gary Jr., Robert	Tampa
1/13	Greer, Christopher	Indialantic
1/13	Hicks, Stephanie	Sarasota
1/16	Gamble, Karvas	Orlando
1/16	Wilson, Cordaryl	Orlando
1/17	Lewis, Dedrick	Miami-Dade
1/17	Walker, Jeremy Donye	Fruitland Park
1/21	Berk, Christopher	Vero Beach
1/22	Gudmestad, Lawrence	Sarasota
1/27	Thayer, Paul Gordon	Pensacola
1/28	Harris, Anthony Dwayne Sr.	Jacksonville
1/30	Bradley, Freddie	Miami-Dade
2/7	McClain, Nkosi Cazembe Oboi	Fort Pierce
2/11	Stroud, Vincent	Miami-Dade
2/21	Rich, Brandon	St. Augustine
2/27	Berrios, Joseph Ryan	Spring Hill
3/3	Lowry, Jeffrey	Fort Lauderdale
3/8	Chance, Danadrick	St. Petersburg
3/9	Wright, Jeffrey	Navarre
3/13	Rodriguez, Juan	Miami-Dade
3/22	Rhodes, Daniel	West Palm Beach
3/27	Day, Clifton Joel	Jacksonville
3/29	Parker, John Dawson	Jacksonville
4/1	Brower, Sheri	Pembroke Pines
4/14	Castillo Labra, Sergio	Miami-Dade
4/15	Long, Tyeisha	St. Petersburg
4/15	Sweat, Shaquille	St. Petersburg
4/20	Demps, Craig A.	West Palm Beach
4/22	Morgan, Michael E.	Longwood
4/22	Poplos, William	Merritt Island
4/25	Paul, Jeffrey	Miami-Dade
4/28	Kirk, Pamela	St. Petersburg
4/29	Candelaria, Alexis Diaz	Orlando
4/30	Printemps, Jean M.	Miramar
4/30	Jones, Todd Christopher	Jacksonville
5/2	Marianetti, Patricia	Ormond Beach
5/3	Carson, Ronmono	Orlando
5/3	Spencer, Marquis James	Orlando
5/4	Valcin, Frito	Miami-Dade
5/7	Oquendo, Carlos Domingo	Leesburg
5/8	Valdez-Fernandez, Alberto	Lake City
5/8	Alvarez, Aldo	Royal Palm Beach
5/8	Valdez, Danny	Miami-Dade
5/14	Driggers, Bobby Earl	Brandon
5/15	Moore, Eric	Fort Walton Beach
5/22	Todashev, Ibragim	Orlando
5/24	Gonzalez, Anthony	St. Petersburg
5/31	Ferguson, Justin Greg	Lake City
6/7	Haston, Richard B.	Hobe Sound
6/8	Rodgers, Craig	Bradenton
6/10	Buford, Edison	Miami-Dade
6/10	Paige, Joseph	Orlando
6/10	Lanier, Tommie	Lakeland
6/15	Clark, Recardio	Gainesville
6/15	De Armas Reinoso, Alejandro	Miami-Dade
6/16	White III, Joe	Miami-Dade
6/16	Dunphy, Eric Wayne	Orlando
6/17	Allwood, Sadiki Dakari	Orlando
6/24	Norris, Shawn Lee	Lake Helen
6/24	Chernin, Mark	Cape Coral
6/29	Martinez-Ramirez, Marcial	Miami-Dade
7/2	Kochlany, Timothy	Orlando
7/4	Kearse, James Lee	Daytona Beach
7/5	McGlothlin, James Wyman	Pensacola
7/7	Rivera-Rodriguez, Carlos	Tampa
7/8	Briggs, Glenn L.	Tallahassee
7/9	Pickens, Herman	Jacksonville
7/16	Crompton, Carlos	St. Petersburg
7/18	Thomas, Andrew	Pembroke Pines
7/23	Patterson, Demetrius	Orlando
7/26	Vargas, Pedro	Hialeah
7/27	Middleton, Roy	Warrington
7/29	Weaver, Donna	Bonita Springs
7/31	McBean, Jermaine	Oakland Park
7/31	McCray, Moses	West Palm Beach
7/31	Wilson, Matthew	North Fort Myers
8/7	Johnson, Triston	Lauderdale Lakes
8/9	Kaminski, Robert	New Port Richey
8/12	Taylor, Lisa	Cooper City
8/16	Diroma, David Rocco	Clearwater
8/17	Dillon, Timothy Charles	Boynton Beach
8/27	Kiner, Henry Louis III	Fort Lauderdale
8/27	Collins, Bryant	St. Petersburg
8/27	Bryant, Justin Wallace	Tampa
9/2	Sexton, Ronald	St. Petersburg
9/5	Allen, Reginald	Miami-Dade
9/6	Bates, Charlie Christopher	Tampa
9/7	Cooley, Lealann	St. Petersburg
9/13	Stephens, Dontrell	West Palm Beach
9/18	Nortonsen, Larry Johnson	Winter Garden
9/19	Boyce, Joshua David	Pompano Beach
9/23	O'Brien, Jason	Miami-Dade
9/23	Sprinkle, Kenneth	St. Petersburg
9/25	Castello, Luke	Port Orange

9/25	Green, Jermaine	Daytona Beach
9/25	Johnson, Katrina	Daytona Beach
10/11	Norman, Sheldon	Lakeland
10/17	Kerr, Jason	St. Petersburg
10/20	Burlakoff, Ian	Boca Raton
10/21	Grant, Sean	DeLand
10/21	Kitchen, William Alan Cole II	DeLand
10/22	Duttman, James "J.D."	North Port
10/25	Parlette Jr., Robert	Islamorada
10/25	Young, Vincent	St. Petersburg
10/26	Polen, Dimitri	West Palm Beach
10/27	Cosby, Jarmel Anthony	Jacksonville
10/28	Guzman, Arturo	Hialeah
10/29	Piano, Allen	Tampa
10/29	Jean, Dominique	Miami-Dade
11/4	Desir, Robert	Miami Gardens
11/17	Wilcher, Jonathan	Titusville
11/18	Fay, James	Boynton Beach
11/18	Bachelor, David	Orlando
11/20	Mahoney, Timothy	San Mateo
11/23	Joseph, Lance	Belle Glade
11/26	Leggitt, Brian	Orlando
12/3	Shastid, Seth	Fort Walton Beach
12/8	Valdes, Jesus	Miami-Dade
12/10	Montesano, Adrian	Miami-Dade
12/10	Valdes, Corsini	Miami-Dade
12/11	Stevens, Rodney Wayne	St. Augustine
12/24	Westerman, David	Cape Coral
12/23	Everett, Quade	St. Petersburg
12/24	Goodman, William Alvin	Pensacola
12/24	Westerman, David	Cape Coral
12/28	Wingo, Somourian	Palatka
12/31	Cohen, Alex	Coral Springs
2014		
1/2	Calhoun, Rasheik Taburri	Crestview
1/2	Schiwart, Gary	Jacksonville
1/5	Clark, Deacon	Sarasota
1/11	Thomas, Randy	Miami Gardens
1/14	Hill Jr., Gregory	Ft. Pierce
1/20	Conner, Diana Lucille	Interlachen
1/22	Saum, Ian Michael	Clermont
1/27	Blunk, Harold Vernon	Leesburg
2/4	Joseph, Anesson	Delray Beach
2/5	Clague Jr., Earl Edward	Perry
2/10	Bartley, Anthony Jamal	Fernandina Beach
2/10	Charles, Franky	Miami-Dade
2/16	Oakes, Timothy	Orlando
2/28	Striffler, Robert Charles	Viera
3/2	Young, Joshua	Ft. Myers
3/3	Newkirk, Anthony Antonio	Largo
3/3	Cravey, Michael	Gainesville
3/4	Tyree II, Lew G.	Brandon
3/4	Osorio, Federico	Miami-Dade
3/5	Barrios, Edy	Labelle
3/9	Cordoza, Antonio	Miami-Dade
3/9	Hodge Jr., Floyd G.	Sebring
3/11	Snyder, Michael Robert	Chipley
3/14	Barker, Jimmy Eugene	Lake City
3/16	Maharaj, Deosaran	Pompano Beach
3/21	Warren, Homer Ken	Jacksonville
3/29	Ribeiro, Anthony	Boca Raton
4/2	Pollow, Matthew	Boca Raton
4/7	Mixson, Larry Anthony	Jacksonville
4/7	Williams, Tinoris	West Palm Beach
4/8	Bennett, Abbott Scott III	St. Augustine
4/11	Fillingim, Thomas	Pensacola
4/13	Lopez-Recio, Christian	Miami-Dade
4/15	Burnett, Lynn Owen	Leesburg
4/20	White, Ridge David	Kissimmee
4/24	McCann-Joseph, Shawndell	Lehigh Acres
4/26	Spencer, Devon Rashad	Jacksonville
4/27	Sibley, Paul Allen	St. Petersburg
5/2	Peters, Brandon D.	Jacksonville
5/3	Perez-Leon, Byron Eliceo	Lake Worth
5/6	Pinkney, Cheyne	South Daytona
5/8	Palmer, James Quenton	Brooksville
5/8	Bowe, Jr. Howard	Hallandale Beach
5/12	Jackson, Tommy	Tallahassee
5/12	James, Arthur	Tallahassee
5/13	Barclay, David James	Citrus Springs
5/15	Tillery, Patrick Gerome	New Port Ritchey
5/16	Ealey, Daniel	Miami-Dade
5/16	Tucker, Justin Sean	Clearwater
5/18	Bentley, Tavaris	Orlando
5/19	Sharp, Robert Rankin	Masaryktown
5/21	Rodgers, Jermassioun Viondrey	Orlando
5/22	Gebreyhannes, Almeb Y.	Orlando
5/27	Wescott, Jason	Seminole Heights
5/28	Pena, Jovanny	Tampa
5/29	Strong Jr., Duane	Tallahassee
6/1	Frazier, Joshua	Miami-Dade
6/2	Lee, Jarvis Tyrone	Orange Park
6/4	Johnson, Thomas Dewitt	Jacksonville
6/5	Thompson, Steven	Lauderhill
6/7	Harmon, David Deandre	Panama City
6/8	Desanto, John	St. Augustine
6/15	Hart, Jacoby	Tallahassee
6/15	Skyles, Anthony	Altamonte Springs
6/20	Carulla, Jason	Coral Gables
7/1	Keys, Michael Jones	Jacksonville
7/1	Brown, Jerry	Zephyrhills
7/3	Arruda, Richard	Fort Lauderdale

7/7	Carberry, Thomas	Wilton Manors
7/8	Stanley, Cedric	Miami-Dade
7/12	Roudebush Jr., Harold	Lady Lake
7/21	Stankovitch, Jay D.	Bell
7/23	Carter, Harrison	Belle Isle
7/26	Sanfratello, Richard	Deerfield Beach
8/5	Lepak, Aaron Ronald	Panama City
8/12	Hamilton, Perciel	Lake Park
8/13	Tanner, Cory	Espanola
8/19	Nunez, Frank	Orlando
8/19	Roach, Kody Christian	Orlando
8/19	Godinez, Maria	Orlando
8/23	Brown, Anthony	West Palm Beach
8/28	Sellers, Terry M.	Manatee
8/29	Lewis, Jeremy Terril Mario	Orlando
9/8	Ray, Aaron	St. Augustine
9/20	Miller, Edward P.	Daytona Beach
9/20	Souter, Kela T.	Homosassa
9/30	Woodstock, Marlon	Sunrise
10/12	Carr, John C.	Tampa
10/20	Barrera, Ricardo	Ocala
10/24	Silvia, Trevor	Edgewater
10/27	Helvie, John Wesley	Hialeah
10/28	Donald, Kaldrick	Gretna
11/2	Zambrana, Erick	Miami-Dade
11/11	Do, Trung Thanh	Plant City
11/15	Plain, James Edward	Ft. Pierce
11/16	Cameron, Dawn	Inverness
11/18	Case, Michael Scott	Dunedin
11/20	May, Myron	Tallahassee
11/22	Holley, Curtis Wade	Tallahassee
11/22	Edwards, Pamela	Eustis
11/23	Wendt, Donald R.	Bradenton
11/24	Little, Leonardo	Jacksonville
11/27	Cormier, Matthew P.	Tampa
12/2	Pavano, Frank	Daytona Beach Shores
12/4	Rivera, Alejandro	Orlando
12/7	McCloud, Wilford Elijah	Titusville
12/11	Landi, Anthony	Palm Beach Gardens
12/14	Torres, Daniel	St. Augustine
12/19	Martin, Aaron	Holiday
12/22	Monroe Jr., James Arlen	Lakeland
12/24	Hollis, Michael Kevin	Jacksonville
12/24	Shatara, Khamis	Delray Beach
12/26	Smith, Quentin	Cocoa
12/27	Scott, David Andre	Jacksonville
12/29	West, Timothy	St. Augustine
12/31	Forbes, Eric Tyrone	Miami
2015		
1/23	Turner, Demaris	Lauderhill
2/4	Lett, Jeremy	Tallahassee
2/4	Colon, Izzy	Orlando
2/8	Paffen, Joseph	Orlando
2/12	Pierce, Jonathan	Port St. Joe
2/15	Hall, Lavell	Miami Gardens
2/22	Leonard, Bradford	Palm Bay
2/26	Cuevas, David	Lakeland
3/4	Cruice, Derek	Deltona
3/6	Williams, Andrew	Putnam Hall
3/9	Bishop, Cedric	Cocoa
3/18	Wingo, Garland	Tallahassee
3/19	Alston, Kendre	Jacksonville
3/27	Hall, Jamalis	Fort Pierce
3/31	Anderson, Jeremy	Carrollwood
4/9	Gordon, Kimbrell	Navarre
4/15	Barkley, Tevin	Miami
4/18	Sapp, Grover	Panama City
4/25	Davis, Daniel	Clermont
5/11	Way, Justin	St. Augustine
5/12	Stallworth, D'Angelo	Jacksonville
5/14	Martin, Cary	St. Augustine
5/17	Goodner, Austin	St. Petersburg
5/21	Washington, Javoris	Ft. Lauderdale
6/6	Smillie, James	North Port
6/7	McDaniel, Matthew	Melbourne
6/11	Ziegler, Charles	Pompano Beach
6/11	Severe, Fritz	Miami
6/14	Terryn, Zane	Cocoa
7/2	Larosa, Victor	Jacksonville
7/3	Julian, Joseph	Miami Beach
7/12	Ellswood, Salvado	Plantation
7/14	Avant, Chacarion	Mascotte
7/16	Foster, Edward	Homestead
7/17	Davis, Albert	Orlando
7/21	Fuller, Joseph	Oakland Park
7/25	Jackson, Earl	Micanopy
8/23	Compo, Richard	Jacksonville
8/25	Arrogliia, Marvin	Miami
8/25	Tomlinson, Todd	Thonotosassa
9/6	Yero, Carlos	Little Havana
9/15	Suarez-Ruiz, Jorge	Miami
9/21	Wagner, Timothy	Barberville
9/21	Fuller, Dominic	Auburndale
9/22	Smith, Joel	Niceville
9/22	Lopez, Ernesto	Miami
9/28	Prosper, Junior	Miami
10/7	Lago, Amado	West Palm Beach
10/14	Burg, Michelle	Naples
10/15	Tapia, Jorge	Miami
10/18	Jones, Corey	Palm Gardens