

The Florida Senate  
COMMITTEE MEETING EXPANDED AGENDA

**RULES**  
**Senator Benacquisto, Chair**  
**Senator Gibson, Vice Chair**

**MEETING DATE:** Monday, October 21, 2019  
**TIME:** 10:30 a.m.—9:00 p.m.  
**PLACE:** *Pat Thomas Committee Room, 412 Knott Building*

**MEMBERS:** Senator Benacquisto, Chair; Senator Gibson, Vice Chair; Senators Book, Bradley, Brandes, Braynon, Farmer, Flores, Hutson, Lee, Montford, Passidomo, Rodriguez, Simmons, Simpson, Stargel, and Thurston

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
	Executive Suspension: EO 19-14 Mr. Scott Israel		Presented
Other Related Meeting Documents			

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RECEIVED  
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**FLORIDA DEPARTMENT of STATE**

19 JAN 14 A 8:59

**RON DESANTIS**  
Governor

**MICHAEL ERTEL**  
Secretary of State

**Delivery Confirmation** 91 7108 2133 3939 3373 6072

January 14, 2019

Mr. Scott J. Israel

Dear Mr. Israel:

Pursuant to the provisions of Section 112.40, Florida Statutes, we are sending you a copy of Executive Order Number 19-14 relating to your suspension as Sheriff, Broward County.

Sincerely,

A handwritten signature in cursive script that reads "Kristi Reid Willis".

Kristi Reid Willis, Chief  
Bureau of Election Records

KRW/iw

Enclosure

cc: The Honorable Ashley Moody, Attorney General  
Ms. Debbie Brown, Secretary of the Senate

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 19-14 (Executive Order of Suspension)

**WHEREAS**, Article IV, Section 7 of the Florida Constitution provides in relevant part that, “the Governor may suspend from office ... any county officer for ... neglect of duty ... [or] incompetence”; and

**WHEREAS**, Scott Israel is presently serving as the Sheriff for Broward County, Florida, having been reelected by the voters of Broward County in 2016 for a four-year term; and

**WHEREAS**, pursuant to Florida Statute § 30.15, it is the duty of elected sheriffs to be the conservators of the peace in their respective counties; and

**WHEREAS**, pursuant to Florida Statute § 30.07, “sheriffs may appoint deputies to act under them who shall have the same power as the sheriff appointing them, and for the neglect and default of whom in the execution of their office the sheriff shall be responsible”; and

**WHEREAS**, sheriffs are responsible for appointing command staff who are responsible for the training, response and security within the counties, including airports, seaports and schools within their jurisdiction; and

**WHEREAS**, sheriffs are responsible for the recruitment, hiring and promotion of their command staff and deputy sheriffs; and

**WHEREAS**, on February 14, 2018, Marjory Stoneman Douglas High School in Parkland, Broward County, Florida, experienced a tragic shooting, taking the lives of seventeen students and staff members; and

**WHEREAS**, prior to the shooting at Marjory Stoneman Douglas High School, Broward County Sheriff's Office had a total of 21 interactions with the shooter, including two incidents that an internal affairs investigation later found warranted additional follow-up; and

**WHEREAS**, the first of the above incidents occurred in February 2016 when the Marjory Stoneman Douglas shooter posted a picture of a gun with a statement similar to "I am going to get this gun when I turn 18 and shoot up the school"; and

**WHEREAS**, Broward County Deputy Eason, acting on behalf of and in place of Sheriff Israel, did not complete an incident report, but instead noted in CAD, "No threats noted and info forwarded to (SRO) Peterson at school."; and

**WHEREAS**, the second of the above incidents occurred in November 2017 when Broward County Sheriff's Office received a call that the Marjory Stoneman Douglas shooter "had weapons and wanted to join the military to kill people" and "that [he] 'might be a Columbine in the making' and was a threat to kill himself."; and

**WHEREAS**, Broward County Deputy Treijs, acting on behalf of and in place of Sheriff Israel, did not complete an incident report, but instead noted in CAD that the Marjory Stoneman Douglas shooter was autistic, his location was unknown, and directed the caller to contact another police department; and

**WHEREAS**, on February 14, 2018, Broward County Deputy Scot Peterson was at all times acting on behalf of and in place of Sheriff Israel while serving as the School Resource Officer at Marjory Stoneman Douglas High School; and

**WHEREAS**, on February 14, 2018, Broward County Deputy Peterson exercised the discretion of Sheriff Israel consciously deciding not to engage the Marjory Stoneman Douglas shooter, while the shooter was actively killing and attempting to kill the students and teachers of Marjory Stoneman Douglas High School; and

**WHEREAS**, according to the Marjory Stoneman Douglas Public Safety Commission Report dated January 2, 2019, there were six other Broward County Sheriff Deputies acting on behalf of and in place of Sheriff Israel who were in close proximity to the Marjory Stoneman Douglas High School that “did not immediately move towards the gunshots to confront the shooter”; and

**WHEREAS**, Sheriff Israel is responsible for developing, implementing and training his deputies on policy related to active shooters; and

**WHEREAS**, Sheriff Israel is responsible for inserting into the Broward County Sheriff’s Office Active Shooter Policy that a deputy “may” enter the area or structure to engage an active shooter and preserve life; and

**WHEREAS**, on November 15, 2018, Sheriff Israel stated to the Marjory Stoneman Douglas Public Safety Commission “that he wanted his deputies to exercise discretion and he did not want them engaging in ‘suicide missions.’”; and

**WHEREAS**, as noted by the Marjory Stoneman Douglas Public Safety Commission Report dated January 2, 2019, Broward County Sheriff’s Office policy for responding to an active shooter situation is inconsistent with current and standard law enforcement practices; and

**WHEREAS**, even if the duty to engage an active shooter was discretionary, the responsibility for the exercise of that discretion falls upon the elected sheriff; and

**WHEREAS**, the Marjory Stoneman Douglas Public Safety Commission Report further revealed a failure on the part of Sheriff Israel and his deputies to timely establish an incident command center; and

**WHEREAS**, to meet the Sheriff’s duty to be the conservator of the peace, it is necessary for the Sheriff to provide adequate, up-to-date, frequent, thorough and realistic training to handle high-risk, high-stress situations, including mass casualty incidents; and

**WHEREAS**, Sheriff Israel's deputies interviewed by the Marjory Stoneman Douglas Public Safety Commission could not remember the last time they attended active shooter training or what type of training they received; and

**WHEREAS**, on January 6, 2017, a tragic shooting occurred at the Fort Lauderdale-Hollywood Airport in Broward County, Florida, taking the lives of five and injuring dozens more; and

**WHEREAS**, during the shooting at the Fort Lauderdale-Hollywood Airport the Broward County Sheriff's Office failed to contain and maintain security resulting in a breach of airport security; and

**WHEREAS**, an internal investigation into the Fort Lauderdale Airport shooting uncovered a lack of leadership by Sheriff Israel, including: a failure by Sheriff Israel to establish proper containment procedures for the crime scene, a failure by Sheriff Israel to establish a centralized command and response, a failure by Sheriff Israel to provide his deputies adequate, thorough and realistic training, and a failure by Sheriff Israel to establish an appropriate response to a mass casualty incident; and

**WHEREAS**, the investigation also revealed that Sheriff Israel's neglect of duty and incompetence lead to "most of the law enforcement personnel who responded [lacking] clear instructions, objectives, and roles."; and

**WHEREAS**, Sheriff Israel has egregiously failed in his duties as Sheriff for Broward County; and

**WHEREAS**, Sheriff Israel failed to maintain a culture of vigilance and thoroughness amongst his deputies in protecting the peace in Broward County, Florida; and

**WHEREAS**, Sheriff Israel has demonstrated during multiple incidents that he has not provided for the proper training of his deputies; and

**WHEREAS**, two separate reports into the recent mass casualty shootings in Broward County specifically found that Sheriff Israel has not and does not provide frequent training for his deputies

resulting in the deaths of twenty-two individuals and a response that is inadequate for the future safety of Broward County residents; and

**WHEREAS**, two separate reports into the recent mass casualty shootings in Broward County specifically found that Sheriff Israel has not implemented proper protocols to provide guaranteed access to emergency services, nor proper protocols to have timely, unified command centers setup to control a crime scene, leading to confusion, a lack of recognized chain-of-command, and ultimately a failure to contain the dangerous situation; and

**WHEREAS**, Sheriff Israel has contravened his oath of office as set forth in Article II, section 5, of the Florida Constitution, to "...faithfully perform the duties" of Sheriff of Broward County, Florida; and

**WHEREAS**, due to his demonstrated neglect of duty and incompetence, Sheriff Israel can no longer demonstrate the qualifications necessary to meet his duties in office; and

**WHEREAS**, it is in the best interests of the residents of Broward County, and the citizens of the State of Florida, that Sheriff Israel be immediately suspended from the public office, which he now holds;

**NOW, THEREFORE, I, RON DESANTIS**, Governor of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby find, determine, and for the purposes of Article IV, section 7, of the Florida Constitution, allege as follows:

- A. Scott Israel is, and at all times material was, the Sheriff for Broward County, Florida.
- B. The office of sheriff is within the purview of the suspension powers of the Governor, pursuant to Article IV, section 7, of the Florida Constitution.
- C. The actions and omissions of Scott Israel as referenced above and as noted in the Marjory Stoneman Douglas Public Safety Commission Report, dated January 2, 2019 and attached hereto,

constitute neglect of duty and incompetence for the purposes of Article IV, section 7, of the Florida Constitution.

D. If, after execution of this suspension, additional facts are discovered that illustrate further neglect of duty and incompetence—or other constitutional grounds for suspension of Sheriff Israel—this Executive Order may be amended to allege those additional facts.

**BEING FULLY ADVISED** in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective immediately:

Section 1. Scott Israel is hereby suspended from the public office that he now holds, to wit: Sheriff for Broward County, Florida.

Section 2. Scott Israel is hereby prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further executive order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 11th day of January, 2019.

  
RON DESANTIS, GOVERNOR

ATTEST:

  
SECRETARY OF STATE

2019 JAN 11 PM 1:38  
TALLAHASSEE, FLORIDA  
FILED





**THE FLORIDA SENATE**  
**SENATOR BILL GALVANO**  
*President*

## **MEMORANDUM**

**TO:** Debbie Brown, Secretary  
**FROM:** Bill Galvano, President  
**SUBJECT:** Executive Order of Suspension 19-14, In re Scott Israel  
**DATE:** September 25, 2019

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Pursuant to the provisions of Senate Rule 12.7, the advisory report and recommendation of the Special Master regarding Executive Order of Suspension 19-14 is referred to the Rules Committee for its consideration and report.

Thank you for your attention to these matters.



## THE FLORIDA SENATE

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Tallahassee, Florida 32399-1100  
(850) 487-5229

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

Re: Executive Order of Suspension No. 19-14  
Suspension of Mr. Scott Israel, Sheriff  
Broward County, FL

### REPORT AND RECOMMENDATION OF SPECIAL MASTER

On January 11, 2019, Governor Ron DeSantis suspended Scott Israel from his public office as the Sheriff of Broward County. (See Executive Order 19-14.) Sheriff Israel was then serving his second term in office, having been elected in 2012 and 2016. The suspension order levies two constitutional charges against Sheriff Israel: neglect of duty and incompetence. In broad strokes, the Governor claims that Sheriff Israel's failed leadership resulted in multiple deaths from two mass shooting incidents in Broward County. (See Gov. Proposed Order at 2.)

Under Senate Rule 12.8, the undersigned was appointed as Special Master to receive evidence and make recommendations to the Florida Senate about Sheriff Israel's suspension. See also Fla. Stat. § 112.41(4) (allowing the appointment of a special master in these proceedings). In June 2019, I presided over a two-day evidentiary hearing in Tallahassee. I heard sworn testimony from four live witnesses, with additional testimony submitted by deposition transcripts. The parties also submitted over fifty exhibits that were entered into evidence. The

evidentiary hearing has been transcribed, and references to that proceeding are indicated by "Tr." References to the exhibits are identified by "Gov." for the Governor, and "Israel" for Sheriff Israel, followed by a bates-page reference where applicable.

### **I. Governing Law & Standard of Review**

An overview of the underlying legal principles offers context to this report. Article IV, Section 7 of the Florida Constitution authorizes the Governor to suspend a county official based on several enumerated grounds. It is then the Florida Senate's responsibility to either remove or reinstate the suspended official. See Art. IV, § 7(b), Fla. Const.

The Governor bears the burden of prosecuting the suspended official before the Senate. Fla. Stat. § 112.43. And he must prove the grounds for suspension by a preponderance of the evidence. (See Gov. Proposed Order at 46 (citations omitted).) A preponderance of the evidence is the greater weight of the evidence, or evidence that more likely than not tends to prove a certain proposition. See Dufour v. State, 69 So. 3d 235, 252 (Fla. 2011). Failing to prove the charges requires the officer "be reinstated, and the Senate may provide that the county, district, or state, as the case may be, shall pay reasonable attorney's fees and costs of the reinstated officer upon his or her exoneration." Fla. Stat. § 112.44.

I have been appointed under Fla. Stat. § 112.41(4). This provision, and the Senate rules passed thereunder, authorizes me to receive evidence and make recommendations to the Florida Senate. It should be noted that this report is not a complete restatement of all the evidence. Rather, it is an advisory summary that

reflects the conclusions I reached based on the parties' arguments and evidence. Also pertinent, my report is not binding. The Senate is free to accept or reject my conclusions as it sees fit. (See Senate R. 12.7.) The entire record will be made available for review to the Florida Senate.

As noted, the Governor has charged Sheriff Israel with two constitutional offenses: neglect of duty and incompetence. (Executive Order 19-14.) The Florida Supreme Court has defined neglect of duty as "the neglect or failure on the part of a public officer to do and perform some duty or duties laid on him as such by virtue of his office or which is required of him by law." Israel v. Desantis, 269 So. 3d 491, 496 (Fla. 2019) (citation omitted). Incompetency "has reference to any physical, moral, or intellectual quality, the lack of which incapacitates one to perform the duties of his office" and "may arise from gross ignorance of official duties or gross carelessness in the discharge of them . . . [or] from lack of judgment and discretion." Id.

## **II. Procedural History**

On January 11, 2019, Governor DeSantis issued Executive Order 19-14 suspending Sheriff Israel. As permitted under the Florida Constitution, Sheriff Israel requested a formal hearing to contest his suspension. I was appointed as Special Master to conduct an evidentiary hearing and make recommendations to the Senate pursuant to Fla. Stat. §112.41(4).

At a preliminary case management conference, Sheriff Israel requested a bill of particulars. For those unaware of this procedural device, a bill of particulars is a written statement designed to give the requesting party further details about the

claims alleged. It protects the litigants from surprise and defines the issues in the action. On February 25, 2019, the Governor filed a bill of particulars, which is now the controlling pleading.

In an effort to challenge the validity of his suspension, Sheriff Israel filed a legal action in the Circuit Court of the Seventeenth Juridical Circuit. See Sheriff Israel v. Governor Ron DeSantis, Circuit Case No. CACE 19-005019 (Broward County). As required under Florida Senate Rule 12.9(2), these proceedings were stayed pending a resolution of the legal case. The abeyance was short lived. Several weeks later, the Circuit Court denied Sheriff Israel's petition for legal review.

Sheriff Israel appealed. And the appellate court immediately certified the case to the Florida Supreme court, citing its "pass through" jurisdiction for cases of great public importance. On April 23, 2019, the Florida Supreme Court unanimously affirmed the Circuit Court's decision and concluded Sheriff Israel's legal challenge.

These proceedings resumed upon issuance of the Supreme Court mandate on May 16, 2019. In accordance with my prehearing schedule, the parties exchanged witness and exhibit lists, completed pre-hearing depositions, and submitted bench memoranda. The two-day final hearing took place on June 18-19, 2019.

Sheriff Israel presented live testimony from four witnesses, all current or former members of the Broward County Sheriff's Office: Colonel Jack Dale, Detective John Curcio, Executive Director Robert Pusins, and himself. Additional witness testimony was submitted in the form of deposition transcripts. The deposition witnesses were Assistant Chief James Polan, Major Kevin Shults, Lieutenant Colonel

Edward Grant, Broward County Commissioner Steve Geller, Major Michael DiMaggio, Deputy Jesus Madrigal, Captain James Diefenbacher, Major Steve Robson, and Chief Steve Kinsey. Sheriff Israel's exhibits, with one exception,<sup>1</sup> were admitted into evidence without objection. The Governor did not call any live witnesses but submitted twenty-four exhibits.

After the hearing transcript was made available, the parties filed proposed orders. Although contentious at points, both Sheriff Israel and the Governor were given a full and fair opportunity to investigate the allegations, obtain and examine relevant evidence, and present evidence and argument for my review. One final point I would like to reiterate. This report is not intended (and does not) restate all of the evidence. I have, however, reviewed all of the materials in formulating my recommendations below.

## **II. Findings and Recommendations**

Before turning to the merits, a few preliminary issues warrant discussion. First, Sheriff Israel has labeled his suspension as a political tool by Governor DeSantis to secure financial and political support. (See, e.g., Israel Bench Memo at 8 ("Solely to secure votes, DeSantis made a political campaign promise to parents of the murdered students and the NRA that he would remove Sheriff Israel from office if then-Governor Scott did not do so.") Sheriff Israel has weaved this argument throughout his pleadings and made it a prominent point during the final hearing.

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<sup>1</sup> Sheriff Israel's Exhibit 28 was excluded because a copy was not furnished to the opposing counsel prior to the hearing.

(See, e.g., Tr. 36:16-22 (“Sheriff Israel finally has an opportunity to demonstrate that the governor’s suspension of him was not for any legal matter, was not because of any constitutional reason but was a brutal political ploy designed to obtain his election and fulfill his promise to the National Rifle Association.”). These arguments are a red herring and ultimately fall on deaf ears. My task is to review the evidence submitted to determine if Sheriff Israel was incompetent or neglected his duties. The impetus for Sheriff Israel’s suspension has no bearing on these questions. What matters is only whether the record sustains the charges against Sheriff Israel. In other words, my inquiry has been (and must be) purely objective.

Second, Sheriff Israel has alleged that his suspension lacked the due process required under the Florida Constitution. (See Tr. 13:12-25.) As the record reflects, I have denied several requests from Sheriff Israel to suspend these proceedings pending resolution of ancillary investigations and criminal proceedings. (Id. at 15:5-12.) I will not reiterate the basis for my prior rulings here, but I would like to make a few observations. Executive Order 19-14 went into effect on January 19, 2019, Sheriff Israel demanded review before the Senate only weeks later, and the final hearing occurred in June 2019. This timeline left nearly six months for Sheriff Israel to prepare a defense. But instead of diligently pursuing the facts needed to challenge the Governor’s claims, Sheriff Israel chose to focus his efforts on a failed legal challenge. For example, it was not until June 3, 2019 that Sheriff Israel properly requested witness subpoenas. (See Israel Updated Subpoena Requests.) The record is clear that any obstacles to Sheriff Israel preparing a defense were of his own

making. The issue of due process will ultimately be a question for a court of law (should that challenge come), but I stand by my prior rulings that these proceedings have comported with the law in all material respects. Both Sheriff Israel and Governor DeSantis were given a full and fair opportunity to investigate the allegations, obtain and examine relevant evidence, and present evidence and arguments for my review.

Turning now to the merits, Executive Order 19-14 cites two events as the basis for Sheriff Israel's suspension: "the Fort Lauderdale-Hollywood International Airport shooting on January 6, 2017, and the Marjory Stoneman Douglas High School shooting on February 14, 2018." (Gov. Proposed Order at 5.) For clarity of analysis, my findings are organized into two segments that address each incident and the charges related thereto.

## **A. Fort Lauderdale-Hollywood International Airport Shooting**

### **i. General Background**

This section is intended to provide an overview of the shooting. Additional facts relevant to each charge are discussed under the subheadings that follow. On January 6, 2017, Esteban Santiago flew into the Fort Lauderdale Airport. Santiago had checked one item of luggage – a semi-automatic handgun. He retrieved the handgun at the baggage claim area of Terminal 2, loaded it in an adjacent bathroom, and then opened fire on the public without warning. (See Gov. Ex. E at 225; Madrigal Dep. 15:13-20.) Five people were killed and another six injured.



At that time, the Broward County Sheriff's Office (hereinafter "BSO") provided law enforcement services at the Fort Lauderdale Airport through an operational contract with the Broward County Aviation District. (See Gov. Proposed Order at 5.) Deputy Jesus Madrigal, assigned to the security checkpoint in Terminal 2, immediately responded to the sound of the gunshots. (See Madrigal Dep. 6:19-25.) He approached the suspect and took him into custody without further incident. (Id. at 15:20-16:3.) Deputy Madrigal confirmed that he was trained to immediately respond to an active shooter. (Id. at 12:8-21, 18:14-22.) His testimony was unequivocal on this point: "I was basically going – reacting towards my – what I was trained on what to do. So I went towards the shooting." (Id. at 14:23-25; see also id. at 32:19-25.)

The gunshots understandably caused panic. Hundreds of people, including potential witnesses, scattered and sought shelter in Terminal 2. As relayed by Deputy Madrigal, passengers hid in the baggage carousel and other restricted areas. (Id. at 21:19-25.) More BSO deputies responded, and by all accounts, their reactions were textbook. (See Gov. Ex. C at 14.) The deputies, working with airport fire rescue and other outside agencies, established a perimeter and began treating victims. (Id.) Canine officers swept the immediate vicinity for explosives, and the BSO Swat Team cleared Terminal 2 that panicked passengers flooded. (Id.)

During the response, a command post and emergency operations center were established. (Gov. Ex. C 14.) The onsite personnel formed a plan that would have allowed operations at Terminal 2 to resume. (Id.) To the credit of these first

responders, the remainder of the airport was open and functioning. (Id.) But that quickly changed when more active shooters were falsely reported in the airport.

Approximately ninety-minutes after the shooting, and in the midst of response efforts, a Customs and Border Patrol Agent heard what he thought was additional gunshots. (Gov. Ex. C 16.) Despite others telling him the sounds were not gunfire, the agent ran to Terminal 2. He passed several Broward Fire Rescue Emergency Services personnel, who reported the agent's misinformation over the radio channel. The misinformation was then relayed across the primary law enforcement channel as "Border Patrol reporting shots fired in Terminal 2." (Id.) Simultaneously, airport security cameras captured deputies appearing to go on alert, while numerous requests for confirmation of the call or location were made. (Id. at 17.) Upon overhearing the radio calls, a JetBlue supervisor decided to clear his employees from Terminal 3. This incited further panic and sent TSA agents, airport employees, and customers running outside to the parking garage. (Id. at 17-18.) The fleeing people also caused an anxious deputy in front of Terminal 4 to make another radio transmission of "shots fired" coming from the garage.

The heightened response from law enforcement officers, coupled with news coverage, caused passengers in the airport to panic and flee in all directions. (Gov. Ex. C 20.) Airport security footage captured passengers knocking over signs, dropping luggage, and running into doors. These actions led to more radio traffic about shots fired and a virtual evacuation of all passengers and staff from the airport.

Even TSA agents left their post to flee. (Id. at 20-22.) Three minutes elapsed between employees evacuating Terminal 3 and the airport's mass evacuation. (Id. at 23.)

Fortunately, only one injury was reported during the panic. A BSO canine deputy responding to the scene was forced to park his car in the middle of the roadway because of the fleeing civilians. An airport passenger opened the rear door to hide in the vehicle and the dog jumped out. As trained, the dog immediately engaged the passenger. Their encounter lasted for several moments until a nearby law enforcement officer restrained the dog. (See Gov. Ex. C 24.)

Bringing everyone back in the concourses was not an option for several reasons. Primarily, there was still a security concern that other active shooters were mixed among the civilians. There were too many reports of shots fired coming from what would routinely be deemed as credible sources, leading to belief that something occurred or potentially could take place. (Gov. Ex. C 33.) People were also hiding in the concourses, terminals, and garages, so those locations had to be physically cleared. (Id.) Faced with these circumstances, BSO command determined to move all civilian personnel off-site. The Port Everglades Seaport was the rally point because it sat less than one mile away, had fixed perimeter security, and could accommodate the large volume people. (Id. at 35.) It took several hours to obtain buses and relocate the civilians to the port. This process was frustrated by the sudden influx of thousands of personal vehicles, cabs, and ride-share vehicles, such as Uber and Lyft, that were summoned to the scene.

The BSO command post was closed at 1:00 am, and the port was cleared several hours later. With the exception of Terminal 2, the Fort Lauderdale Airport reopened the next day. (See Gov. Ex. C at 38.) In the end, this mass shooting caused the deaths of five people.

Governor DeSantis has levied five specific charges against Sheriff Israel related to this incident. (See Gov. Bill of Particulars 10-11.) Each charge is addressed in turn below.

**ii. Sheriff Israel neglected his duty and/or was incompetent in failing to protect the lives of the five victims killed on January 6, 2017 at the Fort Lauderdale Airport**

The evidence is uncontroverted that the Fort Lauderdale Airport shooting occurred suddenly and without notice. The suspect retrieved an automatic weapon that was legally checked in his luggage, loaded the gun while concealed in the bathroom, and upon emerging opened fired on nearby passengers. (See Gov. Ex. C 12.) There was no warning that this tragedy was about to occur. (Id.) Although Sheriff Israel is statutorily charged with conserving the peace in Broward County, this mandate does not guarantee that no person will be harmed and no crime will occur. Outside of stationing a deputy to supervise every passenger in the airport, which no one is suggesting was required, the shooting was not preventable by Sheriff Israel or anyone else.

There is one further point I feel compelled to address. Governor DeSantis has attempted to downplay the actions of Deputy Madrigal, who first responded to the scene and apprehended the shooter. For instance, the Governor's proposed final order

remarks that the shooter had run out of ammunition by the time Deputy Madrigal arrived and he did “not fire a single round of ammunition.” (Gov. Proposed Order ¶¶ 6-8.) I can understand the Governor’s zealous advocacy against Sheriff Israel, but the actions of Deputy Madrigal were unassailably courageous. Without concern for his personal safety, Deputy Madrigal immediately responded to the gunfire and ran towards the danger. (See Gov. Ex. C 12-14.) The fact that Deputy Madrigal never fired his weapon is not a badge of dishonor, but a testament to his training and courage to recognize that the situation was already defused. Deputy Madrigal’s quick apprehension of the gunman allowed law enforcement to immediately secure the scene and assist victims. (Id.) It is likely that more lives would have been lost but for his courage.

In sum, the Governor has not offered any evidence for how Sheriff Israel could have prevented the Fort Lauderdale Airport shooting. For these reasons, I find the Governor has not proven the specific charge outlined above.

- iii. **Sheriff Israel neglected his duty and/or was incompetent in failing to protect the health and safety of the victims injured on January 6, 2017 at the Fort Lauderdale Airport: The ensuing chaos and confusion after the initial shooting led to unnecessary injuries that could have and should have been avoided with appropriate training**

This charge also merits only brief attention. One injury was reported after the initial shooting – a fleeing passenger who was bit by a canine officer. (Gov. Ex. C 24.) The facts underlying this incident are not in dispute. A BSO K-9 deputy responding to Terminal 1 was forced to park his vehicle in the roadway because of civilians running to the adjacent garage. Once stopped, the deputy jumped out and began

running to the terminal where gunfire had been reported. Simultaneously, an airport passenger ran around the BSO vehicle and opened the rear door to hide from the perceived threat. The dog reacted as trained and started apprehending (biting) the passenger. The encounter lasted several moments until a nearby law enforcement officer intervened. (Id. at 23-25.)

The Governor has offered no evidence to suggest this incident was the result of improper training. To the contrary, the record is unrebutted that the deputy acted in accordance with department policy by immediately leaving the car and responding to the call of a second active shooter. (See, e.g., Tr. 70:15-25.) The Governor has advocated throughout these proceedings that instant and direct law enforcement response to an active shooter is required. It is implausible to now suggest this deputy, and by implication Sheriff Israel, was derelict in doing exactly that. This incident is ultimately attributable to the panic of an ordinary citizen, not an institutional failure of the BSO. For these reasons, I find the Governor has not proven the specific charge outlined above.

- iv. **Sheriff Israel neglected his duty and/or was incompetent in providing appropriate staffing levels at the Fort Lauderdale-Hollywood International Airport to meet the growing needs of the airport's increased size and passenger capacity**

The Fort Lauderdale Airport hosts approximately 29.2 million passengers a year. This ranks it among the largest American airports. (See Gov. Ex. C C at 58.) The BSO provides law enforcement services for the airport and handles general security. (Id. at 60.)

Pertinent here, staffing levels at the airport decreased during Sheriff Israel's tenure. The BSO airport division counted 150 positions in 2008, but a decade later, it fell to 116. (Id. at 59-60.) Relying on these numbers, the Governor claims that Sheriff Israel failed to staff the airport at appropriate levels. (See Gov. Bill of Particulars at 6.)

The Governor's argument is problematic for several reasons. For starters, it is built on the faulty premise that an overall reduction in personnel equates to understaffing. But one does not necessarily follow the other. For instance, it could be that the airport was overstaffed in 2008. Without some measuring stick to use as comparison, which the Governor has not supplied, it is impossible to discern whether the overall staffing at the Fort Lauderdale Airport was objectively deficient in 2017. The Governor also fails to mention that the cited staffing reductions were almost entirely civilian employees. (Gov. Ex. C at 60-61.) There were nearly the same number of sworn-deputies on site in 2017 (92) as there were a decade earlier (98). (Id.) This hardly represents a "drastic" decrease in security as the Governor proclaims. (See Gov. Proposed Order at 12.)

The challenge for the Governor, however, is the simple fact that Sheriff Israel did not control the staffing levels at Fort Lauderdale Airport. The airport is overseen by Broward County through its Aviation Division (BCAD). No tax revenues are expended in support of airport operations. BCAD generates its funding via user fees, rentals, and other applicable airport charges. (See Gov. Ex. C at 58.) BCAD contracts with BSO to provide the law enforcement services and personnel discussed above.

The staffing levels are set by this agreement and the funds BCAD decides to allocate. (See Tr. 268:16-2272:16; see also Israel Exs. 14-17.) At bottom, BCAD and the County determined the funding and staffing allocations at Fort Lauderdale Airport. For these reasons, I find the Governor has not proven the specific charge outlined above.

- v. **Sheriff Israel neglected his duty and/or was incompetent in failing to provide frequent and effective training for a mass casualty/active shooter situation at the Fort Lauderdale Airport**

There is no dispute that BSO deputies assigned to the Fort Lauderdale Airport received training. Indeed, all deputies underwent active shooter training on a rotational basis. The BSO Airport Division also participated in “tabletop drills,” and at least two live action exercises designed to simulate active threats in an airport setting. (See Gov. Proposed Order ¶¶ 41-42.) The Governor insists this training was not enough and left the BSO unprepared for the shooting and evacuation that followed.

Insistence is all the Governor gives. He has not established any standards from which to measure against. Although more training is generally better than less, there is a practical limit on the training any organization can provide. The BSO, like every government entity, has limited resources it must allocate. There was no evidence offered to suggest that the volume or content of training Sheriff Israel decided upon fell below what is typical for a similarly situated law enforcement agency. Without a comparator or some other data about industry training standards, the Governor’s claim that Sheriff Israel was incompetent or neglected his duty amounts to little more than guess work.



That preliminary issue aside, much of the Governor's criticism about training is taken verbatim from a draft incident report prepared after the shooting by Major Angelo Cedenó. (See Gov. Proposed Order ¶ 39.) Additional background is helpful. Following the airport shooting, BSO conducted an incident review known as an "After Action Report." This is a standard post-event process designed to study and learn from a significant event. (Tr. 280:10-281:7.) Typically, incident reviews involve a detailed effort to identify relevant facts, examine responses, and make recommendations.

With the Fort Lauderdale Airport shooting, the After Action Report was assigned to Major Cedenó. His draft totaled 119 pages and included numerous criticisms. (Gov. Ex. C.) For instance, the report found tabletop exercises and disaster drills at the airport were infrequent and deficient in preparing for the shooting. (*Id.* at 10.) Command staff vetted Deputy Cedenó's report, and following yet another draft, BSO published a final After Action Report. (See Gov. Ex. E.) The final report is considerably shorter and does not contain many of the same deficiencies or criticisms.

The Governor's argument about training relies almost exclusively on Major Cedenó's report. (See, e.g., Gov. Proposed Order ¶¶ 49-58.) The Governor essentially asks that I adopt the report and its unfavorable conclusions to find this charge satisfied. I cannot do so for several reasons. The record is unrebutted that Major Cedenó was not asked to prepare a final report. Rather, his instructions were to gather all relevant information for further vetting by command staff and other subject

matter experts. (See Tr. 274:4-22.) It is likewise un rebutted that BSO command staff found the report factually erroneous in some respects. (Kinsey Dep. 42:4-42:1.) Finally, many of the statements made by Major Cedeno are conclusory and without anecdotal support. It is difficult (if not impossible) to determine how accurate these representations are absent additional evidence, which was not provided. Boiled down, Major Cedeno's report represents one position about the airport shooting and BSO response. More evidence, such as testimony from Major Cedeno and those involved with the underlying incident, was required to lend credence to this account and elevate it above the competing material from Sheriff Israel.

The above analysis is not meant to suggest I believe the BSO was perfectly prepared for an active shooter at the Fort Lauderdale Airport. There were lapses in readiness that became evident after the fact. For instance, there was no protocol for relocating the thousands of passengers and employees for a forced evacuation. So, once security was compromised in the airport, confusion ensued on how to proceed. (See Gov. Ex. E 246.) However, it is impossible to plan for all scenarios that may arise during an emergency of this magnitude. The burden placed on the BSO was extraordinary. Securing the airport grounds, evacuating tens of thousands of airport patrons safely, providing medical treatment to the injured, and investigating the incident all posed a serious challenge to responding law enforcement and medical personnel. While not perfect, I cannot conclude BSO's response to the shooting was indicative of incompetence or dereliction of duty as to Sheriff Israel. For these reasons, I find the Governor has not proven the specific charge outlined above.

- vi. **Sheriff Israel neglected his duty and/or was incompetent in staffing BSO's Airport District with employees who were complacent and not diligent in their duty to protect the peace**

Pointing to the “knee-jerk reactions” that led to false reports of a second shooter and mass chaos at the Fort Lauderdale Airport, the Governor claims that Sheriff Israel staffed the Airport District with employees that were complacent and not up to the task. (See Gov. Proposed Order ¶ 48-50.) Upon closer examination, this argument does not withstand scrutiny.

The initial response by BSO personnel at the airport was, by all accounts, commendable. Several deputies secured the shooter while others worked to establish a perimeter and treat victims. Resources were also deployed to sweep the affected area and reopen Terminal 2. (See Gov. Ex. C 12-15.) The “knee-jerk reactions” cited by the Governor occurred only later when outside law enforcement arrived on scene. The false alarm that sparked panic came from a border patrol agent, who Sheriff Israel did not hire, control, or otherwise supervise. (Id. at 16.) The BSO cannot be faulted for failing to control the situation that followed. Thousands of passengers and employees (including TSA agents) fled towards available exits. Hundreds of others also called 911 to report shots fired at various locations. (Id. at 16-21.) No amount of resources or training could have quelled the panicked passengers.

The Governor also cites comments from Captain James Diefenbacher stating that the Airport District had a perceived sense of security – “basically controlling crowds” rather than “going to domestic violence.” (Gov. Proposed Order ¶ 48.) Even if accepted at face value, these statements do not indicate incompetent staffing by

Sheriff Israel. Further, Captain Diefenbacher's perception is objectively refuted by the actions of Deputy Madrigal, who immediately responded to the shooting and ran towards the danger. (See Gov. Ex. C 12-14.) Deputy Madrigal also testified that he did not believe his coworkers were complacent or otherwise unfit for duty. At best, the evidence on this issue is inconclusive, which is not enough to warrant a finding of incompetence or dereliction of duty against Sheriff Israel. For these reasons, I find the Governor has not proven the specific charge outlined above.

\* \* \* \*

In conclusion, Sheriff Israel insists that his deputies' response to the Fort Lauderdale Airport shooting "was a model" for emergency preparedness. (Israel Proposed Order pg. 25-26.) I cannot agree with that assertion, and my report should not be read as an endorsement that no mistakes were made leading up to, during, or after the shooting. My finding here is simply that the Governor did not meet his burden of proving that Sheriff Israel neglected his duties or was incompetent. The Governor's case was hindered by his nearly exclusive reliance on the draft incident report prepared by Major Cedeno. But the Governor presented no evidence to rebut the testimony that Major Cedeno's report was merely a collection of preliminary information that was unreliable and untested. Against this factual backdrop, I cannot reach the Governor's proffered conclusion that Sheriff Israel was constitutionally deficient in his duties.

## **B. Marjory Stoneman Douglas High School Shooting**

### **i. General Background**

This section is intended to provide an overview of the incident at Marjory Stoneman Douglas High School (“Stoneman Douglas”). Additional relevant facts are discussed under the subheadings that follow. On February 14, 2018, Nikolas Cruz arrived at Marjory Stoneman Douglas High School armed with a rifle and several hundred rounds of ammunition concealed in a bag. Cruz was a former student at the school and had a history of behavioral problems. (See Gov. Ex. F 277.)

Cruz entered the school through an unstaffed gate that was open for school dismissal. A school employee saw Cruz with “a nice-sized duffle bag” and radioed there was a “suspicious kid” on campus. (Id. at 326.) The employee went to confront Cruz but he ducked into Building 12 through another unlocked door. (Id. at 295.) Cruz made an immediate right into the stairwell and retrieved the semi-automatic rifle concealed in his bag. (Id.)

Cruz exited the stairwell after several seconds and began firing indiscriminately into the first-floor hallway. Percussion from the gunshots caused dust to fall from the ceiling tiles, which almost immediately activated the campus fire alarm. (Id.) Several students were shot and gravely injured. Cruz continued down the hallway firing into classrooms. The speed with which this attack happened prevented some students from having a chance to respond, and at least one student was struck while seated at his desk. (Id. at 296.)

The sound of gunshots caused some students to panic. A large group from the third floor fled towards the west stairwell only to return upon hearing more gunfire. During this time, the first 911 calls were received by the Coral Springs Communications Center. (Id. at 296.) Other students who were unaware of the shooter, meanwhile, exited their classrooms as if it was a normal fire drill. (Id. at 297-98.)

The first law enforcement officer at the school was BSO Deputy Scott Peterson. He arrived at Building 12 as Cruz was approaching the west end of the first-floor. (Id. at 358-59.) Deputy Peterson was the School Resource Officer (“SRO”) assigned to Stoneman Douglas for that academic year under a contract with the Broward County Schools. Deputy Peterson had been an SRO for nearly three decades, spending the last nine years at Stoneman Douglas. (Id. at 357.) It goes without saying that Deputy Peterson was familiar with the layout and procedures at Stoneman Douglas.

Deputy Peterson stationed himself outside the east entrance of Building 12 as Cruz entered the second-floor hallway and again began firing his rifle. (Id. at 358.) Despite his later statements to the contrary, Deputy Peterson was aware of the threat inside Building 12. For instance, he told an unarmed security guard to leave the area since he was not armed. (Id.) Gunshots were also audible from the body camera of another officer who sat approximately four times further away. (Id. at 364; see also Gov. Proposed Order ¶¶ 124-128.) Deputy Peterson did not approach the doors to Building 12 or even look in the windows. Instead, with his gun drawn, Deputy

Peterson retreated to an adjoining area. (Id. at 300.) Deputy Peterson would later explain that he did not enter Building 12 because he was trained to contain the area. (Id. at 365.)

Deputy Peterson sheltered at the base of a stairwell next to another building. Around this same time, Cruz entered the third-floor of Building 12 and fired over sixty rounds. (Id. at 361.) Cruz entered several rooms in search of victims and even tried to shoot out the windows in the teacher's lounge. In addition to sitting idle, Deputy Peterson reported erroneous information and directions over the BSO radio channel. For example, he directed deputies to shut down nearby intersections. He also told deputies to remain 500 feet away from Building 12. (Id. at 360-62, 366-67.) Deputy Peterson hid for approximately forty-eight minutes, well after Cruz fled and other law enforcement officers entered Building 12. (Id. at 360.)

Deputy Peterson was not the only law enforcement officer whose actions have come under scrutiny. Six other BSO deputies (Kratz, Eason, Stambaugh, Perry, Seward, and Goolsby) responded to the scene while gunfire was still audible, but they did not display urgency. Several stopped to grab equipment from their vehicles or don ballistic vests. (Id. at 437, 468.) Other issues with the BSO response to the shooting are discussed where needed below.

After this tragedy, the Florida Legislature created the Marjory Stoneman Douglas High School Public Safety Commission to investigate the personal and system failures that culminated in the shooting. The Commission issued its initial findings in January 2019. (See Gov. Ex. F.) The MSD Commission report need not

(and will not) be repeated here, but its timeline and analysis has been invaluable. With this general background, I will turn to the specific charges Governor DeSantis has levied against Sheriff Israel related to this incident. (See Gov. Bill of Particulars 10-11.)<sup>2</sup>

- ii. **Sheriff Israel neglected his duty and/or was incompetent in requiring his deputies, including, but not limited to the actions of Deputy Peterson, to engage an active shooter, which resulted in additional fatalities**

This charge is difficult to comprehend because of what I presume is a typographical error. The allegations that follow, however, make clear that the Governor seeks to hold Sheriff Israel responsible for his deputies not immediately entering Building 12 to apprehend the shooter. (See Gov. Bill of Particulars 12-13.) The Governor's proposed order also offers this conclusion. (See Gov. Proposed Order ¶ 166 ("Deputy Peterson's decision not to enter Building 12 upon hearing gun shots resulted in eight more fatalities and more injuries, a failure to act which should be attributed to [Sheriff] Israel."))

The record is clear that several deputies were in a position to intervene at some point during the shooting. Deputy Peterson was on scene within minutes and well before Cruz entered the third-floor of Building 12. But instead of engaging the shooter to prevent further loss of life, Deputy Peterson fled to a position of personal safety. At no time did Deputy Peterson attempt to investigate the location of the gunshots. (See Gov. Ex. F 366-67.) Several other deputies who reached the scene

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<sup>2</sup> Several charges related to the Stoneman Douglas shooting overlap or are duplicative. (See Gov. Bill of Particulars 10-11.) For ease of analysis, I have condensed these charges where appropriate.



(Kratz, Eason, Stambaugh, Perry, Seward, and Goolsby) likewise failed to move toward the gunshots and engage the shooter. They instead took defensive positions on the adjacent roadway. (Id. at 437-38.)

I have no trouble concluding these deputies neglected their duty during the Stoneman Douglas shooting and bear varying degrees of culpability. However, I cannot adopt the Governor's position that their personal failures, in and of themselves, create grounds to remove Sheriff Israel. To be sure, Sheriff Israel bears ultimate responsibility for the neglect of his deputies. See Fla. Stat. 30.07. But it is impractical to suggest that he can face removal from office based on the conduct of a subordinate that was never authorized, sanctioned, or ratified. More is needed because Sheriff Israel does not (and cannot) supervise each deputy. Imposing such sweeping responsibility upon an elected official would establish an unworkable precedent. Almost any elected official overseeing a large organization would be subject to removal at any time because even well-trained and supervised employees can make grievous mistakes.

Sheriff Israel's duty as conservator of the peace is fulfilled through the development of policies, procedures, and training. See, e.g., Israel v. Desantis, 269 So. 3d 491, 497 (Fla. 2019) (J. Muniz, Concurring in Judgment). It is his responsibility to equip deputies with the knowledge and resources needed to protect the residents of Broward County and promote the peace against criminal behavior. To that end, neglect or incompetence of the magnitude required for removal must be tied to an institutional failure. It is not enough to show that a deputy (or deputies)

acted improperly and failed to follow protocol, which is all the Governor proposes here. For these reasons, I find the Governor has not proven the specific charge outlined above.

**iii. Sheriff Israel neglected his duty and/or was incompetent in failing to protect the lives of the seventeen victims killed at Marjory Stoneman Douglas High School**

The record is devoid of evince that Sheriff Israel or anyone at the BSO was aware of a specific threat immediately before the Stoneman Douglas shooting. Thus, I interpret this charge as a claim that Sheriff Israel failed to prevent the shooting through proactive police work, which would have identified Cruz as a threat. (See Gov. Proposed Order ¶¶ 149-158.)

There were twenty-one contacts between BSO and Cruz before the shooting. (See Gov. Ex. F. 504.) Most of these incidents were minor and warranted no further action. For instance, BSO responded to the Cruz household nine times for domestic disputes. However, two specific calls warranted additional attention from BSO deputies that was not conducted. The Governor's argument focuses on those incidents. (See Gov. Proposed Order ¶¶ 149-161.)

In 2016, BSO received a call that Cruz had posted a photograph on Instagram of himself with a gun. The post included a statement similar to "I am going to get this gun when I turn 18 and shoot up the school." Deputy E. Eason handled the call for service. He could not view the post because it had been removed, but he was verbally apprised of its contents. Deputy Eason did not complete an incident report

and instead made the following entry into the dispatch system: “No threats noted and info forwarded to (SRO) Peterson at school.” (See Gov. Ex. F 623-630.)

In 2017, only months before the shooting, BSO received a call that Cruz had weapons and wanted to join the military to kill people. The witness stated that Cruz “might be a Columbine in the making” and was a threat to kill himself. (Gov. Ex. F 508.) Deputy G. Treijs handled the report and referred the caller to another police department in the jurisdiction where Cruz was thought to reside. Deputy Treijs did not prepare an incident report. (Id.)

BSO investigated these contacts after the shooting. Deputies Eason and Treijs were disciplined for not thoroughly acting on the information presented. (Gov. Exs. P, R.) Specifically, both deputies were cited for violating BSO Standard Operating Procedure 3.6.1, which requires that deputies prepare an incident report when presented with credible information of a violent threat. (See Gov. Ex. R 3388.)

The Governor makes several arguments related to Deputies Eason and Treijs. First, the Governor claims that Sheriff Israel should be held directly responsible for their failures. (See Gov. Proposed Order ¶¶ 156, 160.) I cannot accept this theory for the same reasons explained above. To remove a constitutional officer like Sheriff Israel, the alleged neglect or incompetence must be tied to an institutional failure. It is not enough to show that an employee acted improperly, especially when the conduct at issue contradicted written policy.

The Governor does attempt to establish a direct connection to Sheriff Israel. He claims Sheriff Israel was “responsible for allowing [Deputies Eason and Deputy

Treijs] to remain at BSO at the time of [their] failures in following protocol regarding reporting incidents.” (Id.) This argument sits on a faulty premise: that Sheriff Israel or anyone at BSO knew Deputies Eason and Treijs were not properly preparing incident reports. There was no evidence presented that BSO command staff knew of this misconduct and yet let it continue.

The Governor further claims that Sheriff Israel failed in his constitutional duty because he did not have a specific policy to handle “threats of school shootings.” (Id. ¶ 161.) It is suggested that such threats should have been sent directly to Sheriff Israel. (Id. ¶ 161.) This policy seems virtuous in the abstract, but there are obvious problems that advocate why such action should not be constitutionally mandated. Among other things, the Governor’s proposed policy ignores the chain of command system that is the backbone of law enforcement structure. Sheriff Israel oversees an agency with 5,600 budgeted positions. Mandating that he personally review and vet certain reports would undoubtedly disrupt his other equally important responsibilities. Furthermore, the Governor’s suggested policy draws an arbitrary line at school shootings. What about bomb threats? They are equally rare and have catastrophic potential. Under the Governor’s logic (Id. ¶ 154), it would seem necessary to have Sheriff Israel review those threats as well. Lastly, the Governor has provided no evidence that his proffered policy is employed elsewhere or is considered important for school safety. If Sheriff Israel’s peers do not maintain such a policy, it can hardly be incompetent for him to do the same. For these reasons, I find the Governor has not proven the specific charge outlined above.

**iv. Sheriff Israel neglected his duty and/or was incompetent in developing, adopting, and training BSO deputies that they may engage with an active shooter**

Although not required by state law or regulation, most law enforcement agencies in Florida have policies that address how to confront and disarm an active gunman. BSO is no exception. At the time of the Stoneman Douglas shooting, the BSO Active Shooter Policy stated, “If real-time intelligence exists, the sole deputy or a team of deputies may enter the area and/or structure to preserve life. A supervisor’s approval or on-site observation is not required for this decision.” (Gov. Ex. F 469.) The policy also said that the deputy contact team would continue until the subject has surrendered, barricaded himself, the subject’s hostilities have been stopped or the contact team has been relieved by SWAT. (Id.)

Much has been made of the Active Shooter Policy’s wording, specifically the language that deputies “may” pursue the shooter. The Governor claims this language afforded too much discretion and prioritized police protection over helping victims. (See Gov. Proposed Order ¶¶ 193-221.)

I agree that the BSO Active Shooter Policy was not ideal. Stronger language could have helped reaffirm the overarching priority in such situations, which is stopping the threat. I cannot agree, however, that the BSO Active Shooter Policy was so deficient that it evidences neglect of duty or incompetence on the part of Sheriff Israel. The reason for this is simple – many Florida law enforcement agencies use similar policies that afford a single deputy discretion to engage an armed assailant. (See Israel Ex. 32.) For instance, the Marion County Sheriff’s Office policy states, “In

an incident involving an active shooter, the situation may indicate that the first deputy or deputies on the scene engage and attempt to neutralize the shooter.” (Id. at 2142.) Some policies even require that an individual deputy wait for backup and approach the subject through a structured engagement. (Id. at 2143.)

The Governor relies heavily on the MSD Commission report, which concluded that the BSO policy was inconsistent with standard law enforcement practices. (Gov. Proposed Order ¶ 201.) But the report is devoid of any analysis or evidence to support that assertion. By contrast, Sheriff Israel has provided the text of nearly every active shooter policy then utilized by his peers. The BSO policy is not materially different.

Apart from the policy itself, the Governor claims that Sheriff Israel failed to adequately train his deputies: “BSO training on active shooter was inadequate to clearly define the role of the deputy and allowed too much discretion over saving lives.” (Id. ¶ 221.) He criticizes both the content and frequency of the training. (Id. ¶¶ 178, 180, 185, 218-220.)

As for frequency, Sheriff Israel required his deputies (including SROs like Deputy Peterson) to receive two active shooter trainings on a three-year cycle. (Tr. 425:5-7.) The Governor proclaims this was deficient, but yet again, he has failed to establish what is accepted law enforcement practice in this area. More preparation is always preferable to less. Yet it is not possible (or even feasible) to require constant training on every topic. Law enforcement agencies are constrained by available resources, including time. It is important to remember that every hour a deputy spends training he is not available for active duty. There is nothing in the record to

suggest that a three-year training cycle was outside the norm, much less constitutionally insufficient.

The Governor next stresses that several deputies interviewed after the Stoneman Douglas shooting were unable to recall the last time they attended active shooter training. (Gov. Proposed Order ¶ 201.) Even if true, their faulty memory does not mean Sheriff Israel's training program was flawed. Among other problems, there is no indication of how many deputies were interviewed or who made these statements. As evident from the facts above, many deputies on scene had incentive to limit their personal responsibility. It is unfair to assign much reliability to the Governor's evidence without more information. Finally, as noted in the MSD Commission report, many deputies responded to the shooting in the proper manner by running to the scene, seeking out the shooter, providing medical aid and evacuating victims. (Gov. Ex. F 469.)

The Governor's complaints about the content of Sheriff Israel's active shooter training also fall short. The Governor makes critiques with no reference to what is accepted law enforcement practice in this area. By way of example, the Governor suggests that Sheriff Israel should have required SROs to undertake live-active shooter training in a school setting. (Gov. Proposed Order ¶ 201.) It goes without saying that this type of exercise would be beneficial. But the question here is not whether Sheriff Israel utilized best practices. Pursuant to Executive Order 19-14, he can be removed from office only upon a showing of incompetence or neglect of duty. Without evidence that Sheriff Israel omitted training that must be considered

necessary, the assertion that he neglected his constitutional mandate is not sustainable.

Identifying additional training that Sheriff Israel could have offered is only half the equation. It was the Governor's obligation to also show that this added training was required to meet the minimal qualifications for a law enforcement agency. The Governor did not carry the latter part of his burden.

It also bears mention that several pieces of evidence cut against the Governor and suggest that BSO deputies received adequate training to confront an active shooter. Deputy Madrigal's response during Fort Lauderdale Shooting is but one example. The MSD Commission also found that Deputy Peterson knew the appropriate response yet failed to act. (Gov. Ex. F 368 "BSO trained Deputy Peterson on active shooter response, and he was familiar with solo-deputy response protocols. Peterson knew through his training that the appropriate response was to seek out the active shooter and not containment.") Overall, the evidence presented to me suggests it was individual failures that plagued the Stoneman Douglas response, not neglect or incompetence by Sheriff Israel. For these reasons, I find the specific charge outlined above was not proven.

- v. Sheriff Israel neglected his duty and/or was incompetent in staffing BSO's School Resource Officer Program with employees who were complacent and not diligent in their duty to protect the peace**

Beyond conclusory assertions, the Governor presented no evidence to establish that Sheriff Israel staffed the BSO program with deputies who were unfit for the task. The only SRO officer discussed with any detail is Deputy Peterson. His failures,



although undoubtedly significant, are alone not enough to incriminate the entire SRO program. Accordingly, I find the Governor has not proven the specific charge outlined above.

\* \* \* \*

At bottom, Sheriff Israel and the BSO are not blameless for the tragedy at Stoneman Douglas. I agree with the MSD Commission that mistakes were made and areas should be improved. That said, the evidence offered has not demonstrated that Sheriff Israel should be removed from office based on this incident. While the Governor has offered a plethora of criticism, he has not shown that Sheriff Israel's policies, procedures, or trainings on active shooter situations were inconsistent with Florida law enforcement standards. To me, the record suggests that the Stoneman Douglas shooting was a culmination of individual failures. Most notably Deputy Peterson, who "knew through his training that the appropriate response was to seek out the active shooter" and yet failed to act. (Gov. Ex. F 368.) One final point. The Governor's case against Sheriff Israel is premised almost entirely on the MSD Commission report. Yet the committee chairman, Sheriff Bob Gualtieri from Pinellas County, has stated publicly that nothing in the report was meant to constitute grounds for Sheriff Israel's removal. See <https://www.nbcmiami.com/news/local/MSD-Commission-Chair-Would-Not-Recommend-Removal-of-BSO-Sheriff-From-Office-502532751.html>. I agree with his assessment – the report, in and of itself, is simply not enough.

### C. Attorneys' Fees and Costs

Sheriff Israel requests reimbursement for the costs and fees incurred in opposing the Governor's executive suspension. Under Fla. Stat. § 112.44, if a suspended officer is reinstated, the Senate may provide for the payment "of such attorney's fees and costs as the officer may reasonably have incurred in his or her own defense." Fla. Stat. § 112.44. Whether to award such relief lies within the Senate's discretion. Id.

Having reviewed the record and weighed the merits of Sheriff Israel's request, it is my recommendation that the Senate not award fees and costs. Despite Sheriff Israel's suggestion otherwise, this was not a situation of executive overreach. There was certainly evidence to support a *prima facie* case that he neglected the duties of his office. In my view this weighs against making taxpayers shoulder the burden of Sheriff Israel's defense.

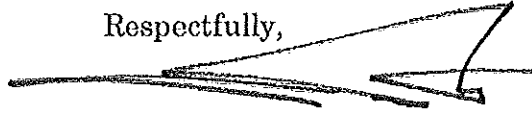
### III. Conclusion

Consistent with the foregoing discussion, I recommend:

1. The Florida Senate confirm the President's appointment of the undersigned Special Master in this case.
2. The Florida Senate confirm that Executive Order 19-14 and the Governor's Bill of Particulars meets the jurisdictional requirements of the Florida Constitution, statutes, and applicable case law, and that fundamental due process has been afforded to Sheriff Israel.
3. The Florida Senate, pursuant to Article IV, Fla. Const. and Fla. Stat. § 112.44, REINSTATE Scott Israel to his elected position as the Sheriff of Broward County because the Governor has not proven the specific charges of suspension in Executive Order 19-14.

4. The Florida Senate deny Sheriff Israel's request for attorneys' fees and costs.

Respectfully,

A handwritten signature in black ink, appearing to be "J. Dudley Goodlette", written over a horizontal line.

J. Dudley Goodlette

September 24, 2019

**APPEARANCE  
RECORDS**

**SPOKE BEFORE  
THE COMMITTEE**



The Florida Senate  
 Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

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Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

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Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

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Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019  
*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

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Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

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Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

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Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

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Email rosas@bellsouth.net

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Corey Thompson

Job Title Operator

Address 2160 NW 4th St  
Street

Phone (954) 727-6778

Pompano Beach, FL, 33069  
City State Zip

Email \_\_\_\_\_

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Ryan Shrouder

Job Title Attorney

Address 9700 Griffin Road  
*Street*

Phone 754-234-8440

Cooper City FL 33328  
*City State Zip*

Email ryan@myfllegal.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Caren Besner

Job Title \_\_\_\_\_

Address 5778 Crystal Shores Drive Phone (516) 9963535

Street  
Apt 201 Baynton Beach FLA  
City 33437 State Zip

Email greta1953@aol.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Max Pulcini

Job Title City Commissioner

Address 2840 NW 82 way  
*Street*

Phone 954 6554987

Cooper City FL 33024  
*City State Zip*

Email PulciniMax@aol.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name CHARLES TIEDIE (PRONOUNCED TEE-JAY)

Job Title BUSINESS CONSULTANT

Address 6323-4 BAY CLUB DRIVE

*Street*

FORT LAUDERDALE, FL 33308

*City*

*State*

*Zip*

Phone 954-771-0055

Email CHUCK@PROVENRESULTS.  
ME

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Walter Hunter

Job Title Retired

Address 2337 NW 15 CT  
*Street*

Phone                     

Ft Lauderdale, FL, 33311  
*City State Zip*

Email                     

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Jose SALCEDO

Job Title PASION

Address 4741 NW 75 ST

*Street*

COCONUT CREEK

*City*

*State*

*Zip*

Phone 954 909 8652

Email jviebe@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Karen Fortman

Job Title voter

Address 8711 SW 30<sup>th</sup> St  
*Street*

Phone 954-632-1147

DAVIE FL 33328  
*City State Zip*

Email kfortman@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Fred Guttenberg

Job Title Orange Ribbers for Jaime

Address 5944 Coral Ridge Drive #301

*Street*

Coral Springs FL 33076

*City*

*State*

*Zip*

Phone 786-223-5612

Email fred@orange.ribbersmail.org

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Mae F. Fagan

Job Title Retired

Address 3000 S.W. Nature Blvd

*Street*

Phone 904-934-5128

Deerfield Beach Fla 33441

*City*

*State*

*Zip*

Email \_\_\_\_\_

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I

**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Celeste Ellich

Job Title \_\_\_\_\_

Address 36 NE 25 Street  
*Street*

Phone 954-326-2468

Wilton Manors FL 33305  
*City State Zip*

Email CelesteFSRe

201.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Stephanie Feis

Job Title Mother of coach aaron Feis

Address 2026 Broyhill Lane  
*Street*

Phone 850-530-1442

PENSACOLA FL 32526  
*City State Zip*

Email Isccausey@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Sandra Jackson

Job Title Vote

Address 386 SW 35 Ave  
*Street*

Phone 954-234-3252

DTL FL 33412  
*City State Zip*

Email blessedlilly@hotmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I

**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name BOYER BORGES

Job Title FATHER OF ANTONY BORGES ONE OF THE VICTIMS

Address 1820 NW 93 TERRACE  
*Street*

Phone 954 5137804

COVA SPRINGS FL 33071  
*City State Zip*

Email BORGESBOYER@GMAIL.COM

Speaking:  For removal of sheriff  ~~For reinstatement of sheriff~~

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Anthony Borges

Job Title \_\_\_\_\_

Address 1826 NW 9<sup>th</sup> St Terrace Phone \_\_\_\_\_  
*Street*

Coral Springs FL 33071 Email \_\_\_\_\_  
*City State Zip*

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Penny Ceasar

Job Title Member Political Organizer

SEIU 1199

Address 105 NW 10<sup>th</sup> CT

*Street*

Phone 954-651-5733

Dania Beach, FL 33004

*City*

*State*

*Zip*

Email blacpenny954@yahoo.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I

**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Lori Alhadeff

Job Title Broward School Board Member

Address 8675 Watercrest Circle Phone 609 335-8226

*Street*

Parkland, FL 33076 Email lorialhadeff

*City*

*State*

*Zip*

@aol.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name ANTHONY OLIVE

Job Title RETIRED DEPUTY SHERIFF

Address 3659 WOODS WALK BLVD  
*Street*

Phone 561-293-1866

LAKEWORTH FL 33467  
*City State Zip*

Email CRIMESWEEPER@GMAIL.COM

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I

# APPEARANCE RECORD

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name DAVID BRILL

Job Title ATTORNEY - BRILL & RINALDI, THE LAW FIRM

Address 17150 ROYAL PALM BLVD SU. 2  
*Street*

Phone 954 240 6930

WESTON FL 33326  
*City State Zip*

Email david@brillrinaldi.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name EDISON JULES

Job Title FORMER SHERIFF CANDIDATE BROWARD COUNTY

Address 224 THREE ISLANDS BLVD  
*Street*

Phone 305-497-0798

HALLANDALE BEACH FL 33009  
*City State Zip*

Email JULES007@GMAIL.COM

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Jocelyn Jackson

Job Title Realtor

Address 2765 SW 45th St

Phone \_\_\_\_\_

*Street*

Dania, FL 33312

Email \_\_\_\_\_

*City*

*State*

*Zip*

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Oral Mason Hurst II

Job Title attorney

Address 7035 Suffolk Lane  
Street

Phone 954-583-7050

Parkland FL 33067  
City State Zip

Email voltteam@comcast.net

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name DARRELL WAYNE BARTON

Job Title CEO

Address 218 N.E. 1485  
*Street*

Phone 561-239-4018

BOCA RATON FL 33432  
*City State Zip*

Email INBARTON@INWAYNEBARTON  
STUDYCENTER.ORG

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Dr. Asonia Smith

Job Title Pastor

Address 5215 21st Ave Hollywood Phone 954 394 4544

*Street*

Hollywood FL 33020

*City*

*State*

*Zip*

Email Pastorasmith45@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I

**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Francena Gargaro

Job Title MSD Mom

Address 12448 N.W. 62nd St  
*Street*

Phone 954-757-6941

Coral Springs FL 33076  
*City State Zip*

Email Fgargaro@bellsouth.net

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Terry Scott

Job Title Self

Address 180 SW 3rd Ave  
*Street*

Phone 954-708-4562

Deerfield Beach FL 33441  
*City State Zip*

Email scottytds@aol.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Stacey Wesch

Job Title <sup>MSO</sup> Mom

Address 7862 NW 62nd Way

Phone 954-592-8113

*Street*

Parkland FL 33067

Email Stacey.Wesch@me.com

*City*

*State*

*Zip*

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name ~~Allen B. Jackson~~ Allen B. Jackson

Job Title Senior Pastor

Address 6037 SW 19<sup>th</sup> Place

*Street*

Phone 954-644-2878

North Lauderdale Fl. 33068

*City*

*State*

*Zip*

Email allenbjackson@hotmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Denise Fote

Job Title Nurse / M.D. Mom

Address 5966 NW 117<sup>th</sup> Dr., Coral Springs  
*Street*

Phone (450) 241-7124

FL 33076  
*City State Zip*

Email denisefote@outlook.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I

**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Gena Hoyer

Job Title Guardian Ad Litem Broward County

Address 9678 Ginger Court

Phone 954/551-2465

*Street*

Parkland FL 33076

Email gena@standwithparkland.org

*City*

*State*

*Zip*

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I

**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Max Schachner

Job Title MSD Commissioner, Father of Alex MSD victim

Address \_\_\_\_\_

Phone \_\_\_\_\_

*Street*

Parkland

Email max@alexschacher,

*City*

*State*

*Zip*

org

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
 Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019  
*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Hunter Pollack

Job Title FAMILY OF PARKLAND VICTIM

Address 9827 NW 64TH PL  
*Street*

Phone 954-415-1132

Parkland FL 33076  
*City State Zip*

Email HunterPollack0800@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Tony Montalto

Job Title President Gina Rose Montalto Memorial Foundation, Inc.

Address 11208 NW 70<sup>th</sup> Ct

Phone 954-614-6814

*Street*

Parkland FL 33076

Email Tony @ GinaRoseMAF.org

*City*

*State*

*Zip*

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
 Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Dr Julie Phillips

Job Title Skp mother Meadows Pollack, Emergency Physician

Address 5260 NW 106 Dr  
*Street*

Phone 954 592-1600

Coral Springs FL 33076  
*City State Zip*

Email japmd79@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Annabel Claprod

Job Title 1150 student

Address 12428 NW 57<sup>th</sup> Ct.  
*Street*

Phone 954-214-0531

Coral Springs FL 33074  
*City State Zip*

Email Elyse@emac.us

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Johanna (Feis) Mahaffey

Job Title little sister to coach Aaron Feis

Address 9939 W Atlantic Blvd  
*Street*

Phone 954. 708. 4115

C.S. Fl, 33071  
*City State Zip*

Email JFeis73@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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**APPEARANCE  
RECORDS**

**RECEIVED BY COMMITTEE  
AND ENTERED INTO  
THE RECORD**





The Florida Senate  
Special Session I

**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Terri Robinovitz

Job Title Teacher - Grandmother of Alyssa Alhadeff

Address 12060 Kalmar Cir. So  
*Street*

Phone 609-501-1171

Parkland, FL 33076  
*City State Zip*

Email terirobin@aol.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Emely Delfino

Job Title \_\_\_\_\_

Address 1820 New 93<sup>rd</sup> Terrace  
*Street*

Phone 954-793 7619

Coral Springs FL 33071  
*City State Zip*

Email DelfineEmely1@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I

**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Kimberly Krawczyk

Job Title Stoneman Douglas Teacher

Address 250 Congress Park Dr Phone 954 696 2867  
*Street* Apt 324

Delray Beach FL 33445 Email Kim Krawczyk98@  
*City* *State* *Zip* yahoo.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I

**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Joanne Wallace

Job Title MSD Teacher & Mom

Address 701 NW 42nd Ave  
*Street*

Phone (954)729-1272

Coconut CR. FL 33066  
*City State Zip*

Email jowallace1133@  
gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Angela Weber

Job Title MSD Mom

Address 6015 NW 118<sup>th</sup> Dr.  
*Street*

Phone 6154154106

Coral Springs FL 33076  
*City State Zip*

Email angelaweber954@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Heather Chapman

Job Title \_\_\_\_\_

Address 9750 Lakeview Lane  
*Street*

Phone 954-695-5238

Packland, FL 33076  
*City State Zip*

Email hchappy75@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Kenneth Preston

Job Title —

Address 17843 SW 5th St

*Street*

Phone 754-610-1023

Pembroke Pines, FL, 33029

*City*

*State*

*Zip*

Email \_\_\_\_\_

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Lateresa Jones

Job Title Life Coach - Business Owner

Address 611 Amargillis Ave

Phone 8502641568

Pahokee FL 33476

Email lateresajones@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Cindy Levine

Job Title Mortgage Lender + Realtor

Address 5629 NW 917th Ave

Phone 954 444 8878

Coral Springs 33076

Email cindylevine1@gmail.com

City State Zip  
FL

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Joe D'UVA

Job Title Retiree

Address 9560 Weldon Circle J-112  
*Street*

Phone 631-398-1704

Tramac FLA 33321  
*City State Zip*

Email JOE.PATR10734@1791.COM

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Macy Claprood

Job Title Medical Admin

Address 12428 NW 57th Ct  
*Street*

Phone 954 234 5412

Coral Springs FL 33076  
*City State Zip*

Email MacyClaprood@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
 Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Alex Arreaza

Job Title Atty for Anthony Borges & Borges Family

Address 320 W Oakland PK Blvd  
*Street*

Phone 954-565-7743

Davie FL 33311  
*City State Zip*

Email alex@alexmyla.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Elyse Clapwood

Job Title Corporate Trainer Healthcare

Address 12428 NW 57th Ct  
*Street*

Phone 954 214 0531

Coral Springs FL 33076  
*City State Zip*

Email Elyse.Jemac, US

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Crystal Bruce

Job Title Community Activist

Address 8860 Seville St  
*Street*

Phone 561-692-5225

Palmdale Fl. 33476  
*City State Zip*

Email BRUCE367@simulcom

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name LUKE KLASFELD

Job Title Security officer (Armed)

Address 36122 DONNA Lane  
*Street*

Phone ~~332~~ (727) 378-2109

Dade City Florida 33525  
*City State Zip*

Email officerklasfeld@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

W

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Donna Zweben

Job Title retired

Address 2006 Granada Dr. - 3A  
*Street*

Phone 954-984-8255

Coconut Creek, FL 33066  
*City State Zip*

Email \_\_\_\_\_

~~Speaking:~~  For removal of sheriff  For reinstatement of sheriff

*Belongs In Prison!*

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Lewis Mizen

Job Title Student Organizer

Address 982 W Brevard St  
*Street*

Phone 954-871-7774

Tallahassee Florida 32304  
*City State Zip*

Email ldmizen@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I

**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Maurke Symonette

Job Title Producer

Address ~~7720~~ 2920 NE 55 Place  
*Street*

Phone 786 859 9421

Broward County FL 3  
*City State Zip*

Email Big Boss 1043 @ yahoo

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name HORACIO BAZZANO

Job Title \_\_\_\_\_

Address 416 NE 11<sup>TH</sup> AVE POORIANO BEACH

*Street*

POORIANO BEACH

*City*

*State*

*Zip*

Phone 754-245-4600

Email HORACIOBAZZANO@YAHOO.COM

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name IRA Goldbery

Job Title Retired

Address 16621 SW 51<sup>st</sup> Ter  
*Street*

Phone 954-881-1970

Southwest Ranches  
*City State Zip*

Email \_\_\_\_\_

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Ron Mills

Job Title Retired

Address 2714 NE 27th Ave  
*Street*

Phone 954-374-5700

FL FL 33309  
*City State Zip*

Email RonMills954@Gsk.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Michael A. Albetta

Job Title Currently Unemployed.

Address 1117 N.E. 10<sup>TH</sup> AVENUE  
*Street*

Phone 954 560 8649

FT Lauderdale, FL 33304  
*City State Zip*

Email AlbettaM@Icloud.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name DR ARTHUR KANEV DEACON AT SANCTUARY CHURCH

Job Title PRESIDENT/DIRECTOR OF HARBOUR VIEW HOUSE MISSIONS

Address 405 N. OCEAN BLVD #1120 Phone 954-675-9153  
*Street*

POMPANO BEACH FL 33062 Email DR ARTHUR C @  
*City State Zip* COMCAST. NET

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Ernest Gonder

Job Title Pastor / BSO Lieutenant

Address 1621 NW 2 Ave  
*Street*

Phone 954-789-3502

Pompano Beach FL 33060  
*City State Zip*

Email pastorebg@yahoo.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name STEVE KINSEY

Job Title \_\_\_\_\_

Address 13225 SW 41 ST.  
*Street*

Phone 954-605-8367

DAVIE FL 33330  
*City State Zip*

Email SKINSEY1210@aol.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Phyllis Smith

Job Title Disabled - Nurse

Address 2437 NW 4 Ct

Phone 954-691-6189

<sup>Street</sup>  
Compano Beach, FL 33069  
<sub>City State Zip</sub>

Email Pass1062@yahoo.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Philip M Fortman

Job Title Broward Voter

Address 8711 SW 30<sup>th</sup> St.  
*Street*

Phone 954 614-1108

Davie FL 33328  
*City State Zip*

Email PFortmanT11@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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The Florida Senate  
Special Session I  
**APPEARANCE RECORD**

Monday, October 21, 2019

*Meeting Date*

Topic Executive Order of Suspension 19-14, In re Mr. Scott Israel

Name Anilka Omphroy

Job Title Representative

Address 2901 NW 46 Ave Apt 202  
*Street*

Phone 954.557.0011

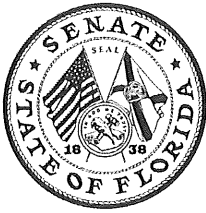
Lauderdale Lakes, FL 33313  
*City State Zip*

Email anilkaomphroy@gmail.com

Speaking:  For removal of sheriff  For reinstatement of sheriff

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# THE FLORIDA SENATE

## COMMITTEE ON RULES

### *Location*

402 Senate Building

### *Mailing Address*

404 South Monroe Street  
Tallahassee, Florida 32399-1100  
(850) 487-5350

Senator Lizbeth Benacquisto, *Chair*  
Senator Audrey Gibson, *Vice Chair*

*Professional Staff:* John B. Phelps, *Staff Director*

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

October 22, 2019

The Honorable Bill Galvano  
President of the Senate

Re: Executive Order of Suspension, Number 19-14  
Suspension of Mr. Scott Israel, Sheriff  
Broward County, FL

Dear President Galvano:

The Committee on Rules submits this final report on the matter of suspension of Mr. Scott Israel.

By Executive Order Number 19-14 filed with the Secretary of State on January 11, 2019, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Ron DeSantis, Governor, suspended Mr. Scott Israel as Sheriff of Broward County for neglect of duty and incompetence.

On January 14, 2019, the Senate informed Mr. Israel of his right to a hearing and on January 24, 2019, the matter was referred to a Special Master. On January 29, 2019, Mr. Israel requested a hearing and the Special Master engaged in pre-hearing proceedings until litigation between the Governor and Mr. Israel was initiated on March 7, 2019. Pursuant to Senate Rules, on March 12, 2019, the matter was held in abeyance until the rendering of a final determination in the litigation and exhaustion of all appellate remedies.

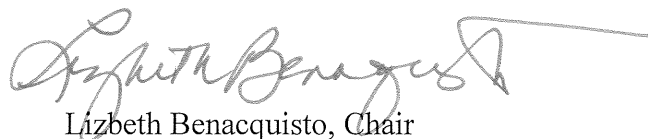
On April 23, 2019, after a final determination in the litigation and the exhaustion of appellate remedies, the Special Master resumed proceedings. The Special Master conducted a public case management conference on May 1, 2019, and a public evidentiary hearing was held on June 18, 2019 and June 19, 2019. The Governor and Mr. Israel submitted proposed findings of fact and conclusions of law to the Special Master on August 12, 2019, and August 20, 2019, respectively. On September 24, 2019, the Special Master delivered his advisory Report and Recommendation, recommending reinstatement, for consideration.

By proclamation on September 25, 2019, the Senate was convened in special session beginning at 9:00 a.m. on Monday, October 21, 2019, and ending at 11:59 p.m. on Friday, October 25, 2019, for the sole and exclusive purpose of considering the reinstatement or removal of Mr. Israel as Sheriff of Broward County. Additionally, on September 25, 2019, the advisory report and recommendation of the Special Master was referred to the Committee on Rules pursuant to Senate Rule 12.7.

Page 2

On Monday, October 21, 2019, a public meeting of the Committee on Rules was held for consideration and report. I report the Committee on Rules voted to recommend that the evidence supports the Executive Order of Suspension by the Governor, and that Mr. Scott Israel be removed from the office of Sheriff of Broward County pursuant to the State Constitution and the Florida Statutes.

Sincerely,

A handwritten signature in cursive script, reading "Lizbeth Benacquisto", with a long horizontal flourish extending to the right.

Lizbeth Benacquisto, Chair



# CourtSmart Tag Report

Room: KN 412

Case No.:

Type:

Caption: Senate Rules Committee

Judge:

Started: 10/21/2019 10:30:38 AM

Ends: 10/21/2019 8:44:09 PM

Length: 10:13:32

10:30:36 AM Meeting called to order  
10:30:41 AM Roll Call  
10:30:44 AM Quorum is present  
10:31:14 AM Chair Benacquisto opening remarks: consider action on former Broward County Sherriff Scott Israel  
10:31:29 AM When Governor suspends a public official, the Senate has the final word.  
10:32:14 AM Chair Benacquisto comments  
10:32:18 AM Senators to be guided by weighted evidence; the degree of proof  
10:32:46 AM Chair Benacquisto gives run down of today's agenda  
10:32:55 AM First presentation will be given by the Senate Special Master  
10:33:12 AM Chair Benacquisto: We will not return to a prior segment or presentation for additional questions.  
10:33:36 AM Members of public will be able to give their testimony after lunch  
10:34:41 AM Meeting is extended to 9:00 pm if required  
10:35:12 AM Now take presentation from Special Master Goodlette.  
10:35:20 AM Special Master on his recommendation  
10:35:56 AM Introduces colleague Kyle Dudek of Law Firm of Henderson Franklin Starnes & Holt in Southwest Florida as needed for information.  
10:36:56 AM Removal of a constitutional officer is significant.  
10:37:23 AM The report before you now is my consideration of the evidence.  
10:37:52 AM The report is advisory.  
10:38:03 AM Senators to evaluate as they see it.  
10:38:24 AM Report is a summary, and discusses evidence and arguments the Special Master has found significant.  
10:38:54 AM Arguments not presented to the Special Master have not been addressed.  
10:39:10 AM Chair opens time for Committee Members to ask questions.  
10:39:17 AM President Pro Tempore Simmons is recognized with question.  
10:39:35 AM Senator Simmons with question  
10:39:44 AM Question for Special Master on eight deputies' neglect on duty.  
10:40:12 AM Special Master Goodlette responds  
10:40:27 AM Senator Simmons names the deputies.  
10:40:55 AM Special Master Goodlette clarifies question.  
10:40:56 AM Senator Simmons clarifies question  
10:41:04 AM Special Master replies that is correct  
10:41:10 AM Senator Simmons looks at issue of Sheriff Israel toward the actions of the deputies.  
10:41:51 AM Special Master agrees  
10:42:02 AM Senator Simmons lists School Resource Officers  
10:42:13 AM Special Master responds in agreement  
10:42:38 AM Senator Simmons states number of State Resource officers in Broward County  
10:42:52 AM Special Master agrees on number  
10:42:57 AM Senator Simmons discusses argument of impracticable for Sherriff removal for actions of his subordinates.  
10:43:03 AM Special Master - generally yes  
10:43:35 AM Senator Simmons follow up on statutorial or constitutional  
10:43:51 AM Special Master  
10:44:08 AM Special Master  
10:44:40 AM Senator Simmons  
10:44:47 AM Special Master answers  
10:45:17 AM Senator Simmons  
10:45:22 AM Senator Simmons clarifies question  
10:45:30 AM Special Master answers  
10:45:50 AM Senator Simmons continues  
10:46:04 AM Senator Simmons discusses Deputy Peterson  
10:46:38 AM Special Master responds  
10:47:38 AM Senator Simmons  
10:47:42 AM Special Master answers



10:48:09 AM Senator Simmons discussing when deputies arrived at the scene of MSD event  
10:48:21 AM Special Master answers  
10:48:37 AM Senator Simmons asks about the actions of the deputies  
10:49:15 AM Special Master -regarding who was in charge and actions of the deputies  
10:49:17 AM Senator Simmons on report regarding absence of command and control.  
10:49:23 AM Special Master Goodlette answers  
10:49:38 AM Senator Simmons  
10:50:14 AM Special Master would like to have had more evidence  
10:50:18 AM Senator Simmons question on MSD report references to radio systems  
10:50:24 AM Special Master answers  
10:50:48 AM Senator Simmons question regarding radio system  
10:51:00 AM Special Master answers  
10:52:15 AM Senator Simmons references the tragedy at Ft. Lauderdale airport  
10:52:24 AM Special Master answers  
10:53:12 AM Senator Simmons with question on responsibility  
10:53:57 AM Special Master answers  
10:54:57 AM Senator Simmons summarizing blame of responsibility in report  
10:56:43 AM Special Master response  
10:58:05 AM Senator Simmons continues on Sherriff Israel memoranda  
10:59:11 AM Senator Simmons  
10:59:23 AM Senator Simmons on Ft. Lauderdale event  
10:59:30 AM Senator Simmons impact of failure of radio system  
10:59:32 AM Special Master responds on communication break down  
11:00:18 AM Special Master unclear on question  
11:00:26 AM Senator Simmons restates the question  
11:00:38 AM Special Master answers question  
11:01:48 AM Senator Simmons follow up on communication  
11:02:43 AM Senator Thurston is recognized to question  
11:03:10 AM Special Master responds on report of MSD  
11:03:17 AM Senator Thurston  
11:03:28 AM Special Master answers  
11:03:55 AM Senator Thurston discusses the burden  
11:04:07 AM Special Master on radio system  
11:04:52 AM Senator Thurston  
11:05:13 AM Special Master responds  
11:05:33 AM Senator Thurston  
11:06:09 AM Special Master answers  
11:06:33 AM Senator Thurston continues on MSD report  
11:06:54 AM Special Master  
11:07:01 AM Senator Thurston  
11:07:11 AM Special Master  
11:07:25 AM Senator Thurston  
11:07:50 AM Special Master  
11:07:59 AM Senator Thurston  
11:08:23 AM Special Master responds  
11:08:51 AM Senator Thurston with regards to number of employees under the sherriff  
11:09:14 AM Special Master  
11:09:23 AM Senator Thurston  
11:09:36 AM Special Master on efforts of Sherriff  
11:10:04 AM Senator Thurston further questioning  
11:10:30 AM Special Master  
11:10:52 AM Senator Thurston  
11:11:05 AM Special Master on training  
11:11:23 AM Senator Thurston  
11:12:23 AM Special Master  
11:12:48 AM Senator Thurston  
11:13:07 AM Special Master on allegations against Scot Peterson  
11:13:44 AM Senator Thurston with regards to allegation of state against Mr. Peterson  
11:14:44 AM Special Master responds  
11:14:54 AM Senator Thurston  
11:15:30 AM Special Master responds  
11:15:39 AM Senator Thurston with regards to to the two sections

11:16:16 AM Special Master determination  
11:16:53 AM Senator Thurston question on red, green, orange button discussion  
11:17:56 AM Special Master response  
11:18:03 AM Senator Bradley recognized  
11:18:12 AM Senator Bradley review on report - questioning  
11:18:37 AM Special Master on our system of government  
11:19:02 AM Senator Bradley - Discussion on power of sheriff  
11:19:22 AM Special Master response  
11:19:28 AM Senator Bradley  
11:19:39 AM Special Master responds  
11:20:00 AM Senator Bradley question on constitutional officers  
11:20:16 AM Special Master responds  
11:20:23 AM Senator Bradley- unique relationship of sheriff and deputies  
11:20:42 AM Special Master responds on relationship  
11:21:50 AM Senator Bradley - reason liability issues  
11:22:51 AM Special Master in response  
11:23:11 AM Senator Bradley  
11:23:47 AM Senator Bradley questioning on treatment of a Sheriff  
11:24:14 AM Special Master  
11:24:25 AM Senator Bradley discusses events of Feb 14  
11:24:47 AM Special Master response  
11:24:56 AM Senator Bradley continues on reason of liability issue language  
11:25:05 AM Special Master  
11:25:16 AM Senator Bradley  
11:25:21 AM Special Master  
11:25:32 AM Senator Bradley  
11:25:45 AM Special Master response  
11:26:36 AM Senator Bradley response of action to move toward the gunshots discussion and questions  
11:27:36 AM Special Master  
11:27:49 AM Senator Master  
11:27:58 AM Senator Bradley  
11:28:03 AM Special Master  
11:28:08 AM Senator Bradley refers to training manual  
11:28:36 AM Special Master to consult with colleague  
11:28:59 AM Special Master continues  
11:29:14 AM Senator Bradley  
11:29:32 AM Special Master  
11:29:44 AM Senator Bradley continues  
11:30:05 AM Special Master confers with colleague then answers  
11:30:35 AM Senator Bradley comments on Deputy Peterson  
11:31:39 AM Special Master answers question on other police actions  
11:32:40 AM Senator Bradley discussion of officers  
11:32:59 AM Special Master  
11:33:05 AM Senator Bradley on Captains performance  
11:33:23 AM Special Master responds  
11:33:32 AM Senator Bradley continues  
11:33:51 AM Special Master responds  
11:34:13 AM Senator Bradley on Coral Springs officers  
11:34:42 AM Special Master responds  
11:34:43 AM Senator Bradley  
11:35:06 AM Special Master  
11:35:12 AM Senator Bradley discussing every second matters  
11:35:15 AM Special Master responds  
11:35:21 AM Senator Bradley one more question- in summary  
11:35:40 AM Recap of questions by Senator Bradley  
11:35:53 AM Special Master response  
11:36:40 AM Senator Montford  
11:36:52 AM Special Master response on evidence process  
11:37:54 AM Senator Montford  
11:38:56 AM Special Montford answers on limitations  
11:39:10 AM Senator Montford refers to page 5  
11:39:39 AM Special Master response

11:40:11 AM Senator Montford  
11:40:38 AM Special Master responds  
11:40:46 AM Senator Montford aware of disciplinary actions  
11:41:12 AM Special Master response  
11:41:23 AM Senator Montford aware of state agency action that could contribute  
11:41:48 AM Special Master response  
11:41:51 AM Senator Brandes is recognized for questioning  
11:42:04 AM Senator Brandes comments on report  
11:42:26 AM Special Master response  
11:42:36 AM Senator Brandes  
11:42:53 AM Special Master  
11:42:58 AM Senator Hutson recognized  
11:43:17 AM Special Master  
11:43:50 AM Senator Hutson repeats question  
11:44:00 AM Special Master  
11:44:08 AM Senator Hutson  
11:44:23 AM Special Master unable to answer question with confidence  
11:44:53 AM Special Master  
11:45:00 AM Special Master  
11:45:01 AM Senator Hutson  
11:45:09 AM Special Master response  
11:45:13 AM Senator Book  
11:45:31 AM Special Master response  
11:45:55 AM Senator Book with question  
11:46:03 AM Senator Book with question  
11:46:03 AM Senator Book with question  
11:46:48 AM Special Master response  
11:47:49 AM Senator Book with further question  
11:48:27 AM Special Master response  
11:48:36 AM Senator Book  
11:49:16 AM Special Master answers  
11:49:43 AM Senator Book  
11:50:13 AM Special Master response  
11:50:55 AM Senator Book with follow up question  
11:51:14 AM Special Master with responds  
11:51:29 AM Senator Book  
11:51:42 AM Special Master response  
11:52:07 AM Senator Farmer recognized for questioning  
11:52:27 AM Senator Farmer questions about Special Master role  
11:52:47 AM Special Master  
11:52:56 AM Senaor Farmer continues  
11:53:15 AM Special Master responds  
11:53:36 AM Senator Farmer - on definition of incompetency  
11:53:38 AM Special Master response  
11:54:05 AM Senator Farmer continues  
11:54:16 AM Special Master  
11:54:31 AM Senator Farmer  
11:54:36 AM Special Master response to page 24 on neglect of duty  
11:55:15 AM Senator Farmer continues  
11:55:25 AM Special Master  
11:55:31 AM Senator Farmer  
11:55:37 AM Special Master response  
11:56:09 AM Senator Farmer finding on policy consistency page 31  
11:56:38 AM Special Master response  
11:56:53 AM Senator Farmer on policy  
11:57:28 AM Special Master  
11:57:34 AM Senator Farmer continues  
11:57:53 AM Special Master on airport shooting  
11:58:27 AM Special Master on airport shooting  
11:58:34 AM Senator Farmer on training  
11:58:55 AM Special Master  
11:59:05 AM Senator Farmer- on individual incompetency

11:59:09 AM Special Master  
11:59:22 AM Senator Farmer question on Jordan evidence  
11:59:54 AM Special Master  
12:00:06 PM Senator Farmer on low confidence vote  
12:00:36 PM Special Master response  
12:00:47 PM Senator Farmer union vote  
12:00:58 PM Special Master  
12:01:03 PM Senator Farmer goes back to Peterson  
12:01:16 PM Special Master on trainings available  
12:01:52 PM Senator Lee recognized  
12:02:20 PM Senator Lee remarks appreciation of Special Master work  
12:02:39 PM Special Master in response to questions  
12:03:13 PM Senator Lee  
12:03:49 PM Special Master responds  
12:04:04 PM Senator Lee  
12:04:19 PM Special Master  
12:04:44 PM Senator Lee further questions  
12:05:15 PM Special Master  
12:05:25 PM Senator Lee on draft recommendation review  
12:05:39 PM Special Master  
12:05:45 PM Senator Lee on deputy Peterson direction  
12:06:05 PM Special Master response  
12:06:51 PM Special Master  
12:06:58 PM Senator Lee  
12:07:10 PM Special Master  
12:07:18 PM Senator Lee  
12:07:28 PM Special Master on responsibility for locking doors  
12:08:19 PM Senator Lee  
12:08:47 PM Special Master  
12:08:53 PM Senator Lee  
12:09:05 PM Special Master response  
12:10:02 PM Senator Lee  
12:10:07 PM Special Master response  
12:10:20 PM Senator Lee on page 6  
12:10:39 PM Special Master on concern about Cruz recommendation  
12:11:19 PM Senator Lee  
12:11:46 PM Special Master of intolerance  
12:12:22 PM Senator Lee  
12:13:11 PM Special Master on response on removal statement  
12:14:11 PM Senator Lee on statement  
12:14:38 PM Special Master in response  
12:15:06 PM Senator Lee  
12:15:12 PM Special Master response  
12:15:37 PM Senator Lee on review of evidence  
12:16:06 PM Special Master review update  
12:16:33 PM Senator Lee  
12:17:19 PM Under Rule 12.2  
12:17:36 PM Special Master  
12:17:54 PM Special Master  
12:17:56 PM Senator Lee on radio system in Broward at the airport  
12:18:20 PM Special Master response on radio failures  
12:19:30 PM Senator Lee on report  
12:20:31 PM Special Master on information relayed  
12:21:00 PM Senator Lee  
12:22:02 PM Special Master response  
12:22:30 PM Senator Rodriguez recognized  
12:23:13 PM Special Master response  
12:23:40 PM Senator Rodriguez continues  
12:23:46 PM Special Master response  
12:23:57 PM Senator Rodriguez follow up questions  
12:24:43 PM Special Master response on evidence  
12:25:10 PM Senator Rodriguez

12:25:23 PM Special Master  
12:25:59 PM Senator Rodriguez discussion of what should have happened  
12:27:02 PM Special Master responds  
12:28:02 PM Senator Rodriguez follow up question on standard  
12:29:03 PM Special Master response  
12:29:21 PM Senator Rodriguez continues  
12:29:49 PM Special Master answers  
12:30:02 PM Senator Gibson is recognized for questioning  
12:30:46 PM Senator Gibson first area question on training on active shooter  
12:31:24 PM Special Master response  
12:31:34 PM Senator Gibson continues  
12:31:54 PM Special Master  
12:32:02 PM Senator Gibson continues  
12:32:13 PM Special Master  
12:32:25 PM Senator Gibson on testbook response  
12:32:39 PM Special Master response  
12:32:57 PM Senator Gibson follow up on alter ego issue  
12:33:22 PM Special Master response  
12:33:38 PM Senator Gibson  
12:33:52 PM Special Master response  
12:34:15 PM Senator Gibson  
12:34:43 PM Special Master response  
12:34:56 PM Senator Gibson report on testbook response  
12:35:16 PM Special Master response  
12:35:30 PM Senator Gibson on who had weapon in their luggage  
12:36:22 PM Special Master  
12:36:28 PM Senator Gibson regarding gun in luggage  
12:36:52 PM Special Master response  
12:37:07 PM Senator Gibson  
12:37:53 PM Senator Gibson on report on testbook response  
12:38:07 PM Special Master  
12:38:12 PM Senator Gibson  
12:38:43 PM Special Master  
12:38:52 PM Senator Gibson  
12:39:14 PM Responsibility on training  
12:39:27 PM Special Master of evidence offered on training  
12:39:54 PM Senator Gibson on the history of training  
12:40:25 PM Special Master on evidence of training  
12:40:43 PM Senator Braynon is recognized  
12:41:05 PM Special Master response  
12:42:07 PM Chair - 5 minute break  
12:43:14 PM Recording Paused  
12:50:37 PM Recording Resumed  
12:50:42 PM Hear from George Levesque from the counsel for the Governor- 20 minutes  
12:50:44 PM George Levesque recognized  
12:51:23 PM Review of process of reviewing evidence  
1:09:12 PM Chair Benacquisto  
1:10:22 PM George Levesque continues  
1:12:39 PM George Levesque continues  
1:15:13 PM Chair Benacquisto  
1:16:15 PM Chair Benacquisto  
1:16:18 PM George Levesque  
1:16:34 PM Chair Benacquisto  
1:16:54 PM Senator Simmons is recognized for questioning  
1:17:06 PM Senator Simmons question on 30.07 F.S. on Sheriff's liability  
1:17:39 PM George Levesque response  
1:18:42 PM Senator Simmons to continue  
1:20:55 PM George Levesque answers on application to issue of removal of office  
1:21:57 PM Senator Simmons continues  
1:22:13 PM George Levesque in response  
1:23:13 PM Chair Benacquisto - additional questions?  
1:23:44 PM Senator Thurston is recognized

1:23:53 PM Senator Thurston with question  
1:24:10 PM George Levesque answers  
1:24:20 PM Senator Thurston  
1:24:56 PM George Levesque  
1:25:17 PM Senator Thurston  
1:25:28 PM George Levesque  
1:25:40 PM Senator Thurston  
1:25:45 PM George Levesque  
1:25:56 PM Senator Thurston  
1:26:05 PM George Levesque on third point  
1:26:33 PM Senator Thurston  
1:27:01 PM George Levesque on affidavit submitted  
1:27:20 PM Senator Thurston  
1:27:29 PM George Levesque confirms  
1:27:42 PM Senator Thurston  
1:27:53 PM George Levesque  
1:27:59 PM Senator Thurston  
1:28:12 PM George Levesque  
1:28:30 PM Senator Thurston  
1:28:41 PM George Levesque  
1:29:02 PM Senator Thurston  
1:29:23 PM George Levesque on page 14  
1:29:43 PM Senator Thurston  
1:30:42 PM George Levesque answer on admissable probability  
1:31:21 PM Senator Thurston  
1:31:58 PM George Levesque answers  
1:32:24 PM Senator Thurston  
1:32:39 PM George Levesque  
1:32:44 PM Senator Thurston  
1:32:53 PM George Levesque response  
1:33:19 PM Senator Thurston  
1:33:34 PM George Levesque  
1:33:42 PM Senator Thurston  
1:34:00 PM George Levesque  
1:34:11 PM Senator Thurston  
1:34:21 PM George Levesque  
1:34:29 PM Senator Thurston  
1:34:34 PM George Levesque  
1:34:46 PM Senator Thurston - on Dec 2018 report  
1:35:03 PM George Levesque response  
1:35:13 PM Senator Thurston - 10 months after MSD  
1:35:30 PM George Levesque  
1:35:52 PM Senator Thurston repeats question  
1:36:08 PM George Levesque on recommendation recollection  
1:36:32 PM Senator Thurston  
1:36:51 PM George Levesque on attachments  
1:37:19 PM Senator Thurston follow up  
1:37:48 PM George Levesque -  
1:37:57 PM Senator Thurston  
1:38:11 PM George Levesque on DSO certification  
1:38:28 PM Senator Thurston  
1:38:52 PM George Levesque response of after the report came out  
1:39:17 PM Senator Thurston  
1:39:28 PM George Levesque response  
1:40:10 PM Senator Thurston on standard used  
1:41:11 PM George Levesque response on standard  
1:41:31 PM Senator Thurston completed  
1:41:44 PM Senator Bradley is recognized to question  
1:41:58 PM Senator Bradley question on DSO  
1:42:20 PM Senator Bradley question on DSO  
1:42:30 PM George Levesque in response  
1:43:14 PM Senator Bradley

1:43:20 PM George Levesque  
1:43:30 PM Senator Bradley continues on gunshot  
1:43:50 PM George Levesque  
1:43:56 PM Senator Bradley  
1:44:02 PM George Levesque  
1:44:07 PM Senator Bradley continues with questioning  
1:44:19 PM George Levesque answers  
1:44:50 PM Senator Bradley  
1:45:47 PM Chair Benacquisto  
1:45:50 PM Recognizes Senator Montford  
1:46:07 PM Senator Montford  
1:46:16 PM George Levesque answers  
1:46:23 PM Senator Farmer recognized  
1:46:48 PM George Levesque response  
1:47:12 PM Senator Farmer  
1:47:22 PM George Levesque  
1:47:28 PM Senator Farmer  
1:47:35 PM George Levesque  
1:48:02 PM Senator Farmer  
1:48:18 PM George Levesque answers  
1:48:49 PM Senator Farmer  
1:49:33 PM George Levesque  
1:49:40 PM Senator Farmer  
1:49:46 PM George Levesque  
1:50:06 PM Senator Farmer  
1:50:28 PM George Levesque on performance  
1:51:04 PM George Levesque answers on actions alone  
1:51:25 PM Senator Farmer on Sheriff Israel responsibility  
1:51:51 PM Chair Simpson  
1:51:55 PM Senator Farmer  
1:52:04 PM George Levesque  
1:52:18 PM Senator Farmer  
1:52:57 PM George Levesque response  
1:53:10 PM Senator Farmer continues  
1:53:23 PM George Levesque  
1:53:54 PM Senator Farmer continues  
1:54:23 PM George Levesque answers  
1:54:34 PM Senator Farmer  
1:55:12 PM George Levesque  
1:55:29 PM Senator Farmer  
1:55:52 PM George Levesque  
1:56:09 PM Senator Farmer  
1:56:41 PM George Levesque response  
1:56:57 PM Senator Farmer  
1:57:26 PM George Levesque answer on evidence  
1:57:42 PM Senator Farmer  
1:58:32 PM George Levesque responds  
1:58:51 PM Senator Farmer  
1:59:22 PM George Levesque  
1:59:33 PM Senator Farmer  
1:59:48 PM George Levesque answers  
2:00:09 PM Chair change back to Chair Benacquisto  
2:00:38 PM Senator Gibson is recognized  
2:00:49 PM George Levesque answers  
2:00:57 PM Leader Gibson on affidavit of accreditation  
2:01:11 PM George Levesque  
2:01:25 PM Senator Gibson  
2:01:46 PM George Levesque answers on authority of Governor  
2:02:09 PM Senator Gibson on content  
2:02:30 PM George Levesque responds  
2:02:42 PM Senator Gibson on statement  
2:03:19 PM George Levesque

2:03:50 PM Senator Gibson continues on engagement  
2:04:21 PM George Levesque responds  
2:04:55 PM Senator Gibson continues  
2:05:22 PM George Levesque on executive order - where the connection is  
2:06:04 PM Senator Gibson not fully understanding the connection- he elaborates  
2:06:52 PM Senator Gibson  
2:06:58 PM George Levesque  
2:07:03 PM Senator Gibson  
2:07:15 PM George Levesque  
2:07:44 PM Senator Gibson  
2:08:07 PM George Levesque  
2:08:18 PM Senator Book is recognized for questioning  
2:08:40 PM George Levesque answers  
2:09:15 PM Senator Book  
2:09:18 PM George Levesque answers  
2:09:38 PM Senator Book  
2:10:52 PM Senator Book  
2:13:03 PM George Levesque in response  
2:14:06 PM Senator Book  
2:14:30 PM George Levesque  
2:15:19 PM Senator Book  
2:16:01 PM George Levesque  
2:16:30 PM Senator Book  
2:17:26 PM George Levesque answers  
2:18:10 PM Senator Book  
2:18:25 PM George Levesque answers  
2:18:54 PM Senator Book  
2:19:21 PM George Levesque  
2:19:26 PM Senator Book  
2:19:52 PM Senator Brandes  
2:20:18 PM Senator Brandes  
2:20:20 PM Senator Hutson  
2:20:25 PM George Levesque  
2:20:41 PM Senator Hutson  
2:21:09 PM George Levesque  
2:21:17 PM Senator Hutson  
2:21:23 PM George Levesque  
2:21:40 PM Senator Hutson  
2:21:59 PM George Levesque  
2:22:13 PM Senator Hutson  
2:22:44 PM George Levesque  
2:22:59 PM Senator Lee recognized  
2:23:21 PM George Levesque answers Senator Lee  
2:24:21 PM Senator Lee  
2:24:56 PM George Levesque  
2:25:52 PM Chair Benacquisto  
2:25:58 PM George Levesque  
2:26:17 PM Senator Lee  
2:26:29 PM Chair Benacquisto  
2:26:32 PM Senator Lee  
2:26:54 PM Chair Benacquisto  
2:27:04 PM George Levesque  
2:27:15 PM Senator Lee  
2:27:40 PM George Levesque  
2:27:57 PM Senator Lee  
2:28:05 PM George Levesque  
2:28:18 PM Senator Lee  
2:28:23 PM George Levesque  
2:28:44 PM Senator Lee  
2:28:58 PM George Levesque  
2:29:29 PM Senator Lee- drafting rules  
2:30:29 PM George Levesque answers



2:30:54 PM Senator Lee  
2:30:59 PM George Levesque  
2:31:35 PM Senator Lee  
2:32:03 PM George Levesque answers  
2:32:39 PM Senator Lee  
2:33:08 PM George Levesque answer  
2:33:19 PM Senator Lee  
2:33:27 PM George Levesque  
2:34:02 PM Senator Lee  
2:34:22 PM George Levesque answers  
2:35:01 PM Senator Lee  
2:35:56 PM George Levesque  
2:36:55 PM Senator Lee with additional questions  
2:37:51 PM George Levesque responds  
2:38:51 PM Senator Lee  
2:39:37 PM George Levesque in response  
2:41:22 PM Senator Lee  
2:42:33 PM George Levesque  
2:42:45 PM Senator Lee  
2:43:13 PM George Levesque  
2:43:39 PM Senator Lee clarifies question  
2:43:59 PM George Levesque - extraordinary case  
2:44:22 PM Senator Lee concern on presidential value  
2:44:34 PM George Levesque  
2:45:36 PM Any information as to how the Governor came to this promise?  
2:46:32 PM George Levesque  
2:46:41 PM Senator Lee  
2:47:16 PM Requests case of law that a sheriff has been removed for this purpose  
2:47:39 PM George Levesque  
2:47:49 PM Senator Passidomo recognized  
2:48:21 PM George Levesque  
2:49:58 PM Senator Passidomo -follow up question  
2:51:05 PM Senator Passidomo regarding issue of one deputy behaviour  
2:51:19 PM George Levesque  
2:51:29 PM George Levesque: Here today because of MSD  
2:51:40 PM Senator Braynon with question  
2:52:05 PM George Levesque requests to repeat question to understand it better  
2:52:39 PM Senator Braynon repeats questions  
2:52:52 PM George Levesque under statute  
2:53:10 PM Senator Braynon  
2:53:23 PM George Levesque states Governor has excercised his authority  
2:54:24 PM Senator Braynon  
2:54:45 PM George Levesque -  
2:55:25 PM No additional questions.  
2:56:10 PM Recording Paused  
3:31:12 PM Recording Resumed  
3:31:21 PM Recording Paused  
3:33:15 PM Recording Resumed  
3:33:28 PM Chair Benacquisto: Back to order of business  
3:34:35 PM Chair Benacquisto introduces Sheriff Israel Counsel Benedict Kuehne  
3:34:44 PM Chair reminds of time line- 25 minutes only  
3:34:46 PM Chair recognizes Benedict Kuehne  
3:34:49 PM Mr Kuehne opening remarks  
3:35:20 PM Represents former Sheriff Scott Israel.  
3:35:37 PM Introduction by Mr. Kuehne  
3:35:59 PM Introduction by Mr. Kuehne  
3:36:20 PM Suspension must be based on facts.  
3:47:27 PM Exhibit 30 - active shooter policy  
3:53:19 PM Chair Benacquisto- five minutes left for Mr. Kuehne presentaion  
3:56:41 PM In summary take report as evidence  
3:57:46 PM Chair Benacquisto - are there questions  
3:58:16 PM Senator Simmons Pro Tempe recognized

3:58:32 PM Senator Simmons  
3:58:36 PM Mr. Kuehne  
3:58:56 PM Senator Simmons  
3:59:04 PM Mr. Kuehne answers question regarding #2 on page 100  
4:00:08 PM Mr. Kuehne answers question regarding #2 on page 100  
4:01:44 PM Senator Simmons with further question  
4:02:51 PM Next finding on page 100 under discussion  
4:03:08 PM Mr. Kuehne answers question  
4:03:27 PM Mr. Kuehne offers exhibit 37 in answer  
4:04:19 PM Senator Simmons with further question  
4:05:13 PM Page 169 explanation  
4:06:15 PM Mr. Kuehne to explain inadequate training  
4:08:21 PM Senator Simmons with further question  
4:09:38 PM Mr. Kuehne responds to question on lack of control center  
4:10:30 PM Chair Benacquisto  
4:11:29 PM Senator Simmons discussion  
4:12:23 PM Mr. Kuehne explains his position  
4:13:13 PM Senator Simmons with additional question  
4:17:09 PM Mr. Kuehne responds re: 30.07 F.S.  
4:20:14 PM Senator Simmons follow up question  
4:21:23 PM Please read some of the questions asked of the senators  
4:21:58 PM Mr. Kuehne is unable to rank them  
4:22:53 PM Senator Simmons follows up with question  
4:24:54 PM Mr.Kuehne answers  
4:26:32 PM Senator Simmons  
4:26:47 PM Senator Simmons with more  
4:26:58 PM Senator Book is recognized by Chair  
4:27:41 PM Mr. Kuehne answers  
4:27:56 PM Senator Book wants clarifies for who was in charge  
4:28:33 PM Mr.Kuehne responds  
4:28:38 PM Senator Book with further questioning  
4:28:59 PM Mr. Kuehne answers  
4:29:13 PM Senator Book with further question  
4:29:29 PM Mr. Kuehne responds on conversation with Mr. Levesque  
4:33:57 PM Senator Book with further question  
4:34:58 PM Mr. Kuehne answers  
4:35:32 PM Senator Bradley with question  
4:36:32 PM Mr Kuehne answers  
4:36:41 PM Senator Bradley  
4:36:44 PM Mr Kuehne answers  
4:36:57 PM Senator Bradley  
4:37:10 PM Senator Bradley with follow up question  
4:37:34 PM Mr. Kuehne answers question re: engagement of action after gunshot  
4:38:08 PM Senator Bradley  
4:38:40 PM Public request attorney Kuehne to speak into the microphone  
4:39:03 PM Senator Bradley repeats question  
4:39:12 PM Mr. Kuehne replies  
4:39:36 PM Senator Bradley  
4:40:07 PM Senator Bradley  
4:40:18 PM Mr. Kuehne discussing what information has been routed  
4:40:42 PM Senator Bradley  
4:41:14 PM Chair Benacquisto instructs  
4:41:24 PM Senator Bradley  
4:41:41 PM Mr. Kuehne answers  
4:41:45 PM Senator Bradley - disagree with Special Master  
4:42:03 PM Mr. Kuehne answers - no reasonable knowledge  
4:42:19 PM Senator Bradley continues  
4:42:37 PM Mr Kuehne answers  
4:42:41 PM Senator Bradley with follow up  
4:43:15 PM Mr. Kuehne replies there is no testimony  
4:43:38 PM Senator Bradley  
4:44:30 PM Senator Bradley

4:44:46 PM Senator Bradley  
4:44:49 PM Mr. Kuehne answers  
4:45:02 PM Senator Bradley  
4:45:31 PM Mr. Kuehne  
4:45:37 PM Senator Bradley  
4:45:56 PM Mr. Kuehne same response  
4:46:08 PM Senator Bradley  
4:46:19 PM Mr. Kuehne  
4:46:47 PM Senator Bradley  
4:47:18 PM Mr Kuehne to respond  
4:47:29 PM Senator Bradley  
4:47:39 PM Mr. Kuehne  
4:48:34 PM Senator Bradley  
4:49:25 PM Mr Kuehne responds  
4:49:32 PM Senator Bradley with question  
4:50:01 PM Mr Kuehne  
4:50:38 PM Senator Montford recognized  
4:51:27 PM Page 5 discussed  
4:51:37 PM Mr. Kuehne answers  
4:52:08 PM Senator Montford  
4:52:16 PM Mr Kuehne on training  
4:54:13 PM Senator Montford  
4:55:16 PM Page nine - process of communication - county function  
4:55:46 PM Mr Kuehne answers  
4:58:17 PM Chair Benacquisto  
4:59:16 PM Senator Montford  
4:59:31 PM Training- what is FDLE role in this  
5:00:00 PM Mr. Kuehne answers  
5:00:07 PM FDLE- no suggestions  
5:00:25 PM Senator Montford  
5:00:34 PM Page 12 referenced  
5:00:56 PM Mr. Kuehne answers  
5:02:20 PM Chair recognizes Senator Lee  
5:03:25 PM Mr. Kuehne  
5:03:33 PM Senator Lee  
5:03:40 PM Mr Kuehne expands on answer  
5:04:05 PM Senator Lee with question  
5:04:22 PM Mr. Kuehne answers  
5:05:04 PM Mr. Kuehne answers  
5:05:05 PM Senator Lee follow up  
5:05:44 PM Mr. Kuehne answers about withdrawn information  
5:06:16 PM Senator Lee  
5:06:50 PM 30.7 F.S. discussion  
5:07:25 PM Mr. Kuehne  
5:07:33 PM Senator Lee  
5:09:07 PM Mr. Kuehne responds on understanding of neglect of duty  
5:11:02 PM Senator Lee with follow up question  
5:12:10 PM Mr. Kuehne answers on due process and due evidence  
5:13:44 PM Senator Lee with question  
5:15:20 PM Mr. Kuehne on affidavit of Okaloosa County  
5:17:10 PM Mr. Kuehne has a timer go off causing concern to the meeting and is requested to remove it.  
5:18:10 PM Senator Lee continues  
5:18:19 PM Mr. Kuehne on commission appointee  
5:18:54 PM Senator Lee  
5:20:01 PM Mr. Kuehne  
5:20:15 PM Senator Lee follow up on commission  
5:20:34 PM Mr. Kuehne answers  
5:21:08 PM Senator Lee for another question  
5:21:48 PM Mr. Kuehne on any appeal if due process was not followed  
5:23:02 PM Senator Lee question on appeal  
5:24:03 PM Mr. Kuehne answers question over pension  
5:24:38 PM Senator Lee follow up

5:25:01 PM Mr. Kuehne responds  
5:25:41 PM Senator Lee follows up on special evidence for Governor's claim  
5:26:34 PM Mr. Kuehne  
5:26:42 PM Senator Lee discussion on all submissions and how to weigh it  
5:27:21 PM Mr. Kuehne answers  
5:27:27 PM Senator Lee - follow up from  
5:27:39 PM Senator Lee - follow up  
5:27:49 PM Mr Kuehne to comment  
5:29:39 PM Senator Lee with question  
5:31:14 PM Mr. Kuehne invites every seantor to review the trial of Sheriff Israel  
5:33:05 PM Senator Stargel with questions  
5:34:15 PM Mr Kuehne to answer  
5:34:47 PM Senator Stargel  
5:35:52 PM Mr. Kuehne  
5:35:54 PM Senator Stargel  
5:35:59 PM Mr. Kuehne - No  
5:36:06 PM Senator Stargel - question  
5:36:13 PM Mr. Kuehne - doesnt disagree  
5:36:35 PM Senator Stargel  
5:37:36 PM Mr. Kuehne  
5:37:43 PM Senator Stargel  
5:38:01 PM Senator Stargel asks question regarding the testimony of family  
5:38:11 PM Mr. Kuehne - recognizes responsibility of the Senate  
5:38:56 PM Chair Benacquisto  
5:39:58 PM Senator Simpson recognized for question  
5:40:30 PM Mr. Kuehne on events before and after the fourteenth of February  
5:41:30 PM Chair recognizes Senator Simpson  
5:41:37 PM Senator Simpson  
5:42:01 PM Senator Gibson comments on what we are specifically looking at today  
5:42:24 PM Senator Simpson - question  
5:42:59 PM Mr. Kuehne  
5:43:14 PM Chair  
5:43:23 PM Mr. Kuehne  
5:44:13 PM Chair -Any additional questions?  
5:44:30 PM Senator Passidomo with question  
5:44:40 PM Mr. Kuehne answers  
5:45:03 PM Mr. Kuehne  
5:45:05 PM Mr. Kuehne  
5:45:06 PM Mr. Kuehne  
5:45:07 PM Senator Passidomo  
5:45:15 PM Mr. Kuehne  
5:45:16 PM Senator Gibson  
5:45:22 PM Senator Passidomo  
5:45:27 PM Mr Kuehne about firing  
5:45:46 PM Mr Kuehne about firing  
5:45:53 PM Chair - additional questions  
5:46:34 PM Senator Gibson  
5:46:51 PM Length of service of Sheriff  
5:47:05 PM Mr. Kuehne  
5:47:11 PM Senator Gibson  
5:47:45 PM Mr. Kuehne- testimony of Sheriff Israel  
5:48:08 PM Senator Gibson  
5:48:44 PM In the years of service Sheriff Israel - any negative activity?  
5:49:10 PM Mr. Kuehne- exemplary  
5:49:20 PM Senator Gibson- any deputies in report - not taken advantage fo trainings  
5:49:43 PM Mr. Kuehne  
5:49:50 PM Senator Gibson - back to alter ego issue  
5:50:03 PM Mr. Kuehne answers  
5:50:38 PM Senator Gibson  
5:50:59 PM -on the charges- of Israel -  
5:51:24 PM Mr Kuehne- evidence is clear no one knew  
5:51:45 PM Senator Gibson

5:52:06 PM Mr. Kuehne - evidence is no  
5:52:17 PM Senator Gibson any indication any deputies at the school didn't show up for traiojing  
5:52:55 PM Mr. Kuehne - no  
5:52:58 PM Senator Gibson- family of shooter contact with agencies  
5:53:24 PM Mr. Kuehne no such evidence  
5:53:57 PM Senator Gibson  
5:54:29 PM Mr. Kuehne on Budget cycle incidences at Broward  
5:55:32 PM Senator Gibson  
5:56:06 PM Mr. Kuehne on non functioning radio  
5:56:57 PM Senator Gibson concludes  
5:57:15 PM Chair announces committee hearing concluded. Three hours left -  
5:57:38 PM Public testimony will be read as some will have more time than others  
5:58:34 PM Speaking 2 minutes waive or reinstatement  
5:58:59 PM Begin public portion  
5:59:24 PM Ryan Petty  
6:00:41 PM He lost 14 year old daughter  
6:04:07 PM Ryan Petty  
6:04:11 PM Charles Nanny, retired Police Chief Pembroke Pines FL reinstatement  
6:04:16 PM Marc Trudel Deputy Sherriff FTL for reinstatement  
6:04:22 PM Natalia Garceau Teacher Hollywood FL for removal  
6:04:47 PM Pam Lynn Manager Friendly Visitor Program at SOFIA for reinstatement  
6:07:00 PM Kelly Lynn Hudson CEO Founder Minister J Devans School for removal  
6:09:43 PM Rachel Rosas Parent of Parkland FI for removal  
6:14:32 PM Cory Thompson operator Pompano Beach FL for reinstatement  
6:15:56 PM Ryan Shrouder Attorney of Cooper City FL for reinstatement  
6:17:19 PM Caren Besner Boynton Beach FL for removal  
6:19:53 PM Max Pulcini City Commissioner of Cooper City FL for reinstatement  
6:21:23 PM Charles Tiedie Business Consultant Fort Lauderdale FL for removal  
6:23:32 PM Walter Hunter Retired of FTL for reinstatement  
6:23:37 PM Jose Salcedo Pastor Coconut Creek for removal  
6:24:03 PM Karen FortMan Davie FL for reinstatement  
6:25:29 PM Fred Guttenberg Ribbons for Jaime Coral Springs FL for removal  
6:31:24 PM Mae F Feagan Retired Deerfield Beach FL for reinstatement  
6:34:16 PM Celeste Ellich Wilton Manors FL for removal  
6:36:33 PM Stephanie Feis Mother of Coach Aaron Feis Pensacola FL for removal  
6:37:47 PM Lost son- victim at MSD shooting  
6:38:33 PM Sandra Jackson Deerfield FL Voter for reinstatement  
6:39:04 PM Deerfield voter  
6:39:39 PM Want to reinstate  
6:40:56 PM Roger Borges - Father of Antony Borges one of the victims Coral Springs for removal  
6:41:23 PM Son is a survivor of the shooting waited for hel for 46 minutes  
6:42:25 PM Anthony Gordes victim of the shooting Coral Springs for removal  
6:43:20 PM Penny Ceasar Member Political Organizer SEIU1199 Dania Beach FL for reinstatement  
6:44:12 PM Please reinstate  
6:45:11 PM Lori Alhadeff Broward School Board Member Parkland FL for removal  
6:46:00 PM Lori - 14 yr old daughter - shot and died in her English Class - Broward school Board  
6:46:41 PM Please remove  
6:47:42 PM Anthony Olive retired Deputy sheriff BSO Lakeworth FL for reinstatement  
6:48:13 PM Reinstate  
6:49:28 PM David Brill Attorney- Brill & Rinaldi, The Law Firm, Weston FL for removal  
6:50:28 PM Representing 18 yr old 14 yr old 14 yrr old all attended MSD  
6:53:58 PM Edison Jules Hallandale FL- reinstatement  
6:54:30 PM Former Deputy Chief Candidate  
6:55:05 PM Jocelyn Jackson, Realtor Dania FL  
6:57:41 PM Reinstate  
6:58:16 PM Oral Mason Hurst II, Attorney from Parkland- 2 kids at school unharmed- remove  
7:00:12 PM Darrell Wayne Barto, CEO, Boca Raton reinstate  
7:02:48 PM Dr. Adonia Smith, Pastor from Hollywood FL for removal  
7:05:02 PM Dr. Sr. Pastor from Hollywood reinstate  
7:05:16 PM Francena Gargare, MSD Mom from- Coral Springs, had 2 children at school unharmed  
7:05:55 PM For removal  
7:06:57 PM Terry Scott from Deerfield Beach FL for reinstatement

7:08:37 PM Stacy Wesch, Mother of child MSD, Parkland FL for removal  
7:09:36 PM Alan B. Jackson Senior Pastor, North Lauderdale FL  
7:10:44 PM Reinstate  
7:12:09 PM Denise Foote -Nurse and 3 children at MSD , Coral Springs please remove  
7:14:42 PM Chair Benacquisto informs committee of time line  
7:15:10 PM Committee debate at 7:25 conferred by Leader Gibson  
7:16:05 PM Gena Hoyer Guardian Ad Litem Broward County Parkland FL  
7:17:43 PM Mother of child Luke - lost at MSD shooting for removal  
7:19:39 PM Max Schachner MSD Commissioner, Father of Alex, victim at MSD Shooting  
7:19:50 PM or removal  
7:20:39 PM Father of child lost at MSD- was on commission - page 200 - active shooter training  
7:21:19 PM Training only held every 3 years  
7:22:36 PM Removal  
7:23:09 PM Andrew Pollack, speaking on behalf of Hunter Pollack sister Meadow who was killed at MSD Parkland FL  
7:24:30 PM Meadow was the sister  
7:28:01 PM Removal  
7:29:43 PM Tony both father and mother of Gina; Tony Montalto, President Gina Rose Montalto Memorial  
Foundation, Inc., Parkland FL  
7:30:56 PM Removal  
7:31:38 PM Montalto please remove  
7:34:20 PM Dr. Julie Phillips, Stepmother of Meado Pollack, emergency Pysician Coral prings FL - for Meadow  
Pollack please remove  
7:37:25 PM Annabel Claprod MSD Student, Coral Springs FL  
7:39:41 PM Annabelle in the building at the time of the shooting- for removal  
7:40:00 PM Johanna Feis Mahaffey, little sister to Coach Aaron Feis, victim at MSD shooting, from Coral Springs, FL;  
for removal  
7:45:38 PM Removal  
7:45:50 PM Chair Benacquisto  
7:46:12 PM Those names who are not speaking will be part of the record  
7:46:23 PM Senator Lee recognized for debate  
7:49:50 PM Chair recognizes Senator Lee for debate  
7:50:49 PM Senator Hutson move recommend - evidence supports - removed from office  
7:51:14 PM Vote on that question  
7:51:25 PM Senator Simmons in debate  
7:56:29 PM Chair Benacquisto recognizes  
7:57:32 PM Chair Benacquisto recognizes Senator Thurston  
8:02:20 PM Chair Benacquisto recognizes  
8:03:22 PM Chair Benacquisto recognizes Senator Bradley  
8:10:46 PM Chair Benacquisto recognizes Seantor Montford in debate  
8:13:58 PM Chair Benacquisto recognizes Senator Stargel in debate  
8:16:56 PM Chair Benacquisto recognizes Senator Farmer in debate  
8:22:16 PM Chair Benacquisto recognizes Senator Rodriguez in debate  
8:28:52 PM Chair Benacquisto recognizes Senator Passidomo in debate  
8:33:07 PM Chair Benacquisto recognizes Senator Book in debate  
8:35:25 PM Chair Benacquisto recognizes Senator Gibson in debate  
8:41:32 PM Chair Benacquisto motion by Senator Hutson  
8:42:32 PM Call the roll The Governors suspension is upheld. Senator Bradley moves we adjourn. Meeting is  
adjourned