



# FRATERNAL ORDER OF POLICE

## Jacksonville Consolidated Lodge 5-30

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*Dedicated to the advancement of the law enforcement profession through education, communication and an informed program of legislation.*

July 21, 2008

Hon. Harry L. Shorstein  
State Attorney, Fourth Judicial Circuit  
220 E. Bay Street  
Jacksonville, Fl. 32202

**RE: State of Florida vs. Vernon A. Pandy**  
**S.A. No.: 08CF054299AD**  
**Clerk No.: 16-2008CF-00711AXXXMA**

Dear Mr. Shorstein:

As you know, Jacksonville is reported to lead Florida in terms of the number of murders per capita across the state. Gun violence plays a role in this spree plaguing our community. We need to protect the citizens of Jacksonville by letting the criminal element know gun crimes will not be tolerated.

I am writing in protest and to voice concern about recent actions taken by your office. It has come to my attention that the defendant in the above-referenced case was arrested and then charged by information with the felony of Carrying a Concealed Firearm. Your office later allowed the defendant to plea to a misdemeanor charge of carrying a concealed weapon. As the President of the Fraternal Order of Police, I often serve as a conduit for concerns and complaints raised by our members about the managerial and judicial process surrounding them as they engage in the difficult task of law enforcement. I recognize this plea deal cannot be undone, but write due to the seriousness of the situation.

In the case at issue, while working as part of the *Operation Safe Streets* program, Detective Jason Lederman, was investigating an illegally parked vehicle. Lederman made contact with the defendant and saw him remove then throw down a gun he was carrying. The defendant admitted he was carrying the gun illegally and that he bought it "off the street for \$45." Your office filed an information, an indication that there was proof beyond a reasonable doubt for the felony charge. It is important to note that (1) this was the defendant's second arrest for carrying a concealed firearm. That meant the defendant knew his conduct was unlawful; and (2) it is reported that Mr. Tony Boselli intervened in some fashion on behalf of the defendant. It is troubling in that, despite the defendant's prior criminal history, your office allowed the defendant to plea bargain to a misdemeanor. Even worse, your office saw fit to coordinate with Mr. Boselli, yet never sought any input from the arresting officer regarding disposition of the case.

As the official labor representative for members of the Fraternal Order of Police, the plea deal is disturbing. Over the last two years, there have been a number of police-involved shootings where an officer was threatened by a suspect carrying an illegal gun. You often criticize officers for using lethal force to defend themselves against assailants carrying illegal guns, yet your office reduces the charges in a good case, possibly to accommodate a local personality.

As a member of law enforcement and a citizen, the plea deal is disturbing. Illegal guns continue to wreak havoc and destruction in our community. *Operation Safe Streets* is a concerted effort by all branches of local government to combat Jacksonville's violent crime problem since it is funded by overtime money allotted from the City Council to the Jacksonville Sheriff's Office. The plea deal belies the fact that every case matters, especially those where a defendant is on his second arrest for a gun charge. With all of the effort and funds our city has expended to address the crisis we face, it is difficult to fathom the reason(s) your office had to coordinate with a prominent member of the *Jacksonville Journey* to get gun charges reduced. It sends the wrong message.

Bottom line, over the years my members have come to see the State Attorney's Office as having an unaggressive corporate culture under your leadership. This episode did not improve that image. I trust that your office will take a more serious approach to prosecuting repeat offenders, especially where a gun is involved in the crime. I trust your office will also communicate with the very officers who put their lives on the line to help keep our streets safe. If we are to combat the violence that plagues our city, we need to work together.

Respectfully Submitted,



**Nelson D. Cuba**  
President, Fraternal Order of Police  
Jacksonville Consolidated Lodge 5-30

cc: Sheriff John Rutherford, City of Jacksonville, Florida  
The Honorable Mayor John Peyton, City of Jacksonville, Florida  
The Honorable Council President Ronnie Fussell, City of Jacksonville, Florida