

**BEFORE THE FLORIDA
JUDICIAL QUALIFICATIONS COMMISSION**

INQUIRY CONCERNING A JUDGE,
THE HONORABLE KENNETH L. HOSFORD
JQC NO. 2023-539

SC23-_____

NOTICE OF FORMAL CHARGES

TO: Hon. Kenneth L. Hosford
Liberty County Courthouse
10818 NW SR 20
Bristol, FL 32321

The Investigative Panel of the Florida Judicial Qualifications Commission, at its meeting on November 3, 2022, by a vote of the majority of its members, pursuant to Rule 6(f) of the Rules of the Florida Judicial Qualifications Commission and Article V, Section 12 (b) of the Constitution of the State of Florida, finds that probable cause exists for formal proceedings to be instituted against you. Probable cause exists on the following formal charges:

1. On or about June 15, 2023, at approximately 9:45 a.m., after dismissing the Assistant Public Defender from court at the conclusion of a regularly scheduled court hearing, you conducted an inappropriate ex-parte conversation with an Assistant State Attorney. This conversation, which was conducted by video conference, was recorded by the Digital Court Reporter's Office for the Second Judicial Circuit. (**Transcript of call is attached as JQC Exhibit A and video of the call is attached as JQC Exhibit B**).

2. On June 23, 2023, you provided a report to the Commission in which you acknowledge that the conversation itself, as well as comments you made during the conversation, could give the appearance of bias, assisting the prosecution, partiality, and lack of neutrality. For example:
- a. You discussed the case of State v. Reece Forehand (Liberty County Case No. 2023CF72). The prosecutor had dismissed the case one day after you signed a warrant finding probable cause for the defendant's arrest. During the call on June 15, you told the prosecutor that the case had "created a little uproar down here" and suggested that the prosecutor or police officer could rework and resubmit the warrant to you and that you would reissue the warrant with supplemental information. (Page 8).
 - b. In telling the prosecutor that his job is to "back up your sheriff, to back up your officer... And to back up your judge," you made statements suggesting that you made rulings or decisions that "erred" on the side of supporting law enforcement on cases "that the community was upset about." (Page 3). One such case appears to be the Forehand matter which you described as causing "an uproar" and signed an arrest warrant despite seeing the "obvious...thinness" of the probable cause. (Page 7).

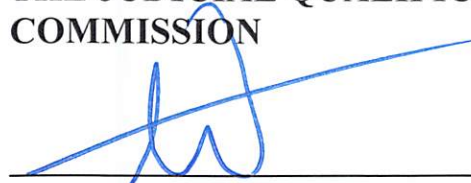
- c. You discussed giving investigative advice to the law enforcement investigator in the Forehand matter. (Page 5).
- d. You also discussed a pending case (State v. Carlos De Castro; Liberty County Case No. 2021CT103) where the Public Defender's Office had sought to disqualify you. Even though the First District Court of Appeal affirmed your decision to not disqualify, you told the prosecutor that you were battling the Public Defender's Office, that they were on a fishing expedition, and mused that they would be looking for a final order from you so that they could file an appeal. You also stated that you did not think their office would seek to disqualify you again. (Page 11). As of August 14, 2023, you are still presiding over the De Castro case.

Your actions constitute inappropriate conduct in violation of Canons 1, 2A, 2B, 3A, 3B(2), 3B(7), 3B(9), 3B(10), and 3E(1) of the Code of Judicial Conduct.

You are hereby notified of your right to file a written answer to these charges within twenty (20) days of service of this notice upon you. The original of your response and all subsequent pleadings must be filed with the Clerk of the Florida Supreme Court, in accordance with the Court's requirements. Copies of your response should be served on the undersigned General Counsel for the Judicial Qualifications Commission, and the Executive Director of the Commission.

Dated: this 25th day of October, 2023.

**THE INVESTIGATIVE PANEL OF
THE JUDICIAL QUALIFICATIONS
COMMISSION**



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Formal Charges has been furnished by electronic service, on this the 25th day of December, 2021, to the following:

Hon. Kenneth L. Hosford
Liberty County Courthouse
10818 NW SR 20
Bristol, FL 32321

C/o

Scott Tozian, Esq.
COUNSEL FOR HON. KENNETH HOSFORD



Alexander J. Williams
GENERAL COUNSEL

1

ZOOM Recording

2

June 15, 2023 at 9:45 a.m.

3

4

THE COURT: Just to let you know what I'm looking at here now. It's already on my stack of stuff.

6

Ms. Phelps, I'm going to speak a moment here, not about a particular -- any pending case. I need to speak with Mr. Batson. I want to find out, you know, about who's going to be doing my court, what the turnover is and that sort of thing. You may already know, but I want to speak with him. Okay?

12

MS. PHELPS: Okay. Thank you.

13

THE COURT: Thank you. You have a good day. Thank you.

14

15

JUDICIAL ASSISTANT: Can I get your keys? You left George-Anne's lights on.

16

17

THE COURT: I left what?

18

JUDICIAL ASSISTANT: George-Anne's lights on.

19

THE COURT: Oh, really. I didn't turn them on.

20

JUDICIAL ASSISTANT: They are still on.

21

THE COURT: They are automatic.

22

JUDICIAL ASSISTANT: I see the taillights.

23

THE COURT: Taillights. Okay. All you have to do is pull up on the brake. Sometimes that --

24

25

JUDICIAL ASSISTANT: Sticks.

1 THE COURT: That's what happens when you've got a
2 car as old as that one.

3 JUDICIAL ASSISTANT: I will do that.

4 THE COURT: Let me speak with him, just him and me.
5 I will talk with Mr. Batson. Nobody but me and
6 Mr. Batson.

7 I just want to speak to you, Cole, as a friend,
8 about some things. And, you know, I'm sure by now you're
9 aware that I talked with Mr. Campbell yesterday.

10 MR. BATSON: Yes, sir. I think he called
11 Mr. Beville.

12 THE COURT: Let me -- let me give you my background
13 on this. The investigator, Cessna, came in and said that
14 the guy that was working with Jim Johnson Heating and Air
15 business had stolen some things and the homeowner
16 confronted him. It wasn't Johnson who confronted him.
17 It was the homeowner. The homeowner had actually seen
18 him go in there and then after him being the only one in
19 there, went in there. And he admitted he took it. And,
20 of course, his idea was that he thought it was trash.
21 The homeowner thinks that's pretty ludicrous. He doesn't
22 think there's any way that what he took could be confused
23 with trash.

24 Nonetheless, you know, I did check and we find the
25 guy is a convicted felon. He has been to DOC. And he is

1 on probation right now out of Gulf County. And the rumor
2 mill here in this small county is that things have been
3 going missing from jobs that this man is doing. I got a
4 call from another county. Did you all move some things?
5 What's going on?

6 And so Cessna said his story was that he thought it
7 was trash and he put in their trash pile that they have,
8 when they get through with work, which I think later
9 Johnson has a commercial Dumpster and they transfer that
10 stuff to a commercial Dumpster. Now, either Cessna or
11 our Undersheriff Arnold told me that a further follow-up
12 was that Johnson checked the trash pile, it wasn't there.
13 Surprise, surprise, a convicted felon has lied.

14 But that's not the point, Cole. I've been doing
15 this a long time and I worked with a guy for years that
16 was State Attorney of the year multiple times -- several
17 times, Richard Combs. And your job is to back up your
18 sheriff, to back up your officer. That's your job. And
19 to back up your Judge.

20 And, yes, there were times that as a Judge I'd
21 probably erred on the side of supporting them on a case
22 that the community was upset about. It's a small
23 community, you know, sometimes the characters are
24 involved in crime. We're still bound by the rules of
25 evidence.

1 There were a couple of times over all of the time
2 with Mr. Combs, maybe three, that after additional
3 conversations with the investigator by Rick Combs, after
4 additional investigation, sometimes due to the lack of
5 cooperation from witnesses or sometimes just evidence was
6 thin, Mr. Combs would stand up in open court and he would
7 announce, Judge, you know -- it might be a month or two
8 months apart, we may have even had arraignment and case
9 management -- and he would announce, Judge, you know,
10 we've done all that we can do, and, unfortunately, you
11 know, we're going to have to announce a nol-pros. I
12 never had a problem with that. I appreciated his due
13 diligence in that matter, I really did. And I
14 appreciated his, you know, being straightforward. We
15 can't do what we can't do. You know, you understand? I
16 have got it.

17 But, in addition, this guy is apparently somewhat
18 physically imposing and he's an ex-con. And he
19 thought -- Johnson thought he was going to swing on him.
20 Got right in his face, thought he was going to swing on
21 him any minute. And I think Johnson told him he was
22 fired, you know, embarrassed him. And, you know, hurts
23 this man business, because, well, now he's working these
24 ex-convicts and they're stealing on the job. And so, you
25 know, then he's got the rumor mill working on him in that

1 regard.

2 So, all I would ask before you just come in and just
3 do a no info, is call your officer, your investigator,
4 back him up, you know, what do you think? I suggested to
5 Cessna that he might consider developing a search
6 warrant. He said that Johnson had told him he was sure
7 he had it in the house, and he lives in the house
8 provided to him by Johnson. And it comes out of his pay;
9 his rent comes out of his pay.

10 MR. BATSON: Right.

11 THE COURT: And I suggested to him, you know, that,
12 you know -- I mean, civilly Johnson could go in there
13 under the landlord/tenant code, has to give some notice.
14 But Johnson, I don't know, he didn't want to do that.
15 You know, he didn't want to get in a fight with this guy.
16 And he told him to leave; they hadn't moved yet. He's
17 going to go through the -- he will have to go through the
18 clerk's office -- unlawful detainer, landlord-tenant, one
19 of the two, whichever the facts support, and evict him.

20 But my point is, you know, you've got to work with
21 us. Your office has to work with us down here. You've
22 got to work with the clerk. You've got to work with the
23 sheriff. And, Cole, if these deputies start losing
24 confidence in you, in your credibility, then that hurts
25 you in your job, in doing your job, if they begin to lose

1 confidence in you.

2 And I've heard several of them saying, well, you
3 know, they basically are not going to do anything we do
4 unless they make the call. And it's gotten to the point
5 where there are folks down here on the street -- the
6 newspaper publisher saying, somebody needs to let Jack
7 Campbell know that we didn't elect him to be sheriff of
8 Liberty County.

9 And I told the publisher, I said, well, I don't
10 think this is Jack. I said, I just think it's just the
11 Quincy office. He said, well, somebody needs to let them
12 know that they hadn't been elected to be our sheriff and
13 they don't have veto power, unless they have done their
14 due diligence. And that's the words of the publisher of
15 the paper here. And so, you know, my thoughts are -- you
16 know, I just don't want to see you and them get in a
17 peeing match here about, you know, well, they went ahead
18 and did something and they didn't clear it with me.

19 The constitution is not set up that way. A sheriff
20 is a constitutional officer with much more power than an
21 appointed law enforcement officer. Appointed law
22 enforcement, they are more in the vein of, you know,
23 working under the supervision, I guess, to some degree.
24 But there is no statutory requirements for a sheriff to
25 do that.

1 It's set up where there are checks and balances
2 between a sheriff and a Judge, and then the state
3 attorney needs to support him. And if he can't do it,
4 then announce it in open court.

5 You know, I mean, but not just -- it appeared to be
6 kind of like an ego thing. It may not have been, but
7 that's how it appeared. And I'm telling you it's a
8 morale thing with these younger officers and deputies.
9 You know, it creates -- it discourages them, you know.
10 And you're sitting there where you can help them. You
11 are sitting in a position to help them. A lot of them --
12 some of them are -- I think Cessna has been a deputy, but
13 he has never been an investigator. And in a lot of ways,
14 you have a position where you can mentor them a little
15 bit, you know.

16 And from my perspective, obviously, you know, I saw
17 the thinness, but I also suggested to him that he
18 consider, you know, a search warrant and a supplemental
19 statement from Johnson about the trash pile, which
20 immediately shows that this guy is lying. He is already
21 a convicted felon.

22 And, you know, my experience has been under Rick
23 Combs, you wouldn't take the word of a convicted felon on
24 probable cause. That wouldn't be dispositive. As you
25 know, we have particular jury instructions. And we also

1 have allowed questions about truth and veracity of people
2 who have been convicted of crimes that might involve
3 that. And, certainly, stealing and lying go hand in
4 hand. Those are two things that are joined at the hip.

5 And, you know, you didn't have in front of you that
6 he had lied about the trash pile, but that probably
7 should have been in there. And I would have just
8 suggested they go, you know, get that. But the guy has
9 got a history and it's created a little uproar down here.

10 So I don't know how the best way to go forward is,
11 you know, but maybe let them rework it and bring it back
12 to me and I will issue it with a supplemental. And I
13 don't know at this point about the search warrant,
14 whether -- if they find out he is lying, you know, a
15 probable place that it would be is -- he has got it and
16 using it. And the thing about it is, although it is just
17 a petit theft, this is, what, his third one? So it's a
18 third degree felony.

19 MR. BATSON: Right.

20 THE COURT: And -- and just one thing for me is
21 that -- you know, I need y'all to be stronger. You know,
22 it puts me out on a limb when y'all are not stronger, and
23 it puts me in a position to have to make inquiries to
24 hold the law.

25 And the last time, with the last court date, was the

1 poorest performance of any two ASAs ever in my court.
2 And Mr. Beville was there observing. And he and I went
3 in and talked about it at a break, we had a break. And
4 it wasn't Ms. Pennington's fault, because the pleas were
5 tendered by someone else. I didn't hear who offered
6 those pleas. Who was before her, I don't even remember.

7 And, you know, Ms. Nelson was totally unprepared.
8 They didn't -- they didn't look at the records. And
9 Ms. Pennington actually -- and I don't believe it was
10 intentionally -- made a misrepresentation to me on one of
11 the pleas, you know. She said there were no priors.
12 That there was one, but adjudication had been withheld on
13 the plea. And she was under a lot of pressure.

14 She said I didn't -- and I asked them, I made the
15 inquiry: what kind of record has he got? And she was
16 trying to look it and was under the gun there, and she
17 apparently only saw the one. But it turns out there were
18 four adjudications of guilt on the particular charge,
19 four.

20 And then I can't remember some of the other things
21 that occurred, but it just was very obvious every time I
22 asked questions -- and let me tell you something, the
23 public defender is very prepared. They are coming
24 prepared. And I know you've had a turnover problem. I
25 get all of that. But, you know, dadgum, I've been in the

1 battle with them, Cole. And the DCA just upheld me again
2 yesterday, you know, unanimously, PCA denial of the --
3 and you were involved in that case early on. That was
4 your case back in time, with you and Knowles.

5 And so -- and a lot of people watched that case.
6 Were you aware that the Tallahassee Democrat did an
7 article and called me inflexible? And they quoted an
8 attorney out of Tallahassee who said, it was -- it was
9 illegal and racist. That's what I've endured, I've gone
10 through.

11 MR. BATSON: I know they had written it. I didn't
12 read it, though.

13 THE COURT: That attorney is getting a bar
14 complaint, so -- and that will go straight -- under the
15 new rules that goes straight to the Supreme Court.

16 Pardon?

17 MR. BATSON: Oh, I just said I knew they had written
18 an article. I didn't read it, though.

19 THE COURT: Yeah. Yeah. Well, you know, there was
20 a couple of attorneys that decided they wanted to pile
21 on, and one of them is over in Pensacola. I'm sure that
22 was a suggested reference, but -- from, you know where.

23 But the bottom line is the Democrat called me
24 yesterday and asked me about it. And I told them I
25 really wanted to not make any comments on the record. It

1 is what it is. The Court unanimously PCA'd.

2 And I appreciate them -- you know, you could tell --
3 you could tell they put some thought into it. They did
4 not give a written opinion. When you Per Curiam Affirm,
5 you are saying, one, it's settled law. It's settled law.
6 And, two, it cannot be appealed.

7 And, of course, I'm sure they'll come back and make
8 a motion. They can move under the appellate rules for a
9 written opinion. They tried that before. The Court
10 denied them. This is five times I have been appealed by
11 them; two out of Florida State Hospital.

12 And I can tell -- I can always tell when they are on
13 a fishing expedition. And it would not surprise me that
14 when this case comes back on the docket that John Knowles
15 will be there. And now he's looking for a terminal order
16 from me to take -- to try to take it up again. I don't
17 think he will try a motion to disqualify, but it's just a
18 battle here. And I'm just tired of it.

19 I'm tired of -- I'm not a person who wants to be in
20 the newspaper or wants to be in the limelight, but I see
21 the importance of being able to identify what's at stake.
22 It's like Tristan said, and like Jack said, Jack
23 Campbell, a Judge has to know what's standing in front of
24 him.

25 And when I talked with Pompey, Jennifer Pompey

1 (phonetic), the Court Liaison with Highway Safety and
2 Motor Vehicle -- and she has access to all of these data
3 sites and they can do things with searches that we cannot
4 do. She can do searches that we cannot do. They have 48
5 characters to play with and they can work with date of
6 birth and they can do a match, try to do matches,
7 probable matches. And, of course, it's a more exhaustive
8 search.

9 But she told me out of her own mouth, a 45-minute
10 conversation for my edification, Tell me what's going on
11 here. And she said, Judge, she said, I'm just going to
12 tell you the truth, for noncitizen defendants, it is just
13 hit and miss. She said, I cannot give you any sense of
14 reliability about noncitizens. And I asked her -- I
15 said, what do you think needs to happen? And she said,
16 well, I think that the best thing is a LiveScan
17 fingerprinting.

18 And, of course, let me tell you what's got to happen
19 for that to happen. That's got to be addressed by the
20 legislature, both in some form of requiring that, and
21 then some form of the budget to equip Highway Safety
22 with, you know, the additional technology that they're
23 going to need to set up on that category of defendants.

24 But, Cole, the effort here is to be sure -- this is
25 the goal, this is the constitutional target -- to be sure

1 that everybody is treated the same. That's the goal with
2 these charges.

3 And, you know, as I've shared with the governor's
4 office in talking about this problem, the immigration
5 czar, he saw the article, we've had a conversation. And
6 I shared with him, I said, you want to know what entry
7 level is for illegal immigration into our country, it's
8 no valid DL. And I said, that's entry level. That is
9 entry level. It's the first symptom.

10 And I said, these officers, they don't -- they are
11 not profiling. I said, they don't have ESP. I said, a
12 lot of these stops are at night. I said, but the drivers
13 of the vehicles are doing things that cause the stop.

14 And, Cole, I had a Haitian non-citizen come through
15 here and set what I thought was a record on my watch,
16 123 miles an hour. And then, good gosh -- that was last
17 year. This year, earlier this year, we had -- we had
18 a -- you know, he was -- I don't remember now. He was
19 Guatemalan -- I cannot remember, but he was Spanish
20 speaking, and 168 miles an hour on State Road 20, going
21 east. And it took Trooper Revell from the county yard to
22 just before the Ochlockonee River Bridge to run him down
23 with that souped-up Mustang that FHP provides him with.
24 You know, it's unmarked. You know, his Mustang -- his
25 car is unmarked.

1 And they have a really souped-up deal. And he ran
2 him down and the guy pulled over when he was
3 blue-lighted. And then they lawyer up. They make all of
4 these things, and that's fine. It was a mandatory
5 hearing, and he didn't appear -- a notice to appear.

6 So, but my view of this is -- and this is what I
7 talked about with Jack about yesterday, is that when a
8 trooper pulls someone and they ask for their driver's
9 license and they hand him a driver's license from Mexico,
10 Guatemala or Haiti or someplace like that, then their
11 next question is: Okay, do you have your visa or
12 passport? Because, as you well know, that validates the
13 license.

14 If you and me went on a hunting trip to Mexico,
15 which I did in the '90s, '95, '96 -- I would not go down
16 there now because of the cartel. I would not cross the
17 border at Piedras Negras, where over 400,000 people live
18 in old cars, without tires, in cardboard boxes and they
19 desperately want to get to this county, and I understand
20 that.

21 And I don't want to mistreat these migrant
22 farmworkers. I -- you know, but this guy that came
23 through at 168 miles an hour, no, we didn't have a
24 canine. The strong suspicion is he is a drug dealer from
25 over in Texas. He had a souped-up Challenger, Dodge

1 Challenger. We don't know that; we couldn't verify that.

2 But my point is that -- I'm a human being and I'm
3 not without compassion for anybody that comes before me.
4 You know, we had a little mother up here from Gretna.
5 She is about 40. And, you know, they've been up there
6 for 10 years. And they work with the tomato industry up
7 there and that gives me some comfort. Do you know what
8 I'm saying? I've got some sense of identity.

9 MR. BATSON: Sure.

10 THE COURT: And, as a Judge, I need something to
11 give me some comfort about who is in front of me. I
12 mean, so I realized they have a stable address, they've
13 been here, you know, and I went along with the plea on
14 that. And I got it.

15 But 80 percent, plus or minus, of the folks coming
16 across are in that category, but there are some coming
17 across that are not. They are cartel related, they are
18 drug related, they are smuggling related and we just --
19 it's just scary for our country. And the erosion of rule
20 of law is a slippery slope. And it's very easy to go
21 down the road of anarchy.

22 And the first symptom of this is no valid DL,
23 because they -- you know, they are pulled over for
24 speeding or something like that. And then, you know --
25 they come in two categories. They've either got a

1 license from country of origin, but no visa, no passport.
2 If they've got a passport or visa, you know, they're not
3 charged. The troopers know they don't charge them. You
4 know, their license is valid. Now, some of the deputies
5 might not realize that, but the troopers are pretty
6 schooled in that.

7 And, you know -- but, on the other hand, if they --
8 if they do not -- if they don't have a license and
9 they're saying, well, where are you from, and almost all
10 of the time they tell them where they are from, their
11 country. And then the trooper says, Have you got a
12 passport?

13 And the bottom line is, if you don't have a Green
14 Card or you don't have a valid visa, you know what the
15 status is.

16 MR. BATSON: Uh-huh.

17 THE COURT: That's just as -- that's just -- and
18 it's not a matter of profiling, but, you know, you know
19 immediately that they may have filed an asylum claim, but
20 that doesn't go to their driving issue, and most of these
21 do not have asylum claims. All an asylum claim does is
22 it just stays deportation, it just stays that.

23 And so somehow, someday, you know, we've got to get
24 some vehicle in place to help with the -- Chief Judge
25 Sjostrom said, you cannot make a decision on a negotiated

1 plea or any other kind, straight up, unless you know who
2 is standing in front of you. Our whole system of justice
3 is predicated on that.

4 And that's my struggle. That's where I am. And,
5 anyway, I just wanted to talk with you. You know, you've
6 been a good attorney, you've done well here. And, one, I
7 wanted to just kind of reiterate the problem that I'm
8 having with these no valid DLs. And, secondly, you know,
9 to encourage you to kind of mentor and help these young
10 officers when you see a deficiency or something like that
11 and make a suggestion to them.

12 MR. BATSON: Yes, sir. I appreciate it. And I
13 will -- we're back in court on the 5th in front of you --

14 THE COURT: That's right. We're there and --

15 MR. BATSON: -- they are basically the --

16 THE COURT: I don't think we have got a jury trial
17 on that date. I don't think there's anything going on
18 there. But I had understood you were going to be back
19 with me, and I don't know, maybe Mr. Beville.

20 MR. BATSON: No. I'm going to be taking over all of
21 Liberty, so I'm doing all felonies and misdemeanors. And
22 then they're going to split up some of the workload in
23 Gadsden. The misdemeanors are going to kind of be pushed
24 around to all of the different felony attorneys.

25 THE COURT: I got you. Well, that's helpful.

1 And now I had a good talk with Judge Flury, and, you
2 know, we have no problem with an all-world resolution of
3 Liberty felonies, with Liberty misdemeanors. But because
4 of the pay or appear docket and the problems that, you
5 know, I have had administrative with -- Mr. Beville is a
6 part of that with Ms. Yearly, on-the-record hearing about
7 pay or appear. And, of course, the pay or appear docket
8 complies very precisely with the statute and the rule.
9 They allow for that.

10 And even though my county is the only one that does
11 it -- I inherited it -- there are many other counties in
12 the state that do that. And the collection percentage
13 for misdemeanor court is 70-percent plus right now, as
14 opposed to felony, which is around 30. But one of the
15 reasons felony court is lower is because some of them go
16 off to DOC and it goes without saying.

17 But it would make my life a lot easier just to say,
18 put them on the clerk's payment plan, but we are
19 collecting the money. And the statute provides \$25 a
20 month. What you don't want to happen, what I don't want
21 to happen is somebody not be brought to first
22 appearance -- there's a numerous of situations, and James
23 is aware of this. Sometimes they'll get picked up on new
24 charges, but they'll also have a capias for failure to
25 appear, which is an indirect civil contempt from the pay

1 or appear docket.

2 And then all a sudden, the felony charges, the new
3 charges, get resolved and they wind up staying in jail on
4 the -- and I don't want that happening. And I don't want
5 somebody not brought to first appearance. If they're
6 picked up on that, they've got to be brought to first
7 appearance. And, you know, make \$25 towards the payment,
8 at the least. If they can't, then advise them they can
9 do community service hours and release them. So that's
10 been an issue.

11 And when you resolve a Gadsden County felony with a
12 Liberty County misdemeanor, they're not advised on that.
13 And that's another situation that has produced a pick up
14 and them being held. So Judge Flury and I have agreed
15 there will be no global Gadsden -- a coupling of a
16 Gadsden felony, with a Liberty misdemeanor, nor any -- of
17 course, he wouldn't be involved in this -- but, you know,
18 circuit -- circuit to circuit, fourteenth and second, or
19 first and second, because of the -- just the problems
20 that can occur from that.

21 But I'm for all-world resolution with him at his
22 level, any time, all the time. I'm sorry to have taken
23 so much of your time, but I just wanted to cover some of
24 this with you.

25 MR. BATSON: Sure.

1 THE COURT: And I really want to encourage you about
2 helping them over there. They've got some young people,
3 you know, and they want to be good, but, you know, I
4 just -- you know, that mentoring process from a state
5 attorney backing them up is a very, very, very positive
6 thing. You know, helping them -- and everybody gets it
7 when you -- hey, we've got witnesses who don't cooperate
8 or this didn't pan out, everybody knows that. You know,
9 we know that.

10 MR. BATSON: Thank you, Judge.

11 THE COURT: I have kept you here long enough, too
12 long. But I hope, you know, our conversation here would
13 be -- produce a positive and good outcome.

14 MR. BATSON: I hope so, Judge. I appreciate it.

15 THE COURT: You have a good day now.

16 MR. BATSON: You too, Judge.

17 THE COURT: Call me if you need me.

18 MR. BATSON: All right. Thank you.

19 THE COURT: Okay.

20 (Zoom recording concluded 10:14 a.m.)

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