

POLICE KILLING

Judge dismisses deputy's charge

By Curtis Anderson
The Associated Press



In this June 16 photo, Peter Peraza, a Broward County sheriff's deputy, testifies at his trial in Fort Lauderdale. RAFAEL OLMEDA/SOUTH FLORIDA SUN-SENTINEL VIA AP, FILE

FORT LAUDERDALE — A judge on Wednesday dismissed a manslaughter charge against a Florida deputy who claimed self-defense in the 2013 fatal shooting of a 33-year-old black man carrying what turned out to be an air rifle.

Circuit Judge Michael Usan ruled in favor of suspended Deputy Peter Peraza of the Broward Sheriff's Office under Florida's "Stand Your Ground" self-defense law that eliminates a requirement to retreat — for civilians and law enforcement officers, the judge said — when facing a dire threat.

The now-dismissed manslaughter charge carries a potential 30-year prison sentence. Prosecutors immediately said the decision will be appealed.

The ruling was issued the same day all remaining charges were dropped against Baltimore police officers in the death of Freddie Gray, who was injured while being transported in a police van. And it comes in the midst of a tense national discussion of policing and race, including the fatal shootings of officers in Dallas and Baton Rouge, Louisiana, and recent police killings of black men in Baton Rouge and Minnesota.

Peraza, 37, who identifies himself as a white Hispanic, testified during a hearing that Jermaine McBean initially refused commands from him and other deputies to drop the authentic-looking weapon and then turned and pointed it toward the deputies in July 2013. Peraza fired three shots, killing him.

"I've never been so scared in my life," Peraza testified. In his 36-page order, the judge called the shooting a "tragedy" and noted the ongoing national debate involving the shootings by police officers of black people and the hostility and threats sometimes directed at police.

But Usan said that debate has "no place in this courtroom concerning this case" and said Peraza's use of deadly force was justified under Florida law. "This case involves the tragic death of one man and the liberty of another. To allow the conflicting agenda of supporters of

either side to invade this legal process would be a far greater injustice," he said.

Peraza attorney Eric Schwartzreich praised the decision and said the deputy should never have been charged.

"All police officers should feel confident that, in this dangerous day and age, they can now protect and serve without fear of being indicted," said Schwartzreich, who represents Peraza along with attorney Anthony Bruno. "Regardless, this case is a tragedy all around. This case was never about race; it was about self-defense."

McBean family attorney David Schoen said he will continue to pursue a federal civil rights lawsuit against the sheriff's office over the shooting.

"It is (a) complete travesty and miscarriage of justice," Schoen said of the ruling. "It should have been impossible for any judge to take this case away from a jury."

A spokesman for State Attorney Michael Satz said in an email that the ruling will be appealed. Satz's office added in a statement that the "Stand Your Ground" defense should not apply in a law enforcement case.

"While there is conflicting evidence, we feel a jury should resolve those conflicts. We believe that the facts of the case do not support that this was a justifiable shooting," the statement said.

Amid national debate over police tactics involving minorities, Peraza was the first Florida law enforcement officer in three decades charged with a crime for an on-duty shooting.

On June 1, fired Palm Beach Gardens officer Nouman Raja was charged with manslaughter and attempted first-degree murder for killing stranded motorist and musician Corey Jones, who was black, while Jones waited for a tow truck. Raja, of South Asian descent, has pleaded not guilty.

White House — Florida, we've got our own cleanup to do, right at home," he said.

Levine ticked off some of his accomplishments in Miami Beach, from addressing global warning to working on setting up a trolley system to approving a "living wage," something expected to draw a lawsuit from the state. Those things "aren't just Miami Beach, but they're statewide issues," Levine pointedly said.

He also laid out an early frame for how he might look to distinguish himself in a statewide run.

"I think today, across the country, people are looking for leaders that have the background of actually getting things done," Levine said.

An address from perhaps the biggest name considering a run for statewide office will come Thursday, when delegates are set to hear from Democratic Congresswoman Gwen Graham. The daughter of former U.S. Sen. and Gov. Bob Graham is actively considering a bid for governor in 2018.

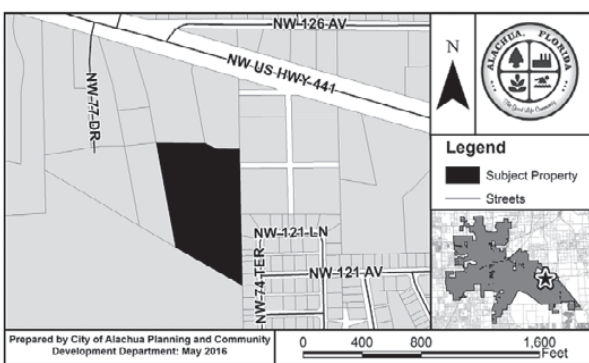
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The ordinance title is as follows:

ORDINANCE 16-14

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE OFFICIAL ZONING ATLAS; AMENDING THE OFFICIAL ZONING ATLAS FROM LIGHT AND WAREHOUSE INDUSTRIAL (ILW) TO COMMERCIAL INTENSIVE (CI) ON APPROXIMATELY 9.32 ACRES; SOUTH OF NORTHWEST US HIGHWAY 441 AND POLARIS OF GAINESVILLE, AND WEST OF THE TURKEY CREEK SUBDIVISION; A PORTION OF TAX PARCEL NUMBER 05920-001-002; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.



At the public hearing, all interested parties may appear and be heard with respect to the proposed ordinance. Copies of the proposed ordinance and related materials are available for public inspection at the Planning and Community Development Department, 15100 NW 142nd Terrace, on any regular business day between the hours of 7:30 a.m. to 6:00 p.m. Written comments on the proposed ordinance may be sent to the following address: City of Alachua, Planning and Community Development, P.O. Box 9, Alachua, FL 32616. Notice is given pursuant to Section 286.0105, Florida Statutes, that, in order to appeal any decision made at the public hearing, you will need a record of the proceedings, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act, any persons with a disability requiring reasonable accommodation in order to participate in this meeting should call the City Clerk at (386) 418-6100 x 101 at least 48 hours prior to the public hearing.

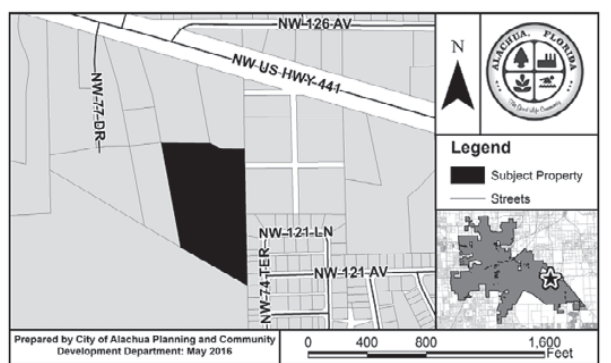
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ORDINANCE 16-13

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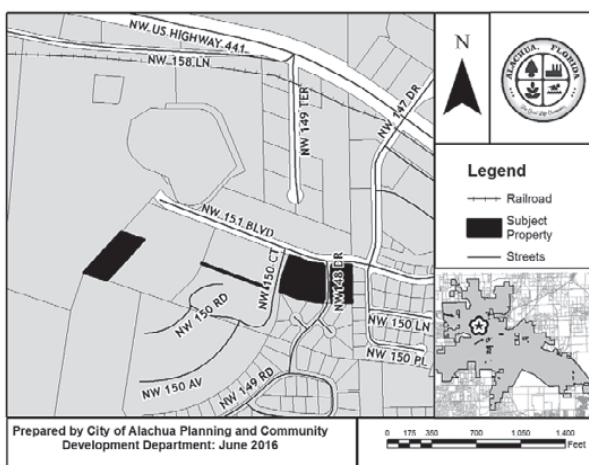
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ORDINANCE 16-10

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At the public hearing, all interested parties may appear and be heard with respect to the application. Copies of the application are available for public inspection at the Planning and Community Development Department, 15100 NW 142nd Terrace, Alachua, Florida, on any regular business day between the hours of 7:30 a.m. to 6:00 p.m. Written comments on the application may be sent to the following address: City of Alachua, Planning and Community Development, P.O. Box 9, Alachua, FL 32616. Notice is given pursuant to Section 286.0105, Florida Statutes, that, in order to appeal any decision made at the public hearing, you will need a record of the proceedings, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act, any persons with a disability requiring reasonable accommodation in order to participate in this meeting should call the City Clerk at (386) 418-6100 x 101 at least 48 hours prior to the public hearing.

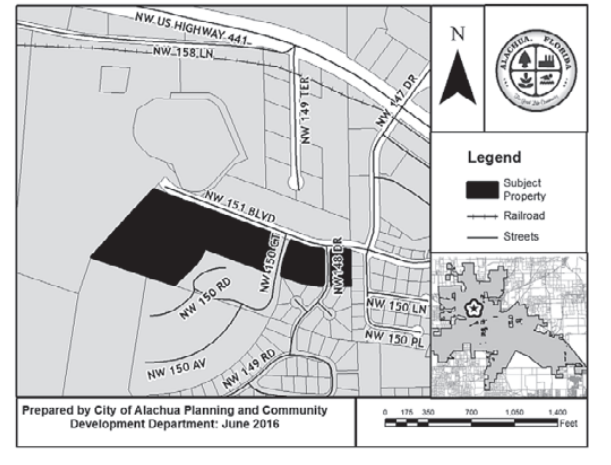
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ELECTIONS

Continued from B1

Referring to a lobbyist for gun-rights groups, Buckhorn added: "We know what it's like to have a government that pays more attention to Marion Hammer and less attention to Mother Teresa."

Gillum's speech hit Scott, Attorney General Pam Bondi and Agriculture Commissioner Adam Putnam. The Tallahassee mayor noted that Putnam, a likely candidate for governor in 2018, has said he will vote for Republican presidential candidate Donald Trump.

"I actually had a higher level of respect for him prior to that. Don't get me started on Pam Bondi, and, God, the governor is out to lunch," Gillum said.

Like the other mayors, Gillum expressed confidence that former Secretary of State Hillary Clinton, the Democratic presidential nominee, will win the White House in November with the help of Florida's 29 electoral votes. "When we put her in the



City of ALACHUA

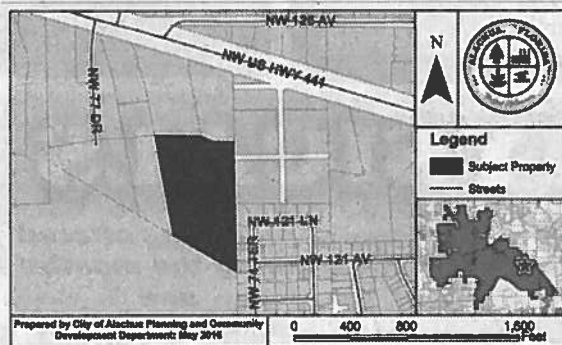
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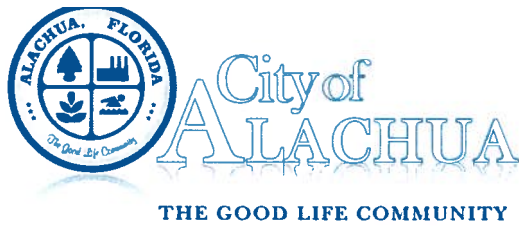
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(Published: Alachua County Today - July 28, 2016)

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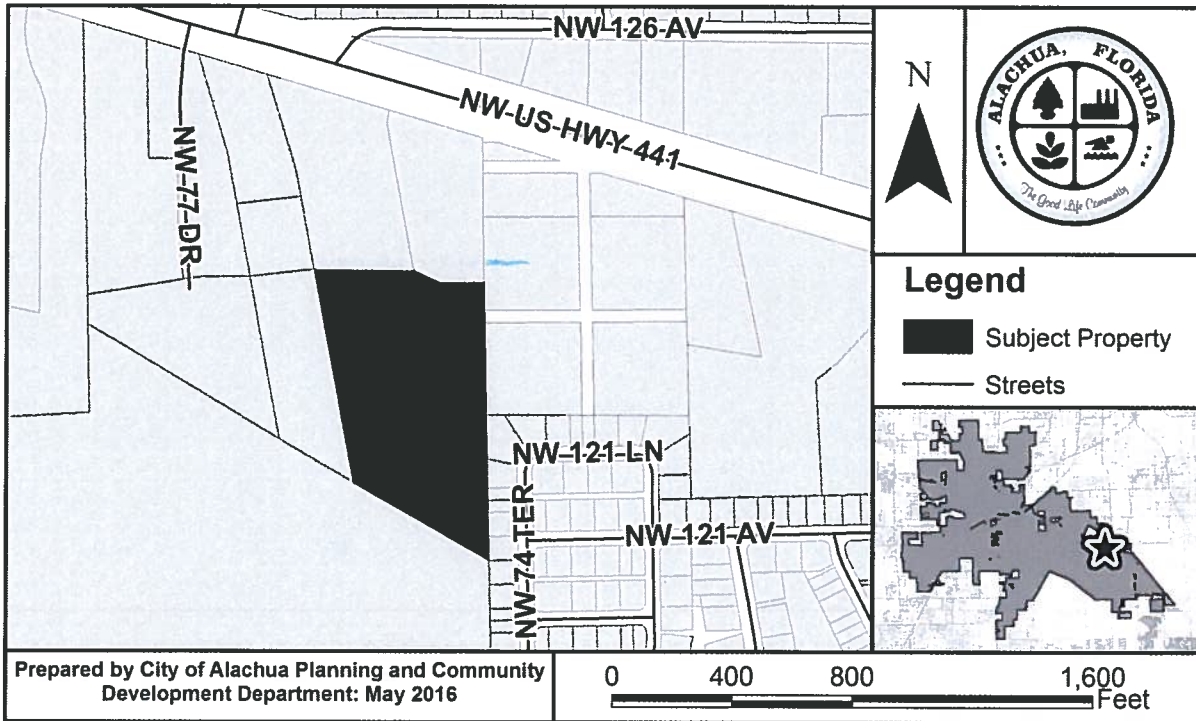
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05900-903-030
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05920-001-000
CROCKER & RODGERS
12310 NW 77TH DR
ALACHUA, FL 32615

05895-001-001
FREELAND & TANNER
12528 NW US HIGHWAY 441
ALACHUA, FL 32615

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AMES/DETRICK TRUCK CO
12556 US HIGHWAY 441
ALACHUA, FL 32615-8506

05920-001-003
JOHN A DAVIS
12580 US HIGHWAY 441
ALACHUA, FL 32615

05920-001-007
JOHN A DAVIS
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14822 NW STATE ROAD 45
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THOMAS L POURCHOT
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COLLIERVILLE, TN 38017

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DONALD WESLEY TRUSTEE
MCBRIDE
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ALACHUA, FL 32615

05920-001-004
MCB OIL COMPANY
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ALACHUA, FL 32615

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Alachua, FL 32615

Lynda Coon
7216 NW 126 Avenue
Alachua, FL 32615

AFFIDAVIT FOR POSTED LAND USE SIGN

I Melissa Watson, POSTED THE LAND USE
(name)
SIGN ON 6.23.16 FOR THE Polaris Rezoning
(date) (state type of action and project name)
LAND USE ACTION.

AS PER ARTICLE 2.2.9 D OF THE LAND DEVELOPMENT REGULATIONS.

THIS WILL BE INCLUDED IN THE STAFF REPORT.

Melissa Watson
(signature)

2
(number of signs)