

Neil Gillespie

From: "Derek Schroth" <dschroth@bowenschroth.com>
To: "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Tuesday, March 08, 2016 9:57 AM
Attach: Jennifer Lester Bass Application.pdf; List of Applicants for Judge Stancil replacement.pdf
Subject: Public Records Request

Good Morning Mr. Gillespie:

Attached is the information you requested. Thank you.

Sincerely,

Derek A. Schroth

Florida Bar Certified Expert in Business Litigation and Local Government Law

BOWEN & SCHROTH, P.A.

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Eustis, Florida 32726

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APPLICATION FOR NOMINATION TO THE FIFTH JUDICIAL CIRCUIT, CIRCUIT COURT

(Please attach additional pages as needed to respond fully to questions.)

DATE: 09/27/2015 Florida Bar No.: 0193331

GENERAL: Social Security No. [REDACTED]

1. Name Jennifer Lester Bass E-mail: jlbass@sao5.org

Date Admitted to Practice in Florida: 04/18/2000

Date Admitted to Practice in other States: N/A

2. State current employer and title, including professional position and any public or judicial office.

State Attorney's Office-Fifth Judicial Circuit, Assistant State Attorney, Supervisor for County Court Division, Ocala office

3. Business address: 110 NW 1st Avenue, Suite 5000

City Ocala County Marion State FL ZIP 34475

Telephone (352) 671-5800 FAX (352) 671-5940

4. Residential address: 5018 SE 10th Place

City Ocala County Marion State FL ZIP 34471

Since August 2007 Telephone (352) 427-8073

5. Place of birth: Gainesville, Florida

Date of birth: 05/31/1974 Age: 41

6a. 41 years (with the exception of short periods of time in 1980 and 1981 when I resided in Texas as a child). Length of residence in State of Florida: as a child.

6b. Are you a registered voter? [X] Yes [] No

If so, in what county are you registered? Marion

7. Marital status: Married

If married: Spouse's name Brandon B. Bass

Date of marriage 12/18/1993

Spouse's occupation Vice President, Commercial Contractor

If ever divorced give for each marriage name(s) of spouse(s), current address for each former spouse, date and place of divorce, court and case number for each divorce.

N/A

8. Children

<i>Name(s)</i>	<i>Age(s)</i>	<i>Occupation(s)</i>	<i>Residential address(es)</i>
Kate Alexandra Bass	11	Student	5018 SE 10 th Place, Ocala, FL, 34471
Sydney Brooke Bass	8	Student	5018 SE 10 th Place, Ocala, FL, 34471

9. Military Service (including Reserves)

<i>Service</i>	<i>Branch</i>	<i>Highest Rank</i>	<i>Dates</i>
N/A	N/A	N/A	N/A
Rank at time of discharge	<u>N/A</u>	Type of discharge	<u>N/A</u>
Awards or citations	<u>N/A</u>		

HEALTH:

10. Are you currently addicted to or dependent upon the use of narcotics, drugs, or intoxicating beverages? If yes, state the details, including the date(s).

No.

11a. During the last ten years have you been hospitalized or have you consulted a professional or have you received treatment or a diagnosis from a professional for any of the following: Kleptomania, Pathological or Compulsive Gambling, Pedophilia, Exhibitionism or Voyeurism?

Yes No

If your answer is yes, please direct each such professional, hospital and other facility to furnish the Chairperson of the Commission any information the Commission may request with respect to any such hospitalization, consultation, treatment or diagnosis. ["Professional" includes a Physician, Psychiatrist, Psychologist, Psychotherapist or Mental Health Counselor.]

Please describe such treatment or diagnosis.

11b. In the past ten years have any of the following occurred to you which would interfere with your ability to work in a competent and professional manner?

- Experiencing periods of no sleep for 2 or 3 nights
- Experiencing periods of hyperactivity
- Spending money profusely with extremely poor judgment

- Suffered from extreme loss of appetite
- Issuing checks without sufficient funds
- Defaulting on a loan
- Experiencing frequent mood swings
- Uncontrollable tiredness
- Falling asleep without warning in the middle of an activity

Yes No

If yes, please explain.

12a. Do you currently have a physical or mental impairment which in any way limits your ability or fitness to properly exercise your duties as a member of the Judiciary in a competent and professional manner?

Yes No

12b. If your answer to the question above is Yes, are the limitations or impairments caused by your physical or mental health impairment reduced or ameliorated because you receive ongoing treatment (with or without medication) or participate in a monitoring or counseling program?

Yes No

Describe such problem and any treatment or program of monitoring or counseling.

13. During the last ten years, have you ever been declared legally incompetent or have you or your property been placed under any guardianship, conservatorship or committee? If yes, give full details as to court, date and circumstances.

No.

14. During the last ten years, have you unlawfully used controlled substances, narcotic drugs or dangerous drugs as defined by Federal or State laws? If your answer is "Yes," explain in detail. (Unlawful use includes the use of one or more drugs and/or the unlawful possession or distribution of drugs. It does not include the use of drugs taken under supervision of a licensed health care professional or other uses authorized by Federal law provisions.)

No.

15. In the past ten years, have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, cautioned or terminated by an employer as result of your alleged consumption of alcohol, prescription drugs or illegal use of drugs? If so, please state the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

No.

16. Have you ever refused to submit to a test to determine whether you had consumed and/or were under the influence of alcohol or drugs? If so, please state the date you were requested to submit to such a test, the type of test required, the name of the entity requesting that you submit to the test, the outcome of your refusal and the reason why you refused to submit to such a test.

No.

17. In the past ten years, have you suffered memory loss or impaired judgment for any reason? If so, please explain in full.

No.

EDUCATION:

18a. Secondary schools, colleges and law schools attended.

<i>Schools</i>	<i>Class Standing</i>	<i>Dates of Attendance</i>	<i>Degree</i>
University of Florida Levin College of Law	75/133	January 1997- December 18, 1999	Juris Doctor
University of Florida	No ranking	June 1994-May 4, 1996	Bachelor of Arts, with honors
Cambridge University, Cambridge, England (study abroad program)		July-August of 1995	
Santa Fe College	No ranking	August 1991-June 22, 1994	A.A. with high honors/Dual Enrollment
Newberry High School 10th-12th		August 1989-June 5, 1992	High School Diploma

Bradford High
School (9th Grade)

August 1988-June
1989

- 18b. List and describe academic scholarships earned, honor societies or other awards.

University of Florida, Levin College of Law, Dean's List, Fall 1998
University of Florida, Dean's List, 3.5 or higher grade point average, Spring 1996
President's Honor Roll, outstanding academic performance, 4.0 grade point average,
Fall 1995
Dean's List, superior academic performance, Spring 1994
Dean's List, superior academic performance, Fall 1993
Scholar Award, superior academic achievement, June 20, 1994

NON-LEGAL EMPLOYMENT:

19. List all previous full-time non-legal jobs or positions held since 21 in chronological order and briefly describe them.

<i>Date</i>	<i>Position</i>	<i>Employer</i>	<i>Address</i>
05/22/1992 to 09/01/1995	Other personnel service/clerk	University Physicians	University of Florida, 903 West University Avenue, Gainesville, Florida, 32611
09/1995 to 12/1996	Other personnel service/clerk	Office of the State Attorney-Eighth Judicial Circuit	120 W. University Avenue, Gainesville, FL, 32601

PROFESSIONAL ADMISSIONS:

20. List all courts (including state bar admissions) and administrative bodies having special admission requirements to which you have ever been admitted to practice, giving the dates of admission, and if applicable, state whether you have been suspended or resigned.

<i>Court or Administrative Body</i>	<i>Date of Admission</i>
The Florida Bar	04/18/2000
United States District Court, Middle District of Florida	August 2001 to 2004

- LAW PRACTICE:** (If you are a sitting judge, answer questions 21 through 26 with reference to the years before you became a judge.)

21. State the names, dates and addresses for all firms with which you have been associated in practice, governmental agencies or private business organizations by which you have been employed, periods you have practiced as a sole practitioner, law clerkships and other prior employment:

<i>Position</i>	<i>Name of Firm</i>	<i>Address</i>	<i>Dates</i>
Assistant State Attorney	State Attorney's Office-Fifth Judicial Circuit	110 NW 1 st Avenue, Suite 5000, Ocala, Florida, 34475	April 2009-present
Law Clerk to the Honorable Gary R. Jones	United States District Court, Middle District of Florida	205 NW 2 nd Street Ocala, Florida, 34475	January 2008-April 2009
Assistant State Attorney	State Attorney's Office-Fifth Judicial Circuit	110 NW 1st Avenue, Suite 5000, Ocala, Florida, 34475	December 1999-January 2008
Certified Legal Intern	State Attorney's Office-Fifth Judicial Circuit	19 NW Pine Avenue, Ocala, Florida, 34475	August 1999-December 1999
Law Clerk	Monaco, Monaco & Birder	6224 NW 43 rd Street, Suite B, Gainesville, Florida, 32653	July 1998-July 1999

Law Clerk

Donnelly & Gross,
P.A.

2421 NW 1st Street,
Suite A-1,
Gainesville, FL,
32606

June-July
1998

22. Describe the general nature of your current practice including any certifications which you possess; additionally, if your practice is substantially different from your prior practice or if you are not now practicing law, give details of prior practice. Describe your typical clients or former clients and the problems for which they sought your services.

I am a prosecutor for the People of the State of Florida. I currently supervise the County Court division at the State Attorney's Office-Marion County, which includes attorneys, support and intake staff, a paralegal, one investigator and victim advocate (28 persons). As the leader of this division, I am responsible for all supervision, management and administrative aspects of the support staff and lawyers. Also, I participate in the hiring of new lawyers and staff and am responsible for the daily development and training of 14 lawyers. As of September 2015, the County Court division had resolved approximately 2,800 criminal cases this year (on three separate dockets) from arrest to trial. My duties also include supervising cases that are referred to alternative courts, such as, the Marion County Drug Court, Teen Court, and Mental Health Court, as well as, diversion programs, which include, the Deferred Prosecution Program and the Pretrial Intervention Program. Further, I oversee a special prosecutor who has been designated to handle domestic relations cases, specifically, violation of injunction cases. I work alongside the computer program analyst to develop processes for the transition of cases to electronic files. My duties also include the development of processes to electronically notify lawyers and staff of workflow. Additionally, I manage the receipt of evidence (both electronic and traditional types) with law enforcement agencies. Lastly, I communicate with and work alongside all Marion County law enforcement agencies, County Court judges, Clerk of Court staff, defense counsel, as well as, Salvation Army Probation and their officers to address and resolve matters that commonly arise in the administration of the dockets and the resolution of cases.

23. What percentage of your appearance in courts in the last five years or last five years of practice (include the dates) was in:

	Court		Area of Practice	
Federal Appellate	_____ %		Civil	_____ %
Federal Trial				4/2009 to 9/2015
	_____ %		Criminal	_____ 100 %
Federal Other	_____ %		Family	_____ %
State Appellate	_____ %		Probate	_____ %
	(4/2009 to 9/2015			
State Trial	_____ 100 %		Other	_____ %

State Administrative	_____	%		
State Other	_____	%		
	_____	%		
TOTAL	_____	100 %	TOTAL	_____ 100 %

24. In your lifetime, how many (number) of the cases you have tried to verdict or judgment were:

Jury? 53 Non-jury? 1
 Arbitration? _____ Administrative Bodies? _____

25. Within the last ten years, have you ever been formally reprimanded, sanctioned, demoted, disciplined, placed on probation, suspended or terminated by an employer or tribunal before which you have appeared? If so, please state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

No.

26. In the last ten years, have you failed to meet any deadline imposed by court order or received notice that you have not complied with substantive requirements of any business or contractual arrangement? If so, please explain in full.

No.

(Questions 27 through 30 are optional for sitting judges who have served 5 years or more.)

27a. For your last 6 cases, which were tried to verdict before a jury or arbitration panel or tried to judgment before a judge, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).

Jerry Burford, Esquire, (352) 682-1118, State of Florida v. Durrell Powell, 2009-CF-3764-A-Y.

J. Melanie Slaughter, Esquire, (352) 789-6363, State of Florida v. Ira Gilroy, 2008-CF-404-A-Y, 95 So.3d 244 (5th DCA 2012).

Geoffrey Mason, Esquire, (352) 377-7800, State of Florida v. Laregus Redmon, 2010-CF-4013-A-Y.

Amanda Sizemore, Esquire, (352) 671-5454, State of Florida v. Rocco Gelonese, 2012-CF-2552-A-Y, 146 So.3d 1199 (5th DCA 2014).

Ronald Fox, Esquire, (352) 669-3228, State of Florida v. Corey Gunsby, 2012-CF-3576-A-Y, 158 So.3d 603 (5th DCA 2015).

Edward Abel, Esquire, (352) 263-9683, State of Florida v. Lawrence Washington, Sr., 2012-CF-1164-E, 150 So.3d 1177 (5th DCA 2014).

27b. For your last 6 cases, which were settled in mediation or settled without mediation or trial, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).

N/A.

27c. During the last five years, how frequently have you appeared at administrative hearings?
0 average times per month

27d. During the last five years, how frequently have you appeared in Court?
I am in court 12 times per month on average, however, I am often in court on a daily basis
average times per month

27e. During the last five years, if your practice was substantially personal injury, what percentage of your work was in representation of plaintiffs? N/A % Defendants?
N/A%

28. If during any prior period you have appeared in court with greater frequency than during the last five years, indicate the period during which this was so and give for such prior periods a succinct statement of the part you played in the litigation, numbers of cases and whether jury or non-jury.

N/A.

29. For the cases you have tried to award in arbitration, during each of the past five years, indicate whether you were sole, associate or chief counsel. Give citations of any reported cases.

N/A.

30. List and describe the six most significant cases which you personally litigated giving case style, number and citation to reported decisions, if any. Identify your client and describe the nature of your participation in the case and the reason you believe it to be significant. Give the name of the court and judge, the date tried and names of other attorneys involved.

State of Florida v. Vertice Robinson, 2005-CF-4463, Fifth Judicial Circuit, Marion County Honorable David B. Eddy, 07/17/2006, Per Curiam Affirmed, 981 So.2d 1221 (5th DCA 2008), David Mengers, Esquire, Attorney for Defendant.

I was the prosecutor in the State of Florida vs. Vertice Robinson. Vertice Robinson burglarized a 96 year old woman's home and then attempted to murder and rob her when she returned home. The Defendant tied the victim up and stole her handbag, which contained her life savings. Then, he left the residence in her only car. The case was significant for many reasons. First, the age and declining health of the victim who had lived an impressive 96 years. In order to preserve her testimony, it was necessary to perpetuate her testimony in the event she died before trial. Second, the Defendant had an extensive criminal history and had been recently released from prison. This, coupled with the severity of the victim's injuries and the violent nature of the crime, it was important that the Defendant be held responsible for this crime and that he not be able to victimize others. Third, the case was factually interesting and involved unusual scientific evidence that I presented at trial. While at the victim's residence, the Defendant had consumed chicken from the victim's refrigerator. The Defendant left his food remnants on the table and they were processed by crime scene technicians. The samples taken from the chicken bones contained millions of epithelial cells and consequently, large amounts of the Defendant's DNA. This was the first case in the State of Florida where DNA had been located on a food item. Presenting this scientific evidence was crucial to a successful prosecution because the victim had been unable to identify the Defendant. Fourth, the crime scene was extensive and extended outside of Marion County which required that I coordinate witnesses in multiple counties. The victim's purse and the envelope (that no longer contained her life savings) were serendipitously recovered along a roadside in Northwest Florida. Inside the envelope flap, a single fingerprint was located. At trial, I presented a fingerprint expert who testified that the print belonged to the Defendant. Fifth, I successfully won a pretrial motion to suppress, which alleged a violation of the Defendant's right to counsel, that, if granted, would prohibit incriminating statements made by the Defendant from being admitted into evidence. At trial, the victim testified, then 97 years of age. The Defendant was convicted of attempted murder, robbery, burglary of a dwelling with a battery, and grand theft and was sentenced to life imprisonment. Most significantly, I was honored to spend time with the victim for the last four years of her life and was a guest at her 100th birthday party.

State of Florida v. Charles Cates, Jr., 2002-CF-2158, Fifth Judicial Circuit, Marion County, Honorable David B. Eddy, 07/22/2004, Per Curiam Affirmed, 944 So.2d 375 (5th DCA 2006), Michael Graves, Esquire and John Spivey, Esquire, Attorneys for the Defendant.

I was the second chair prosecutor for the State of Florida v. Charles Cates, Jr. In this case, Defendant Cates was charged with the first degree murder of his ex-wife and the shooting of Mrs. Cates' friend. After the entry of a divorce decree, the Defendant went to the marital home and murdered his ex-wife in front of their young child. Then, armed with his handgun and a speed loader, he began to approach, shoot, and wound her male companion who was outside of the residence. After the murder, Mr. Cates laid down the firearm and the speedloader on top of the dissolution of marriage order. The murder happened at the family home and many of the witnesses were family members of both the Defendant and the victim. Pre-trial, the Defendant alleged an affirmative defense of insanity. To rebut this claim, I reviewed medical documents, evaluations by experts, facts surrounding the crime, including premeditation, as well as, the Defendant's statements after the murder. This evidence demonstrated that the Defendant did not suffer from a mental infirmity and that he knew what he was doing and the consequences of his actions. Among my responsibilities, I had the important task of presenting the State of Florida's expert witness, Dr. Krop, who testified that the Defendant was sane at the time of the murder. A finding of insanity by the jury, would result in the hospitalization of the Defendant, whereas, a conviction for murder would result in a life sentence. The jury rejected the Defendant's insanity defense; he was convicted and sentenced to life imprisonment. This case is noteworthy because of the tragic facts of the case, where a young woman was murdered by her ex-husband and a child was instantly orphaned. Secondly, throughout the case I had to navigate complicated family dynamics between the victim's family and necessary witnesses who were the Defendant's family members. Lastly, I was able to successfully rebut the Defendant's insanity defense at trial.

State of Florida v. Rocco Gelonese, 2012-CF-2252, Fifth Judicial Circuit, Marion County, Honorable Brian D. Lambert, 06/27/2013, Per Curiam Affirmed, 143 So.3d 1199 (5th DCA 2014), Amanda Sizemore, Esquire, Attorney for the Defendant.

Defendant Gelonese was referred for prosecution by the Ocala Police Department. The Special Prosecution Unit, of which I belonged, concentrated on career criminals, violent offenders and wire tap cases. Defendant Gelonese's case stands out amongst others because he was a serial commercial burglar in the downtown business district of Ocala. Gelonese had successfully evaded law enforcement for years and had inflicted significant economic damage to these businesses over a period of time. This latest burglary occurred at the Federal Public Defender's Office. At the crime scene, a single droplet of blood, containing a large amount of Gelonese's DNA, was located inside the office. The defense alleged that the DNA sample had been contaminated by law enforcement and that the sample was mishandled and improperly processed by the DNA analyst at the Florida Department of Law Enforcement. Additionally, the defense challenged the chain of custody of the sample. To thoroughly address these defenses, I spent a considerable amount of time with the DNA analyst learning about DNA and FDLE's policies and procedures when handling DNA. At trial, I successfully presented

expert witnesses to the jury and the jury rejected the Defendant's claims of DNA contamination. The Defendant was convicted and then sentenced as a habitual felony offender.

State of Florida v. Corey Gunsby, 2012-CF-3576, Fifth Judicial Circuit, Marion County, Honorable Brian D. Lambert, 08/24/2013, Per Curiam Affirmed, 158 So.3d 603 (5th DCA 2015), Ronald Fox, Esquire, Attorney for the Defendant.

As a prosecutor in the Special Prosecution Unit, I reviewed and managed nine Applications for the Interception of Communications that involved lengthy drug investigations. As this particular investigation progressed, it moved throughout the drug trafficking organization and its members, and the supply of drugs were followed. I conducted legal briefings with law enforcement and monitored the wiretaps to ensure that minimization of communications were adhered to consistent with the court's orders. Also, I issued subpoenas to obtain subscriber information and historical data on cellular telephones. The first wiretap involved Todd Williams' telephone (wiretap #1). Williams supplied cocaine to Gantry Belvin. Probable cause was developed and Belvin's phone was then intercepted (wiretap #2). Belvin purchased cocaine from his supplier, Jarrod Stephens (wiretap #3). Stephens, in turn, purchased from his supplier Corey Gunsby (wiretap #4). The Stephens and Gunsby wiretaps operated simultaneously. Stephens and Gunsby were trafficking in cocaine.

Pre-trial, counsel for Stephens and Gunsby attacked the Applications for Interception arguing a lack of probable cause and exhaustion, a necessary requirement of the wiretap. Gunsby and Stephens' calls were monitored and a transaction was brokered between the two Defendants. Due to Gunsby and Stephens conducting their drug transactions in code language, I filed and successfully argued a motion in limine to allow expert testimony (using the Daubert standard) on coded language. At trial, I presented evidence from drug agents who conducted electronic surveillance of the Defendants, as well as, physical surveillance by land and air. The jury was also presented recordings of the intercepted conversations and transcripts of the conversations at trial. Defendant Gunsby and Stephens were apprehended by law enforcement in separate locations. Gunsby had in his possession U.S. Currency from the transaction and Stephens fled during the traffic stop and attempted to dispose of the cocaine. Gunsby was convicted at trial and was sentenced to 15 years in the Department of Corrections, thereby eliminating a large cocaine supplier in Marion County.

The aforementioned investigation was one of the lengthiest and more complicated cases I have ever handled. The investigation and prosecution required constant oversight and strategic planning. I also reviewed and submitted all of the applications for the interception of communications, the Global Positioning System tracking orders for vehicles, and search and arrest warrants. It was critical to the success of the cases that I understood the structure of the organization and the respective roles of the Defendants. It was even more important, that I understood wiretap and GPS tracking caselaw because I had to make quick decisions throughout the prosecution of the case. The cases were heavily scrutinized and challenged by able defense counsel through many motions to suppress the evidence (none were successful). There was a plethora of pretrial motions (filed by myself and the defense) which required knowledge of federal and state case law, as well as, written responses to the court.

State of Florida v. Lawrence Washington, Sr., 2012-CF-1164-E, Fifth Judicial Circuit, Citrus County, Honorable Richard D. Howard, 01/07/2014, Per Curiam Affirmed, 15 So.3d 1177 (5th DCA 2014), Edward Abel, Esquire, Attorney for the Defendant.

I was the lead prosecutor for the State of Florida v. Lawrence Washington, Sr. As a prosecutor for the Special Prosecution Unit, I assisted the Unified Drug Enforcement Strike Team and the Citrus County Sheriff's Office in an investigation and the procurement of a wiretap on Todd Williams' telephone (this included oral and text communications). Williams would recruit individuals to be driven to pain clinics in Tampa, Lakeland, and Crystal River, Florida to obtain prescription medications. Those individuals would be "sponsored" by Williams. Williams provided them with transportation in an organized fashion, U.S. Currency, false MRI's and medical records, and the persons would undergo medical evaluations and fraudulently obtain prescription medications. Williams and his 27 co-defendants, trafficked an estimated 10,000 pills per month (as well as cocaine) and those drugs were later sold in Marion and Citrus Counties. During the course of this wire, I worked alongside homicide detectives from the Marion County Sheriff's Office who monitored communications during the wiretap in an effort to gather evidence on the drug related murder of Jeffrey Aaron.

Washington, who was sponsored by Williams, was charged with and convicted of trafficking in controlled substances. At the three day trial, I, on behalf of the State of Florida, offered into evidence recordings and transcripts of intercepted phone calls, text messages and surveillance evidence, medical and pharmaceutical records, and expert testimony. This case is noteworthy due to the length of time it spanned, some 17 months, the complexity of the organizations' criminal enterprises, the number of defendants involved, as well as, the geographic area effected by the defendants' crimes. The investigation and prosecution required strategic planning and cooperation of numerous law enforcement agencies, in various counties, in an effort to fully dismantle the drug trafficking organization and to attempt to solve the homicide case.

State of Florida v. Jennifer Staebell, 2008-CF-1549, Fifth Judicial Circuit, Marion County, Honorable Willard I. Pope, 08/19/2009, Per Curiam Affirmed, 134 So.3d 475 (5th DCA 2014) Jerry Burford, Esquire, Attorney for the Defendant.

I was the second chair in the case of State of Florida v. Jennifer Staebell. Staebell had committed the crime of DUI manslaughter wherein pedestrian Robert Hall was struck and killed by the Defendant. Staebell, a mother of two, drove her minivan into the victim with one of her juvenile daughters inside the vehicle. At trial, toxicologist, Dr. Bruce Goldberger, testified that at the time of the crash, Staebell had cocaine, cannabis, hydrocodone, meprobamate (anti-anxiety medication), carisoprodol (a muscle relaxant) and oxycodone in her blood sample. I presented difficult autopsy evidence and victim injuries through testimony from the medical examiner. This case is noteworthy because it involved a victim who sustained catastrophic injuries, with almost complete decapitation, and a very vigorous causation challenge raised by the defense. Further, the only witness who observed the Defendant driving was her juvenile daughter. At trial, if the State of Florida did not call the juvenile daughter to testify, then a corpus delicti challenge could be made before the Defendant's statements were offered into evidence. Rather than subjecting the juvenile daughter to testifying, we presented circumstantial evidence that the Defendant was the driver of the vehicle. The Defendant had a minor criminal history

and was the primary caretaker of her children. Staebell was convicted and sentenced to 15 years in prison.

31. Attach at least one example of legal writing which you personally wrote. If you have not personally written any legal documents recently, you may attach writing for which you had substantial responsibility. Please describe your degree of involvement in preparing the writing you attached.

State of Florida v. Gantry Belvin, et. al, State of Florida's Motion In Limine to Determine Admissibility of Intercepted Telephone Calls and For Jury to Use Transcripts of Calls, 2012-CF-3625-ABC, author.

Bass, J. (2015). Prosecution: are prosecutors equipped to handle the pressures of their calling? The realities of the profession; stress, vicarious exposure, satisfaction. Florida Department of Law Enforcement's Criminal Justice Executive Institute, Senior Leadership Program 18.

PRIOR JUDICIAL EXPERIENCE OR PUBLIC OFFICE:

- 32a. Have you ever held judicial office or been a candidate for judicial office? If so, state the court(s) involved and the dates of service or dates of candidacy.

No.

- 32b. List any prior quasi-judicial service:

<i>Dates</i>	<i>Name of Agency</i>	<i>Position Held</i>
N/A		

Types of issues heard:

- 32c. Have you ever held or been a candidate for any other public office? If so, state the office, location and dates of service or candidacy.

No.

- 32d. If you have had prior judicial or quasi-judicial experience,

(i) List the names, phone numbers and addresses of six attorneys who appeared before you on matters of substance.

N/A

(ii) Describe the approximate number and nature of the cases you have handled during your judicial or quasi-judicial tenure.

N/A

(iii) List citations of any opinions which have been published.

N/A

(iv) List citations or styles and describe the five most significant cases you have tried or heard. Identify the parties, describe the cases and tell why you believe them to be significant. Give dates tried and names of attorneys involved.

N/A

(v) Has a complaint about you ever been made to the Judicial Qualifications Commission? If so, give date, describe complaint, whether or not there was a finding of probable cause, whether or not you have appeared before the Commission, and its resolution.

N/A

(vi) Have you ever held an attorney in contempt? If so, for each instance state name of attorney, approximate date and circumstances.

N/A

(vii) If you are a quasi-judicial officer (ALJ, Magistrate, General Master), have you ever been disciplined or reprimanded by a sitting judge? If so, describe.

N/A

BUSINESS INVOLVEMENT:

33a. If you are now an officer, director or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment or election to judicial office.

Director of Bass Construction Group, Inc. A company that is jointly held with my spouse Brandon Bass. The company has no clients or projects and my spouse has been employed full time with J. McLaughlin and Co., a commercial construction company, since March of 2008. Bass Construction Group, Inc. filed a final business tax return in tax year 2010. Yes, I will immediately resign upon appointment.

33b. Since being admitted to the Bar, have you ever been engaged in any occupation, business or profession other than the practice of law? If so, give details, including dates.

Director of Bass Construction Group, Inc., since February 21, 2002.

33c. State whether during the past five years you have received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind. If so, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved and the dates such compensation was paid and the amounts.

N/A

POSSIBLE BIAS OR PREJUDICE:

34. The Commission is interested in knowing if there are certain types of cases, groups of entities, or extended relationships or associations which would limit the cases for which you could sit as the presiding judge. Please list all types or classifications of cases or litigants for which you as a general proposition believe it would be difficult for you to sit as the presiding judge. Indicate the reason for each situation as to why you believe you might be in conflict. If you have prior judicial experience, describe the types of cases from which you have recused yourself.

None.

MISCELLANEOUS:

35a. Have you ever been convicted of a felony or a first degree misdemeanor?

Yes _____ No If "Yes" what charges? _____

Where convicted? _____ Date of Conviction: _____

35b. Have you pled nolo contendere or pled guilty to a crime which is a felony or a first degree misdemeanor?

Yes _____ No If "Yes" what charges? _____

Where convicted? _____ Date of Conviction: _____

35c. Have you ever had the adjudication of guilt withheld for a crime which is a felony or a first degree misdemeanor?

Yes _____ No If "Yes" what charges? _____

Where convicted? _____ Date of Conviction: _____

36a. Have you ever been sued by a client? If so, give particulars including name of client, date suit filed, court, case number and disposition.

No.

36b. Has any lawsuit to your knowledge been filed alleging malpractice as a result of action or inaction on your part?

No.

36c. Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, give particulars, including the amounts involved.

No.

37a. Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you?

No.

- 37b. Have you ever owned more than 25% of the issued and outstanding shares or acted as an officer or director of any corporation by which or against which a petition in bankruptcy has been filed? If so, give name of corporation, your relationship to it and date and caption of petition.
- No.
38. Have you ever been a party to a lawsuit either as a plaintiff or as a defendant? If so, please supply the jurisdiction/county in which the lawsuit was filed, style, case number, nature of the lawsuit, whether you were Plaintiff or Defendant and its disposition.
- No.
39. Has there ever been a finding of probable cause or other citation issued against you or are you presently under investigation for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group. If so, give the particulars.
- No.
40. To your knowledge within the last ten years, have any of your current or former co-workers, subordinates, supervisors, customers or clients ever filed a formal complaint or formal accusation of misconduct against you with any regulatory or investigatory agency, or with your employer? If so, please state the date(s) of such formal complaint or formal accusation(s), the specific formal complaint or formal accusation(s) made, and the background and resolution of such action(s). (Any complaint filed with JQC, refer to 32d(v)).
- No.
41. Are you currently the subject of an investigation which could result in civil, administrative or criminal action against you? If yes, please state the nature of the investigation, the agency conducting the investigation and the expected completion date of the investigation.
- No.
42. In the past ten years, have you been subject to or threatened with eviction proceedings? If yes, please explain.
- No.
- 43a. Have you filed all past tax returns as required by federal, state, local and other government authorities?
- Yes No If no, please explain. _____
- 43b. Have you ever paid a tax penalty?
- Yes No If yes, please explain what and why. _____
- 43c. Has a tax lien ever been filed against you? If so, by whom, when, where and why?
- No.

HONORS AND PUBLICATIONS:

44. If you have published any books or articles, list them, giving citations and dates.

Bass, J. (2015). Prosecution: are prosecutors equipped to handle the pressures of their calling? The realities of the profession; stress, vicarious exposure, satisfaction. Florida Department of Law Enforcement's Criminal Justice Executive Institute.(Anticipated publication date of October 2015).

45. List any honors, prizes or awards you have received. Give dates.

Marion County Sheriff's Office, Certificate of Commendation, December 2006.

University of Florida, Levin College of Law, Dean's List Fall 1998

University of Florida, Dean's List, 3.5 or higher grade point average, Spring 1996

President's Honor Roll, outstanding academic performance, 4.0 grade point average, Fall 1995

Dean's List, superior academic performance, Spring 1994

Dean's List, superior academic performance, Fall 1993

Scholar Award, superior academic achievement, June 20, 1992

46. List and describe any speeches or lectures you have given.

"Prosecution: are prosecutors equipped to handle the pressures of their calling? The realities of the profession; stress, vicarious exposure, satisfaction." Introduction to research and topic, lecture given to participants at Senior Leadership Program 18, Florida Department of Law Enforcement's Criminal Justice Executive Institute, June 2, 2015.

"Cloaking." The future of technology relating to criminal justice. Lecture given to participants at Senior Leadership Program 18, Florida Department of Law Enforcement's Criminal Justice Executive Institute, June 3, 2015.

"Prescription medication and pill mills." Co-lectured with fellow Assistant State Attorney to State Attorney's Office lawyers for continuing legal education, January 9, 2013.

"Criminal law and the courts." Co-lectured with defense counsel to Marion County Legal Support Association, November, 2010.

47. Do you have a Martindale-Hubbell rating? Yes If so, what is it? ___ No

PROFESSIONAL AND OTHER ACTIVITIES:

- 48a. List all bar associations and professional societies of which you are a member and give the titles and dates of any office which you may have held in such groups and committees to which you belonged.

Fifth Judicial Circuit Professionalism Committee Member, August 2013-present.

The Professionalism Committee allows the bench and the Bar to coordinate professional activities for lawyers and judges in furtherance of and in an effort to maintain the highest standards of professionalism in the Fifth Judicial Circuit, as a result of the Florida

Supreme Court's Order mandating a local professionalism committee. As a member of the committee, I contributed to the planning of the Professionalism Conference in April of 2014 and am actively assisting with the preparations for the April 2016 conference. Collaboratively, the committee determines all aspects of the conference, including location, budgeting, selecting and coordinating speakers and topics, venue, and pricing. Further, as a committee we receive, screen and act upon any and all complaints of unprofessional conduct and attempt to resolve those complaints informally, if possible, or refer them to The Florida Bar, if necessary. Lastly, the committee is supporting the mentor/mentee program, developed by Professionalism Chair the Honorable S. Sue Robbins, that pairs an established professional lawyer with a new lawyer, in an effort to establish a mutually beneficial relationship between the two. Ideally, the established lawyer would share wisdom and experience, among other things, and the new lawyer could assist with the advances of technology and integrating those into the practice of law.

Marion County Bar Association, Member

D.R. Smith, American Inn of Court, Member, September 2002-May 2004.

- 48b. List, in a fully identifiable fashion, all organizations, other than those identified in response to question No. 48(a), of which you have been a member since graduating from law school, including the titles and dates of any offices which you have held in each such organization.

First Baptist Church, Ocala, Florida, member, February, 2001 to present.

Vision Team Committee Member, First Baptist Church, Ocala, Florida, January 30, 2011-May 2012. The objective of the Vision Team was to provide goals for the church and church leadership into the future. I participated in a 14 month process where 9 team members met weekly to analyze the ministry and develop core church values. The team followed a process of advanced strategic analysis and included ministry analysis, a discovery of the core church values, cultural trends and environmental scans, and vision and strategic development for the future of the church.

Mission Committee Member, First Baptist Church, Ocala, Florida, February 8, 2009-December 30, 2010. I was a member of a six person committee, which was elected by the church, to promote local, national, and global mission awareness amongst the church and community. I provided leadership, recommended policies, and budget suggestions to the Minister of Missions and participated in local missions. One of my favorite projects was organizing and assisting in the delivery of 500 bucket filled supplies to Haiti after the devastating earthquake.

Mission Committee Member, First Baptist Church, Ocala, Florida, January 1, 2011-December 30, 2011. I continued to provide leadership, policy recommendations, and budget suggestions as a member of the Missions Committee, as well as, promoted local, national, and global mission awareness amongst the church and community. During this period of service, the committee recommended a geographic shift in mission work to the remote Peruvian mountains, wherein the church adopted a people group in Cabana, Peru.

Crossroads Café Ministry, First Baptist Church, Ocala, Florida, August 2009-December 2014. I participated in this ministry where greetings, information, and coffee were served to members and visitors of First Baptist Church. I was a member of a three person team

who served coffee and provided information to members and guests about church activities. I inventoried and ordered supplies, maintained the café equipment, as well as, the cash drawer and provided an accounting to the Minister of Business Administration.

48c. List your hobbies or other vocational interests.

Children's Ministry, First Baptist Church, Ocala, Florida, I have provided instruction and care for preschool and elementary age children since May 7, 2009 to the present.

Team Mom, Upward Bound Soccer, First Baptist Church of Ocala, Fall 2013, Fall 2014 and anticipated Fall of 2015.

Mentor for female lawyer K. Self, May of 2013 to present.

Mentor for female law student/lawyer B. King, 2011 to present.

Tennis, Fort King Tennis Center, March 2013 to present.

48d. Do you now or have you ever belonged to any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices and whether you intend to continue as a member if you are selected to serve on the bench.

No.

48e. Describe any pro bono legal work you have done. Give dates.

None.

SUPPLEMENTAL INFORMATION:

49a. Have you attended any continuing legal education programs during the past five years? If so, in what substantive areas?

Technology Changes and the Effect on Jury Selection, 2/24/2014

Social Media and Technological Evidence, 2/24/2014

Courtroom Visuals 03/22/2011

Advanced Legal Research 05/20/2015

Beyond Crawford v. Washington-The Next Generation 2/24/2014

Cross Examination Workshop 5/12/2015, Direct Exam Workshop 3/12/2015

Death Penalty Issues 3/13/2015

Dealing with Stress in Your Practice 1/28/2015

Mental Competence to Proceed 1/11/2011

Seizure of Real Time Communications, 8/2/2013

Vetting and Tracking of Confidential Informants 1/14/2015

Law Enforcement Use of Global Positioning Trackers 11/09/2010

Methamphetamine 11/19/2014

Prescription Drug Abuse Summit 04/14/2011

Human Trafficking 06/27/2014

Ethics, Fifth Circuit Professionalism Conference 04/04/2014

Ethics Training 03/30/2012, 7/16/2010

Determining the Standard for Injuries/Great Bodily Harm 11/19/2013

Expert Witnesses: Frye to Daubert 07/16/2013

Proactive and Reactive Use of Daubert 2/25/2014

Pink Slipping: The Intricacies of Hiring and Firing 1/16/2013

- 49b. Have you taught any courses on law or lectured at bar association conferences, law school forums, or continuing legal education programs? If so, in what substantive areas?

Yes, "Prescription medication and pill mills" Co-lecturer, State Attorney's Office, continuing legal education course 1/19/2013.

50. Describe any additional education or other experience you have which could assist you in holding judicial office.

I am currently enrolled in the Florida Department of Law Enforcement's Criminal Justice Executive Institute's Senior Leadership Program, Class 18, in Tallahassee, Florida. This is a ten month graduate level leadership program wherein criminal justice executives learn the following: 1) Florida demographics; 2) the establishment of ethics and integrity as the foundation of leadership practices; 3) the economic outlook and the impact on criminal justice in Florida; 4) effective budgeting strategies; 5) creativity and problem solving, demographics, and forecasting for the future; 6) communications and the principles and effectiveness of active listening; 7) leadership in the context of organizations, effective team building, information flow, relationships, and organizational values; 8) strategic planning, strategic thinking, and decision making and presentation of individual research projects. Expected graduation date of 10/30/2015.

51. Explain the particular potential contribution you believe your selection would bring to this position.

The judiciary should consist of the best individuals in the legal community. Since my entry into the practice of law, I have demonstrated a strong work ethic and high moral and ethical standards. I have sustained a reputation of intelligence, integrity, determination, professionalism, and self-control. I have consistently shown that I am capable of handling complex cases in an organized and disciplined fashion. Over the course of 14 years and 53 jury trials, I have gained a depth of legal experience and have well exceeded the demands of my assignments. I have handled hundreds of cases over my legal career, including the most serious of offenses, such as, unspeakable crimes against children, violence on individuals, murder, career criminals, and drug traffickers. I have managed dockets and divisions that handle a large volume of cases. As a result of my experience, I have successfully navigated a diverse group of individuals, including defendants, co-defendants, lawyers, adult and child witnesses, medical professionals, law enforcement officers, and expert witnesses of all types. I am experienced in managing cases and the people they effect. Preparation, experience, and discernment have allowed me to make difficult decisions on serious cases that will effect parties,

families, children, victims, defendants, and agencies. I strive for continued knowledge and the mastery of subjects. My thirst for learning is evidenced by my recent attendance at the Florida Department of Law Enforcement's Criminal Justice Executive Institute's Program that spanned a time frame of ten months. The majority of my career has been spent in the courtrooms of this circuit, with the exception of my work in Federal Court, where I diversified my experience with civil cases and developed my writing skills. I have successfully transitioned the County Court division to electronic files and the handling and storing of electronic evidence, as well as, developed electronic workflow for the lawyers. I would be a valuable asset in assisting the judiciary's technological transition. This community has been my home since 1999 and it is where I have chosen to raise my children. It would be my greatest privilege to serve this community as a member of the judiciary.

52. If you have previously submitted a questionnaire or application to this or any other judicial nominating commission, please give the name of the commission and the approximate date of submission.

N/A.

53. Give any other information you feel would be helpful to the Commission in evaluating your application.

In January of 2008, I undertook a federal clerkship with the United States District Court Magistrate Judge, the Honorable Gary R. Jones. During this clerkship, I assisted the court in performing critical duties to ensure the timely adjudication of both civil and criminal cases filed in Federal Court. My responsibilities included, attending pretrial case management and settlement conferences in complex civil trials, and reviewing pretrial motions in both civil and criminal cases. Daily, I would review the electronic filings of pretrial motions and memorandums and would research and assist the Magistrate by drafting orders or by preparing a report and recommendation for the District Court Judge. During my time as law clerk, the docket for the Middle District of Florida, Ocala Division, consisted of 70% civil cases and 30% criminal cases. I was also responsible for reviewing administrative appeal records, such as, Social Security determinations, and would draft the opinion, granting reversal or affirming the appeal and then would provide the opinion to the court for final edits and entry of the order. My primary responsibility of preparing memorandums, drafting orders, and opinions allowed me to concentrate on and refine my legal research and writing abilities. This judicial clerkship provided valuable insight into the judicial process, civil litigation, and also to Federal Court.

REFERENCES:

54. List the names, addresses and telephone numbers of ten persons who are in a position to comment on your qualifications for judicial position and of whom inquiry may be made by the Commission.

Honorable S. Sue Robbins, Fifth Judicial Circuit, 110 NW 1st Avenue, Ocala, Florida, 34475, (352) 401-7820

Honorable Robert W. Hodges, Fifth Judicial Circuit, 110 NW 1st Avenue, Ocala, Florida, 34475, (352) 401-7890.

Honorable Bradley E. King, State Attorney, Fifth Judicial Circuit, 110 NW 1st Avenue,

Suite 5000, Ocala, Florida, 34475 (352) 671-5800.

Honorable Brian D. Lambert, Fifth District Court of Appeal, 300 South Beach Street, Daytona, Florida, 32114, (386) 947-1530.

Pastor Kevin Kite, 5527 Challenger Drive, Mississauga, Ontario, L5MOG9, (416) 907-5665.

Janine Nixon, Assistant State Attorney, 110 NW 1st Avenue, Suite 5000, Ocala, Florida, 34475, (352) 671-5800

Gabriel Hamlett, Esquire, General Counsel, Campus Credit Union, P.O. Box 147029, Gainesville, FL, 32614, (352) 335-9090.

Susan Sullivan, Esquire, 4129 County Road 106, Oxford, FL, 34484, (352) 689-0045.

Jose Cortes, Esquire, 4 SE Broadway Street, Ocala, Florida, 34471, (352) 732-7218.

Dr. Jeffrey Bates, 4074 SW 47th Court, Ocala, Florida, 34474, (409) 673-4685.

CERTIFICATE

I have read the foregoing questions carefully and have answered them truthfully, fully and completely. I hereby waive notice by and authorize The Florida Bar or any of its committees, educational and other institutions, the Judicial Qualifications Commission, the Florida Board of Bar Examiners or any judicial or professional disciplinary or supervisory body or commission, any references furnished by me, employers, business and professional associates, all governmental agencies and instrumentalities and all consumer and credit reporting agencies to release to the respective Judicial Nominating Commission and Office of the Governor any information, files, records or credit reports requested by the commission in connection with any consideration of me as possible nominee for appointment to judicial office. Information relating to any Florida Bar disciplinary proceedings is to be made available in accordance with Rule 3-7.1(l), Rules Regulating The Florida Bar. I recognize and agree that, pursuant to the Florida Constitution and the Uniform Rules of this commission, the contents of this questionnaire and other information received from or concerning me, and all interviews and proceedings of the commission, except for deliberations by the commission, shall be open to the public.

Further, I stipulate I have read, and understand the requirements of the Florida Code of Judicial Conduct.

Dated this 27 day of September, 2015.

Jennifer Lester Bass

Printed Name

Jennifer Lester Bass

Signature

(Pursuant to Section 119.071(4)(d)(1), F.S.), . . . The home addresses and telephone numbers of justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the home addresses, telephone numbers, and places of employment of the spouses and children of justices and judges; and the names and locations of schools and day care facilities attended by the children of justices and judges are exempt from the provisions of subsection (1), dealing with public records.

FINANCIAL HISTORY

1. State the amount of gross income you have earned, or losses you have incurred (before deducting expenses and taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

Current year to date	53,584.67		
List Last 3 years	77,034.69	71,197.89	63,577.97

2. State the amount of net income you have earned, or losses you have incurred (after deducting expenses but not taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

Current year to date	53,584.67		
List Last 3 years	77,034.69	71,197.89	63,577.97

3. State the gross amount of income or losses incurred (before deducting expenses or taxes) you have earned in the preceding three years on a year by year basis from all sources other than the practice of law, and generally describe the source of such income or losses.

	4825.00		
	(residential rental		
Current year to date	property)		
	7000.00	5475.00	
	(residential	(residential rental	6600.00 (residential
List Last 3 years	rental property)	property)	rental property)

4. State the amount of net income you have earned or losses incurred (after deducting expenses) from all sources other than the practice of law for the preceding three-year period on a year by year basis, and generally describe the sources of such income or losses.

	1561.00		
	(residential rental		
Current year to date	property)		
	288.00	-1803.00	
	(residential	(residential rental	1168.00 (residential
List Last 3 years	rental property)	property)	rental property)

**FORM 6
FULL AND PUBLIC
DISCLOSURE OF
FINANCIAL INTEREST**

PART A – NET WORTH

Please enter the value of your net worth as of December 31 or a more current date. [Note: Net worth is not calculated by subtracting your *reported* liabilities from your *reported* assets, so please see the instructions on page 3.]

My net worth as of September 27, 2015 was \$-27,141.80.

PART B - ASSETS

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds \$1,000. This category includes any of the following, if not held for investment purposes; jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use.

The aggregate value of my household goods and personal effects (described above) is \$ 49,685.00

ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)

VALUE OF ASSET

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)	VALUE OF ASSET
2012 Honda Odyssey motor vehicle	28,128
2012 Honda Ridgeline motor vehicle	25,233
Home, 5018 SE 10 th Place, Ocala, Florida, 34471	398,351
Home, 3365 SE 2 nd Avenue, Ocala, Florida, 34471	176,400
Savings Account, Campus Credit Union, 3097 SW College Road, Ocala, FL 34474	19,625.18
Savings Account, Campus Credit Union, 3097 SW College Road, Ocala, FL, 34474	1,865.69
Checking Account, Campus Credit Union, 3097 SW College Road, Ocala, FL, 34474	4721.45

PART C - LIABILITIES

LIABILITIES IN EXCESS OF \$1,000 (See instructions on page 4):

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY
Automobile loan, Campus Credit Union, 3097 SW College Road, Ocala, Florida, 34474	18,364.33
Automobile loan, Campus Credit Union, 3097 SW College Road, Ocala, Florida, 34474	18,991.92
Mortgage on 5018 SE 10 th Place, Ocala, Florida, 34471, Nationstar Mortgage P.O. Box 60516, City of Industry, CA 91716-0516 (Jennifer and Brandon Bass)	278,560.80
Home Equity Mortgage, 5018 SE 10 th Place, Ocala, Florida, 34471, TD Bank, P.O. Box 8400, Lewiston, ME, 04243-8400 (Jennifer and Brandon Bass)	84,510.00
Mortgage, 3365 SE 2 nd Avenue, Ocala, Florida, 34471, Wells Fargo Home Mortgage, P.O. Box 660455, Dallas, TX, 75266-0455 (Jennifer and Brandon)	80,671.94

Bass)	
Home Equity Mortgage, 3365 SE 2 nd Avenue, Ocala, Florida 34471, Regions Bank, P.O. Box 1984, Birmingham, AL 35201 (Jennifer and Brandon Bass)	98,150.46
Capitol City Bank, P.O. Box 900, Tallahassee, Florida (Jennifer Bass, Brandon Bass, Cindy Bass)	152,001.67

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE: NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY
Capitol City Bank, P.O. Box 900, Tallahassee, Florida (Jennifer Bass, Brandon Bass, Cindy Bass)	304,003.34

PART D - INCOME

You may ***EITHER*** (1) file a complete copy of your latest federal income tax return, *including all W2's, schedules, and attachments*, ***OR*** (2) file a sworn statement identifying each separate source and amount of income which exceeds \$1,000 including secondary sources of income, by completing the remainder of Part D, below.

- I elect to file a copy of my latest federal income tax return and all W2's, schedules, and attachments.
(if you check this box and attach a copy of your latest tax return, you need not complete the remainder of Part D.)

PRIMARY SOURCE OF INCOME (See instructions on page 5):

NAME OF SOURCE OF INCOME EXCEEDING \$1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT
State of Florida-State Attorney's Office Fifth Judicial Circuit for tax year 2014	110 NW 1 st Avenue, Suite 5000, Ocala, Florida, 34475	77,034.69
Residential rental property for tax year 2014	3365 SE 2 nd Avenue, Ocala, Florida, 34471	7000.00

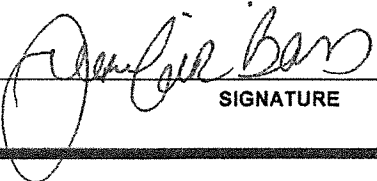
SECONDARY SOURCES OF INCOME [Major customers, clients, etc., of businesses owned by reporting person—see instructions on page 6]

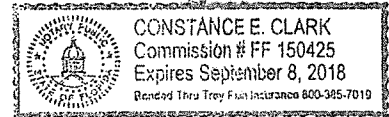
NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSIENSS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

PART E – INTERESTS IN SPECIFIC BUSINESS [Instructions on page 7]

	BUSINESS ENTITY #1	BUSINESS ENTITY #2	BUSINESS ENTITY #3
NAME OF BUSINESS ENTITTY			
ADDRESS OF BUSINESS ENTITY			
PRINCIPAL BUSINESS ACTIVITY			
POSITION HELD WITH ENTITY			
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS			
NATURE OF MY OWNERSHIP INTEREST			

IF ANY OF PARTS A THROUGH E ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE

<p style="text-align: center;">OATH</p> <p>I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.</p>	<p>STATE OF FLORIDA COUNTY OF <u>Marion</u> Sworn to (or affirmed) and subscribed before me this <u>28</u> day of <u>Sept</u>, 20<u>15</u> by _____</p>
<p style="text-align: center;"> SIGNATURE</p>	<p style="text-align: center;"><u>Constance E. Clark</u> (Signature of Notary Public—State of Florida)</p>
<p style="text-align: center;"><u>Constance E. Clark</u> (Print, Type, or Stamp Commissioned Name of Notary Public)</p>	<p>Personally Known <input checked="" type="checkbox"/> OR Produced Identification _____</p> <p>Type of Identification Produced _____</p>



INSTRUCTIONS FOR COMPLETING FORM 6:

PUBLIC RECORD: The disclosure form and everything attached to it is a public record. Your Social Security Number is not required and you should redact it from any documents you file. If you are an active or former officer or employee listed in Section 119.071(4)(d), F.S., whose home address is exempt from disclosure, the Commission is required to maintain the confidentiality of your home address if you submit a written request for confidentiality.

PART A – NET WORTH

Report your net worth as of December 31 or a more current date, and list that date. This should be the same date used to value your assets and liabilities. In order to determine your net worth, you will need to total the value of all your assets and subtract the amount of all of your liabilities. Simply subtracting the liabilities reported in Part C from the assets reported in Part B will not result in an accurate net worth figure in most cases.

To total the value of your assets, add:

- form;
- (1) The aggregate value of household goods and personal effects, as reported in Part B of this form;
 - (2) The value of all assets worth over \$1,000, as reported in Part B; and
 - (3) The total value of any assets worth less than \$1,000 that were not reported or included in the category of "household goods and personal effects."

To total the amount of your liabilities, add:

- (1) The total amount of each liability you reported in Part C of this form, except for any amounts listed in the "joint and several liabilities not reported above" portion; and,
- (2) The total amount of unreported liabilities (including those under \$1,000, credit card and retail installment accounts, and taxes owed).

PART B – ASSETS WORTH MORE THAN \$1,000

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

The value of your household goods and personal effects may be aggregated and reported as a lump sum, if their aggregate value exceeds \$1,000. The types of assets that can be reported in this manner are described on the form.

ASSETS INDIVIDUALLY VALUED AT MORE THAN \$1,000:

Provide a description of each asset you had on the reporting date chosen for your net worth (Part A), that was worth more than \$1,000 and that is not included as household goods and personal effects, and list its value. Assets include: interests in real property; tangible and intangible personal property, such as cash, stocks, bonds, certificates of deposit, interests in partnerships, beneficial interest in a trust, promissory notes owed to you, accounts received by you, bank accounts, assets held in IRAs, Deferred Retirement Option Accounts, and Florida Prepaid College Plan accounts. You are not required to disclose assets owned solely by your spouse.

How to Identify or Describe the Asset:

- Real property: Identify by providing the street address of the property. If the property has no street address, identify by describing the property's location in a manner sufficient to enable a member of the public to ascertain its location without resorting to any other source of information.

- Intangible property: Identify the type of property and the business entity or person to which or to whom it relates. Do not list simply "stocks and bonds" or "bank accounts." For example, list "Stock (Williams Construction Co.)," "Bonds (Southern Water and Gas)," "Bank accounts (First

National Bank), "Smith family trust," Promissory note and mortgage (owed by John and Jane Doe)."

How to Value Assets:

- Value each asset by its fair market value on the date used in Part A for your net worth.
- Jointly held assets: If you hold real or personal property jointly with another person, your interest equals your legal percentage of ownership in the property. However, assets that are held as tenants by the entirety or jointly with right of survivorship must be reported at 100% of their value.
- Partnerships: You are deemed to own an interest in a partnership which corresponds to your interest in the equity of that partnership.
- Trusts: You are deemed to own an interest in a trust which corresponds to your percentage interest in the trust corpus.
- Real property may be valued at its market value for tax purposes, unless a more accurate appraisal of its fair market value is available.
- Marketable securities which are widely traded and whose prices are generally available should be valued based upon the closing price on the valuation date.
- Accounts, notes, and loans receivable: Value at fair market value, which generally is the amount you reasonably expect to collect.
- Closely-held businesses: Use any method of valuation which in your judgment most closely approximates fair market value, such as book value, reproduction value, liquidation value, capitalized earnings value, capitalized cash flow value, or value established by "buy-out" agreements. It is suggested that the method of valuation chosen be indicated in a footnote on the form.
- Life insurance: Use cash surrender value less loans against the policy, plus accumulated dividends.

PART C—LIABILITIES

LIABILITIES IN EXCESS OF \$1,000:

List the name and address of each creditor to whom you were indebted on the reporting date chosen for your net worth (Part A) in an amount that exceeded \$1,000 and list the amount of the liability. Liabilities include: accounts payable; notes payable; interest payable; debts or obligations to governmental entities other than taxes (except when the taxes have been reduced to a judgment); and judgments against you. You are not required to disclose liabilities owned *solely* by your spouse.

You do not have to list on the form any of the following: credit card and retail installment accounts, taxes owed unless the taxes have been reduced to a judgment), indebtedness on a life insurance policy owned to the company of issuance, or contingent liabilities. A "contingent liability" is one that will become an actual liability only when one or more future events occur or fail to occur, such as where you are liable only as a partner (without personal liability) for partnership debts, or where you are liable only as a guarantor, surety, or endorser on a promissory note. If you are a "co-maker" on a note and have signed as being jointly liable or jointly and severally liable, then this is not a contingent liability.

How to Determine the Amount of a Liability:

- Generally, the amount of the liability is the face amount of the debt.
- If you are the only person obligated to satisfy a liability, 100% of the liability should be listed.

— If you are jointly and severally liable with another person or entity, which often is the case where more than one person is liable on a promissory note, you should report here only the portion of the liability that corresponds to your percentage of liability. *However*, if you are jointly and severally liable for a debt relating to property you own with one or more others as tenants by the entirety or jointly, with right of survivorship, report 100% of the total amount owed.

— If you are only jointly (not jointly and severally) liable with another person or entity, your share of the liability should be determined in the same way as you determined your share of jointly held assets.

Examples:

— You owe \$10,000 to a bank for student loans, \$5,000 for credit card debts, and \$60,000 with your spouse to a saving and loan for the mortgage on the home you own with your spouse. You must report the name and address of the bank (\$10,000 being the amount of that liability) and the name and address of the savings and loan (\$60,000 being the amount of this liability). The credit cards debts need not be reported.

— You and your 50% business partner have a \$100,000 business loan from a bank and you both are jointly and severally liable. Report the name and address of the bank and \$50,000 as the amount of the liability. If your liability for the loan is only as a partner, without personal liability, then the loan would be a contingent liability.

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

List in this part of the form the amount of each debt, for which you were jointly and severally liable, that is not reported in the "Liabilities in Excess of \$1,000" part of the form. Example: You and your 50% business partner have a \$100,000 business loan from a bank and you both are jointly and severally liable. Report the name and address of the bank and \$50,000 as the amount of the liability, as you reported the other 50% of the debt earlier.

PART D – INCOME

As noted on the form, you have the option of either filing a copy of your latest federal income tax return, including all schedules, W2's and attachments, with Form 6, or completing Part D of the form. If you do not attach your tax return, you must complete Part D.

PRIMARY SOURCES OF INCOME:

List the name of each source of income that provided you with more than \$1,000 of income during the year, the address of that source, and the amount of income received from that source. The income of your spouse need not be disclosed; however, if there is a joint income to you and your spouse from property you own jointly (such as interest or dividends from a bank account or stocks), you should include all of that income.

"Income" means the same as "gross income" for federal income tax purposes, even if the income is not actually taxable, such as interest on tax-free bonds. Examples of income include: compensation for services, gross income from business, gains from property dealings, interest, rents, dividends, pensions, IRA distributions, distributive share of partnership gross income, and alimony, but not child support. Where income is derived from a business activity you should report that income to you, as calculated for income tax purposes, rather than the income to the business.

Examples:

— If you owned stock in and were employed by a corporation and received more than \$1,000 of income (salary, commissions, dividends, etc.) from the company, you should list the name of the company, its address, and the total amount of income received from it.

— If you were a partner in a law firm and your distributive share of partnership gross income exceeded \$1,000, you should list the name of the firm, its address, and the amount of your distributive share.

— If you received dividend or interest income from investments in stocks and bonds, list only each individual company from which you received more than \$1,000. Do not aggregate income from all of these investments.

— If more than \$1,000 of income was gained from the sale of property, then you should list as a source of income the name of the purchaser, the purchaser's address, and the amount of gain from the sale. If the purchaser's identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income should be listed simply as "sale of (name of company) stock," for example.

— If more than \$1,000 of your income was in the form of interest from one particular financial institution (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and the amount of income from that institution.

SECONDARY SOURCE OF INCOME:

This part is intended to require the disclosure of major customers, clients, and other sources of income to businesses in which you own an interest. It is not for reporting income from second jobs. That kind of income should be reported as a "Primary Source of Income." You will **not** have anything to report **unless**:

(1) You owned (either directly or indirectly in the form of an equitable or beneficial interest) during the disclosure period, more than 5% of the total assets or capital stock of a business entity (a corporation, partnership, limited partnership, LLC, proprietorship, joint venture, trust, firm, etc., doing business in Florida); and

(2) You received more than \$1,000 in gross income from that business entity during the period.

If your ownership and gross income exceeded the two thresholds listed above, then for that business entity you must list every source of income to the business entity which exceeded 10% of the business entity's gross income (computed on the basis of the business entity's more recently completed fiscal year), the source's address, the source's principal business activity, and the name of the business entity in which you owned an interest. You do not have to list the amount of income the business derived from that major source of income.

Examples:

— You are the sole proprietor of a dry cleaning business, from which you received more than \$1,000 in gross income last year. If only one customer, a uniform rental company, provided more than 10% of your dry cleaning business, you must list the name of your business, the name of the uniform rental company, its address, and its principal business activity (uniform rentals).

— You are a 20% partner in a partnership that owns a shopping mall and your gross partnership income exceeded \$1,000. You should list the name of the partnership, the name of each tenant of the mall that provided more than 10% of the partnership's gross income, the tenant's address and principal business activity.

PART E – INTERESTS IN SPECIFIED BUSINESS

The types of businesses covered in this section include: state and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies; mortgage companies, credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies; utility companies; and entities controlled by the Public Service Commission; and entities granted a franchise to operate by either a city or a county government.

You are required to make this disclosure if you own or owned (either directly or indirectly in the form of an equitable or beneficial interest) at any time during the disclosure period, more than 5% of the total assets or capital stock of one of the types of business entities listed above. You also must complete this part of the form for each of these types of business for which you are, or were at any time during the year an officer, director, partner, proprietor, or agent (other than a resident agent solely for service of process).

If you have or held such a position or ownership interest in one of these types of businesses, list: the name of the business, its address and principal business activity, and the position held with the business (if any). Also, if you own(ed) more than a 5% interest in the business, as described above, you must indicate that fact and describe the nature of your interest.

JUDICIAL APPLICATION DATA RECORD

The judicial application shall include a separate page asking applicants to identify their race, ethnicity and gender. Completion of this page shall be optional, and the page shall include an explanation that the information is requested for data collection purposes in order to assess and promote diversity in the judiciary. The chair of the Commission shall forward all such completed pages, along with the names of the nominees to the JNC Coordinator in the Governor's Office (pursuant to JNC Uniform Rule of Procedure).

(Please Type or Print)

Date: 09/27/2015

JNC Submitting To: Fifth Judicial Circuit Nomination Commission

Name (please print): Jennifer Lester Bass

Current Occupation: Assistant State Attorney

Telephone Number: (352) 427-8073 Attorney No.: 0193331

Gender (check one): Male Female

Ethnic Origin (check one): White, non Hispanic
 Hispanic
 Black
 American Indian/Alaskan Native
 Asian/Pacific Islander

County of Residence: Marion

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

**DISCLOSURE PURSUANT TO THE
FAIR CREDIT REPORTING ACT (FCRA)**

The Florida Department of Law Enforcement (FDLE) may obtain one or more consumer reports, including but not limited to credit reports, about you, for employment purposes as defined by the Fair Credit Reporting Act, including for determinations related to initial employment, reassignment, promotion, or other employment-related actions.

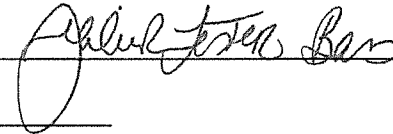
**CONSUMER'S AUTHORIZATION FOR FDLE
TO OBTAIN CONSUMER REPORT(S)**

I have read and understand the above Disclosure. I authorize the Florida Department of Law Enforcement (FDLE) to obtain one or more consumer reports on me, for employment purposes, as described in the above Disclosure.

Printed Name of
Applicant:

Jennifer Lester Bass

Signature of Applicant:



Date: 09/27/2015

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT IN AND FOR
MARION COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO: 2012-CF-003625-ABC-Y

vs.

GANTRY LOUIS BELVIN (A)
WILLIE LEE LEWIS (B)
HARRY GREGG (C)
Defendants.

_____ /

**MOTION IN LIMINE TO DETERMINE ADMISSIBILITY OF INTERCEPTED
TELEPHONE CALLS AND FOR JURY
TO USE TRANSCRIPTS OF CALLS**

COMES NOW, the State of Florida, by and through the undersigned Assistant State Attorney and moves this Honorable Court to enter an Order allowing the State of Florida to present the relevant, properly authenticated intercepted telephone calls into evidence, as well as, the transcripts of all telephone calls introduced into evidence in the above styled cause. As grounds in support of this motion, the State of Florida provides the following:

FACTS

During the course of the investigation, law enforcement lawfully intercepted telephone calls made by Defendants Gantry Belvin and Willie Lewis. Agent Matthew Sams and Agent Anthony Vizzini of the Ocala Police Department's Uniform Drug Enforcement Strike Team, listened to these telephone calls and transcripts have been prepared of each telephone call. These

telephone calls are relevant for the prosecution of the trafficking in cocaine offense. At the time of this motion, the telephone calls and transcripts have been provided to Defendants Belvin and Lewis through counsel consistent with the discovery rules.

Agents Vizzini and Sams have listened to all of the telephone calls that are sought to be introduced into evidence. Agent Sams monitored many of the calls live as they were occurring in real time. Agents Vizzini and Sams have also personally spoken with each of the persons represented to be speakers on each call and can recognize their voices. Additionally, based upon the circumstances surrounding each call, the statements and telephone numbers associated with each telephone call, corresponding surveillance evidence and traffic stops, as well as, other circumstantial evidence, Agents Vizzini and Sams will testify as to the identity of each of the speakers on the calls.

Evidence offered by the State of Florida would include testimony from drug agents who conducted surveillance of the Defendants and were monitoring their telephone calls. Agents observed Defendant Lewis outside of his residence on his telephone. Simultaneously, agents monitoring the wire, heard Defendant Lewis place a call to Defendant Belvin indicating that

he was on his way to meet Belvin in Dunnellon, Marion County, Florida. Defendants Belvin and Lewis agreed, through a series of coded telephone calls, to conduct a cocaine transaction. Defendant Lewis left his residence and traveled to Dunnellon to meet with Defendant Belvin. Defendant Belvin also left his residence at 20698 Walnut Street, Dunnellon, Florida and traveled to the area of Chatmire, a small residential community outside of Dunnellon. Once Belvin arrived at the Chatmire neighborhood, surveillance units saw him leave again, returning to his residence and then quickly returned to the Chatmire neighborhood. A short time later, surveillance agents observed Defendant Lewis leave the Chatmire neighborhood in a silver Chevrolet Monte Carlo. Law enforcement agents conducted a traffic stop on the Chevrolet Monte Carlo and Defendant Lewis was the driver of the vehicle. Co-defendant Harry Gregg was also a passenger in the vehicle and a trafficking amount of cocaine was located on his person.

The aforementioned evidence is proof that the persons involved in the telephone calls were, in fact, Defendants Belvin and Lewis. Because of this evidence, the agents are capable of authenticating the identities of the persons involved in each telephone call that the State of Florida seeks to introduce.

Assuming proper authentication and relevancy of the telephone calls is established to allow the calls to be admitted into evidence, the State of Florida would seek admission of the calls into evidence by the Court. If admission is granted, the State of Florida would then seek to publish the telephone calls in conjunction with presenting the transcripts to the jury. The transcripts would not be entered into evidence, nor would they be given to the jury during deliberations.

ARGUMENT

Before telephone conversations or other evidence of oral communications are admissible the evidence must show the identity of the person who was speaking. See Hernandez v. State, 919 So.2d 707, 710 (Fla. 5th DCA 2006). "In Florida, a communication may be authenticated by testimony that the witness recognizes a person's voice." See C. Ehrhardt, Florida Evidence §901.6 (2012 Edition). Ehrhardt wrote, "A foundation for this authentication must be laid by showing that the circumstances that gave rise to the witness's familiarity with the voice are sufficient to allow the identification to be admitted into evidence." See C. Ehrhardt, Florida Evidence §901.6(2012 Edition); See Dawson v. State, 750 So.2d 728 (Fla. 3d DCA 2000); Weinshenker v. State, 223 So.2d 561 (Fla. 3d DCA 1969). Furthermore, "The familiarity with the voice can be acquired

before, during, or after the particular speaking which is the subject of the identification." See C. Ehrhardt, Florida Evidence §901.6 (2012 Edition).

In Justus v. State, 438 So.2d 358, 365 (Fla. 1983), the court explained, "In determining whether the evidence submitted is sufficient [to support a finding that the matter in question is what the proponent claims], the trial judge must evaluate each instance on its own merits, there being no specific list of requirements for such a determination. Unless clearly erroneous, the trial court's determination will be sustained." In the instant case, Agents Vizzini and Sams have heard the individuals on the telephone recordings, specifically Defendant Belvin and Defendant Lewis, speak in person and can identify their voices.

Telephone calls and voice identification can also be authenticated through the use of circumstantial evidence. In Zeigler v. State, 402 So.2d 365 (Fla. 1981) the court explained,

"The admissibility of [the telephone] conversations [are] governed by the same rules of evidence concerning face to face conversations except that the party against whom the conversations are sought to be used must be identified. Although [the witness] did not positively testify that the person with whom he spoke was [the] defendant, other facts and circumstances provided the basis for the conclusion that defendant was the person with whom [he] spoke. Circumstances both preceding and following the conversation sufficiently identified the caller as [the] defendant. The completeness of the identification went to the weight of

the evidence rather than to its admissibility.” Id. at 374.

In the instant case, there are numerous types of circumstantial evidence to further determine the identity of the speakers. Surveillance information, cell tower information, global positioning system [GPS] tracker information and facts and circumstances mentioned in the calls further identify the speakers. Additionally, once a speaker is identified based on these circumstantial pieces of evidence, a familiarity with the person’s voice is developed which then authenticates other telephone calls.

The Florida Supreme Court in Martinez v. State, 761 So.2d 1074 (Fla. 2000) has allowed for the use of transcripts to assist the jury in understanding the contents of an audio recording. One of the prerequisites to allowing such a procedure is that the State must present evidence, in the absence of a stipulation as to the transcript’s accuracy, that the transcripts are an accurate reflection of what is contained on the audio recording by a person with knowledge of the recording. Id. at 1085. It is also clear that the transcripts merely serve as an aid to the jury and cannot be introduced into evidence and cannot accompany the jury to deliberations. Id. Because Agents Vizzini and Sams have personally listened to the

audio recordings made in this case and have compared those recordings to the transcripts sought to be used to verify their accuracy, the prerequisites for the use of the transcripts will be able to be met by the State of Florida at trial.

WHEREFORE, the State of Florida respectfully requests this Court to enter an Order granting the State of Florida's Motion in Limine and allow the telephone calls to be introduced into evidence and to allow the jury to have transcripts of the telephone calls during the publication of the recorded calls.

Dated this 12th day of August, 2013.

Jennifer Bass

Jennifer Bass
Assistant State Attorney
Florida Bar No.: 0193331
110 N.W 1st Avenue, Suite 5000
Ocala, FL 34475
(352) 671-5866

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to Nick Zissimopoulos, Esq., 11 SE 2nd Avenue, Gainesville, Florida, 326011, Leonard Klatt, Esq., 7753 SW SR 200, Ocala, FL, 34476 and Jack Nugent, Esq., 1701 NE 42nd Avenue, Suite 301, 34470 this 12th day of August, 2013.

Jennifer Bass

Jennifer Bass
Assistant State Attorney

*Are Prosecutors Being Equipped to Handle the Pressures of Their
Calling? The Realities of the Profession: Stress, Vicarious Exposure,
Satisfaction*

Jennifer Bass

Assistant State Attorney

State Attorney's Office-Fifth Judicial Circuit

Senior Leadership Program

Class 18

October 2015

Abstract

The purpose of this study was to assess whether prosecutors experience high stress levels and/or vicarious trauma from their position, and, if so, to raise awareness amongst prosecutors and their employers to the stressful and emotional realities of the profession. One hundred and fifty one (151) prosecutors were surveyed. The data illustrates that prosecutors, regardless of age, gender, race, or length of career, experience stress and have been exposed to trauma throughout their career. The research reveals a need for prosecutors to be educated, continually trained, and equipped to manage the effects of stress and exposure to trauma from their chosen profession.

Introduction

In recent years, many articles have addressed the level of stress prevalent in the practice of law, and the increasing incidence of stress-related illnesses affecting lawyers' physical, mental, and emotional health (Norris & Deeley, 2014). A significant amount of research discusses the level of stress that lawyering causes. Similarly, there is ample data that describes the frequent and ongoing stress law enforcement officers' experience. Not unlike lawyers, these inherent stressors lead to psychological problems, marital or familial problems, mental health disorders, substance abuse, and even suicides.

Surprisingly, very little research and literature discusses the unique stressors prosecutors find themselves under. Pursuant to Florida Statutes, the prosecutor is a hybrid of sorts, combining the roles and responsibilities of lawyer and law enforcement

officer representing both one client and upholding justice for all. What happens when you combine the roles of two high stress professions into one job?

The purpose of this study is to determine the level of stress prosecutors are under and to raise awareness both individually and organizationally to the stressful and emotional realities of the profession. The study will further examine the emotional toll on the prosecutor and explore whether the prosecutor experiences trauma by being vicariously exposed to victim experiences. The research will attempt to determine if organizations and individuals recognize this burden and if a greater emphasis should be made in the area of training and support for the prosecutor. Are the prosecutors being equipped to handle the pressures of their calling?

Literature Review

Lawyers are killing themselves. The Centers for Disease Control and Prevention recently reported data on suicide deaths by profession, reporting that lawyers ranked fourth when compared to suicides in all other occupations (Flores & Arce, 2014). Lawyers are more prone to stress, depression, and alcohol problems than other professionals. "Lawyers are 3.6 times more likely to suffer from depression than non-lawyers..." (MacLeish, 2008) and depression is the most likely trigger for suicide. Depression and suicide of lawyers can be fueled by the stress of the job (Flores & Arce, 2014).

The primary conditions affecting the health of lawyers are substance abuse, depression, and long-term, overwhelming, unmanaged stress (Norris & Deeley, 2014). Norris and Deeley state that the problem is not stress alone but failing to manage the stress (Norris & Deeley, 2014). Importantly, the literature spends a great deal of time

defining stress and describing the effects of stress on the body. Stress is defined as “any interference that disturbs a person’s healthy and mental wellbeing, occurring when the body is required to perform beyond its normal range of capabilities” (Newman, 2004).

Stress produces a physiological response from the body. During a stressful event, the body immediately accesses resources for strength and speed; the brain dulls the body’s sense of pain; thinking, memory, and vision are improved; heart rate and blood pressure rise; oxygen, glucose and adrenaline are increased (Burkett, 2010). Amazingly, the body responds in a physiological way to assist and improve the individual. A lawyer cannot “...prepare for a major trial or close a big deal without experiencing acute stress, and the release of chemicals in the brain in such circumstances may actually enhance...performance through an increase in...emotional arousal, enhancing our physical and mental processing skills” (MacLeish, 2008). Afterwards, the body begins to stabilize and the brain begins to process the stress.

The cumulative effect of the pressures and stress on an individual is significant and can be toxic (Burkett, 2010). Stress can have very negative physical effects, including, but not limited to, “...insomnia; chronic high blood pressure (which may lead to cardiovascular problems); heart disease; headaches; loss of appetite; weight loss or gain; gastrointestinal troubles; racing heartbeat; teeth grinding; increased caffeine, alcohol or tobacco consumption; allergies; skin problems; type 2 diabetes; and lowered resistance to colds and flu” (Norris & Deeley, 2014). Stress has negative emotional symptoms too. Such examples include, “...depression; nightmares; anxiety; mood

swings; heightened irritability; feelings of isolation; withdrawal from interpersonal relationships; and loss of intimacy with loved ones” (Norris & Deeley, 2014).

Stress can have an economic effect on organizations as well. Stress effects the rate of lawyer turnover in an office (which costs the employer), the quality of work that is performed, health care and liability costs, and the morale of the office in general may be diminished. (MacLeish, 2008).

The nature of the profession as problem solvers and the characteristics of the individuals drawn to it, can also contribute to the delay in seeking treatment for mental illness. “The culture of the legal profession, rather than promoting mental health, is fairly unforgiving of those who show the effects of stress” (Norris & Deeley, 2014). Despite the Florida Bar mandating a mental health component to the continuing legal education requirements, lawyers are fearful of reporting or requesting mental health treatment (R. Regulating Fla. Bar 6-10.3). Lawyers may fear the stigma of mental illness and the risk of not meeting the character and fitness requirements by their regulating authority. “The amount of personal and emotional vigilance required to survive and thrive in an environment in which showing fallibility is a weakness is arduous” (Burkett, 2010). However, despite a lawyer’s intellectual ability, character, and strength, mental health disorders can affect anyone. (Burkett, 2010, Flores & Arce, 2014).

Not unlike lawyers in other practice areas, prosecutors encounter stress daily in the performance of their jobs. The prosecutorial pressures are vast and often conflict with one another. The first source of pressure may be internal, from the prosecutor themselves. The prosecutor recognizes that how he or she performs their job can have

lifelong consequences to persons associated with a criminal case. The second source of pressure originates from law enforcement and how the case will be handled in the system. A failure on the part of the prosecutor to handle the relationship with law enforcement can have implications with both agencies in the future. A third source of pressure, express or implied, comes from the victims of crimes. The prosecutor must balance their independent judgment of a case with the natural desire to help the victims. The fourth source of pressure is the court of public opinion which may be based upon inadequate or unreliable facts. A fifth source of pressure on the prosecutor is to ensure that justice is served for each individual Defendant. A sixth source of stress can be the desire for promotion. Stress can be caused by the need for success (in a system where results are sometimes arbitrary) and the need to appear to management to be able to adequately manage stress to be useful and promotable to the organization (Hon, 2012).

An additional source of stress on prosecutors, may stem from being exposed to traumatic experiences or events while performing the job. Prosecutors "...are [repeatedly] visually and emotionally confronted...with victims...who have been injured and traumatized by purposeful violence (Vrklevski & Franklin 2008). From the very beginning of their career, prosecutors are exposed to cases involving violence. As prosecutors demonstrate their abilities and competence, they are promoted to handle even more important and violent cases, such as, the prosecution of child and sexual abuse cases, child pornography, firearm cases, manslaughter, and murder. Prosecutors, "...are exposed to horror in graphic detail..." (Vrklevski & Franklin 2008) through their jobs, by their presence at crime scenes, autopsies, by hearing witness testimony, and viewing photographic and forensic evidence. Prosecutors also have the

weighty task of managing the families of victims, many of whom have experienced a traumatic loss.

As described above, as a part of their daily functions, prosecutors are vicariously subjected to traumatic events. “The term vicarious traumatization was coined by McCann and Pearlman (1990) to describe pervasive changes that occur within clinicians over time as a result of working with clients who have experienced sexual trauma.” (Sorrentino, 2013). “In addition to vicarious traumatization, the syndromes of secondary traumatic stress and burnout have been described as psychological consequences to working with trauma victims...” (Sorrentino, 2013). Vicarious trauma, secondary trauma, and burnout have been studied in emergency workers and clinicians, however, until Levin & Greisberg studied vicarious trauma as it relates to attorneys in 2003, there had been no systematic studies evaluating the issue. (Levin & Greisberg, 2003).

“Secondary traumatic stress” is defined as “the natural consequences and emotions resulting from knowing about a traumatizing event experienced by a significant other” (Levin, 2008) and “burnout” develops gradually due to the accumulation of stress and the erosion of idealism resulting from intensive contact with clients” (Groves, 1978). “Burnout” can manifest itself through “...physical symptoms such as, fatigue, poor sleep and headaches, emotional changes, including anxiety, irritability, depression and hopelessness, and behavioral manifestations including aggression, cynicism, and substance abuse” (Figley, 1995).

Levin & Greisberg suggest that attorneys experience similar psychological syndromes as clinicians working with traumatized victims. “Compared with mental

health providers and social service workers, attorneys surveyed demonstrated significantly higher levels of secondary traumatic stress and burnout” (Levin & Greisberg, 2003). “Attorneys reported higher levels of intrusive recollection of trauma, avoidance reminders of the material, diminished pleasure and interest in activities, and difficulties with sleep, irritability, and concentration as compared to the comparison groups of mental health providers and social service workers (Levin & Greisberg, 2003). Levin & Greisberg noted that higher caseloads of the lawyers and “...a lack of supervision around trauma and its effects” contribute to the higher levels of secondary traumatic stress and burnout. “Both secondary traumatic stress and vicarious trauma degrade the professional’s ability to perform [their] task[s] and affect functioning in daily life beyond the job” (Levin & Greisberg, 2003).

Yet, lawyers are expected to maintain their objectivity and professionalism in their cases. Accordingly, it is necessary to detach emotionally in such circumstances. Considering the frequency that he or she will be called on to execute this transition repeatedly—the data suggests that it is inevitable that one will suffer some damage to the psyche as a result. (Burkett, 2010). “This damage may show itself in the form of cynicism, disillusionment, anger, or depression and can compound stress enormously” (Burkett, 2010).

The aforementioned data focused on lawyers in general. Only one singular study has previously addressed vicarious trauma as it relates to prosecutors specifically. In that study, prosecutors “...reported significantly higher levels of subjective distress and self-reported vicarious trauma, depression, stress, and cognitive changes in relation to safety and intimacy (Vrklevski & Franklin 2008). Despite handling distressing material

and difficult cases, there still may be an element of satisfaction and pride amongst prosecutors in providing assistance to victims and ensuring that justice is done (Vrklevski & Franklin 2008).

Considering the Vrklevski & Franklin study, are the experiences of prosecutors similar to the experiences of other professionals wherein they experience vicarious trauma through their profession? Are they experiencing cumulative traumatic stress which can undermine the physical, mental, and emotional health of an individual over the course of a career? “Cumulative career traumatic stress” is defined as a combination of symptoms sporadically throughout a career as he or she is exposed to a number of traumatic events over a period of years (Marshall, 2006). Cumulative career traumatic stress can cause an individual to experience symptoms of “...intrusive thoughts, emotional numbing, moodiness, anxiety, loss of hope, hyper-vigilance, memory and/or concentration problems, sleeping and/or eating problems, or disconnection from family and friends” (Marshall, 2006). At a minimum, an individual's world view is likely altered.

Are prosecutors who vicariously experience trauma and cumulative stress similarly at risk? Do they even recognize they are at risk? Are prosecutors provided with stress management strategies by their organizations to help them address the repeated exposure to trauma? The purpose of this research is to further explore if stress or vicarious trauma is a factor for prosecutors, and if so, to raise awareness amongst prosecutors and their organizations of the potential need for stress management programs and preventative efforts relating to traumatic stress.

Methods

In order to assess whether prosecutors experience stress, what level of stress, or if they have experienced vicarious trauma from their profession, a twenty question survey was administered to prosecutors in the State Attorney's Office in the Fifth and Eighth Judicial Circuits. The survey was created on SurveyMonkey.com and a link was sent via email to each individual prosecutor in the Fifth Judicial Circuit and to the State Attorney of the Eighth Judicial Circuit who then dispersed the survey to the prosecutors on staff. The number of potential respondents were 151 prosecutors. The survey was sent in June of 2015 with a completion date of June 24, 2015. The survey was administered anonymously to encourage candor in the responses by the respondents.

Although the survey was lengthy, with a total number of 20 questions, the questions were straightforward. The participants were asked to report their age, race, gender, and length of service to compare data and determine possible correlations. The survey provided a comment section to allow the participant to offer additional information, suggestions, or criticisms of the survey. The respondents were a comparatively small number of persons considering that there are 20 Judicial Circuits and approximately 1900 prosecutors throughout the State of Florida. And, this pool of respondents was generally located in the same geographic location of North/Central Florida. Unfortunately, this survey was administered to current prosecutors and does not capture data from lawyers who are no longer employed as prosecutors.

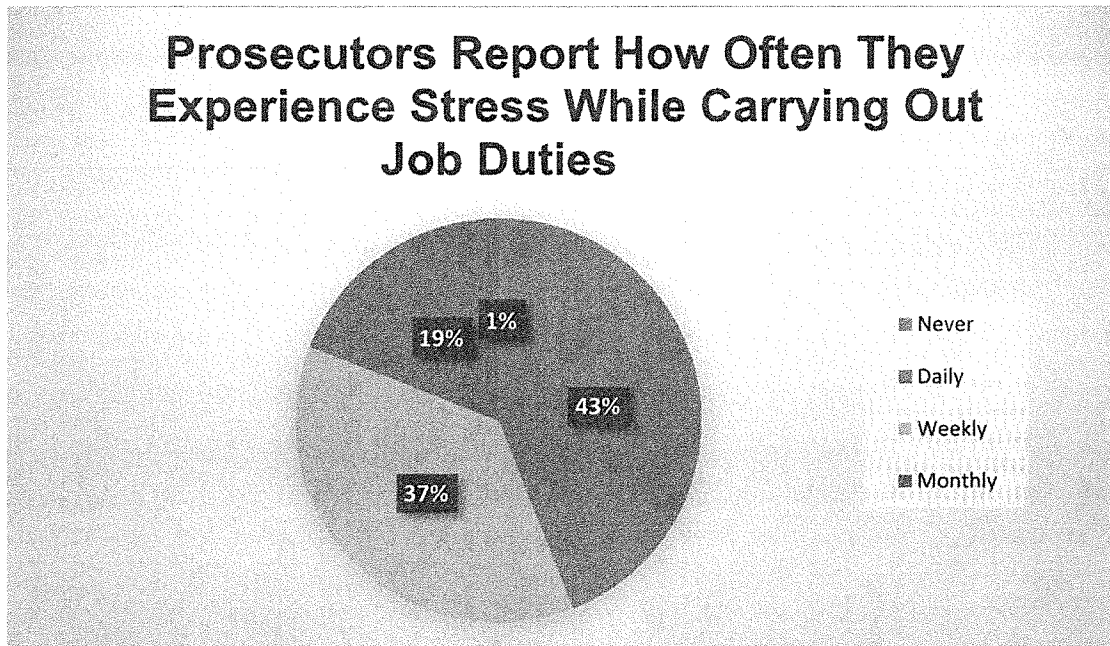
Survey Results

Prosecutors from the State Attorney's Office in the Fifth and Eighth Judicial Circuits participated in the survey, a sample size of 151 prosecutors. 82 prosecutors responded to the survey, a 54% return rate. All percentages have been rounded to the nearest whole number unless otherwise indicated.

The sample population included prosecutors whose length of service ranged from less than one year (12%), to one to five years (37%), to six to ten years (16%) and service of more than ten years at thirty five percent (35%). The survey included responses from female (46%) and male (54%) prosecutors. Prosecutors were asked to choose a race/ethnicity category and those surveyed fell into four categories: Asian/Pacific Islander (5%), Black or African American (5%), Hispanic American (4%), with the largest number of respondents being White/Caucasian at 86%. One respondent elected to not declare a race/ethnicity. The age range of surveyed prosecutors were the following: ages 25 to 34 (51%), ages 35 to 44 (28%), ages 45 to 54 (15%), ages 55 to 64 (5%), with one respondent in the 65 to 74 year old category (1%).

The survey provided valuable insight as to the issue of prosecutorial stress. In question 5, prosecutors were asked to report how often they experience stress.

Table 1



Prosecutors report that they experience stress on a daily (43%), weekly (37%), or monthly (19%) basis. One prosecutor (1%) reportedly never experiences stress.

Prosecutors indicate that they attempt to manage their stress levels through physical exercise (33%), taking time off (27%), doing breathing exercises (4%), or by a combination of activities listed in the survey by the prosecutors under “other”, which included, exercise, taking time off, prayer, relaxation, practicing a positive attitude, talking with or spending time with family, friends, or a spouse, enjoying hobbies or church activities, reading, or watching television (17%). Some respondents (19%) reportedly do nothing to manage their stress levels.

Prosecutors were asked to report their largest source of work related stress and 24% stated the largest source of stress is the salary. Others (28%) indicate that their case load is their largest stress source while 21% experience stress from the nature of their cases. Twenty seven percent (27%) could not name a singular “large” source of

stress but reported that stress came from a combination of areas, such as, salary and case load; nature of the cases; perfectionist personality types; fear of making a mistake; limited hours to properly perform the job functions; pressure for a just or positive outcome on serious cases; the responsibility of supervising others; interactions with defense attorneys; "office issues;" "red tape;" personal safety; and finally, a lack of advanced training for law enforcement officers on serious cases.

Caseload was addressed in question 10 of the survey. Prosecutors were asked if they sometimes felt overwhelmed by their caseloads. A total of 64% of prosecutors reportedly felt overwhelmed by their case load; 24% strongly agreed and 40% simply agreed with the statement. In contrast, 24% of respondents disagree that their caseload is overwhelming (with 20% disagreeing and 4% strongly disagreeing) and 12% did not have an opinion on the matter. Prosecutors were also asked if they experienced pressure to ensure a positive outcome on a case; 28% strongly agreed, 39% agreed, 4% had no opinion, 17% disagreed, and 12% strongly disagreed. Unfortunately, the survey did not ask the prosecutors where the pressure to ensure a positive outcome on a case originates from.

In **Table 2**, a total of 92% of prosecutors report that they are thinking about work while involved in non-work activities; 41% strongly agreed and 51% agreed with that statement. Four percent (4%) of prosecutors disagreed with this statement or had no opinion on the question.

Table 2

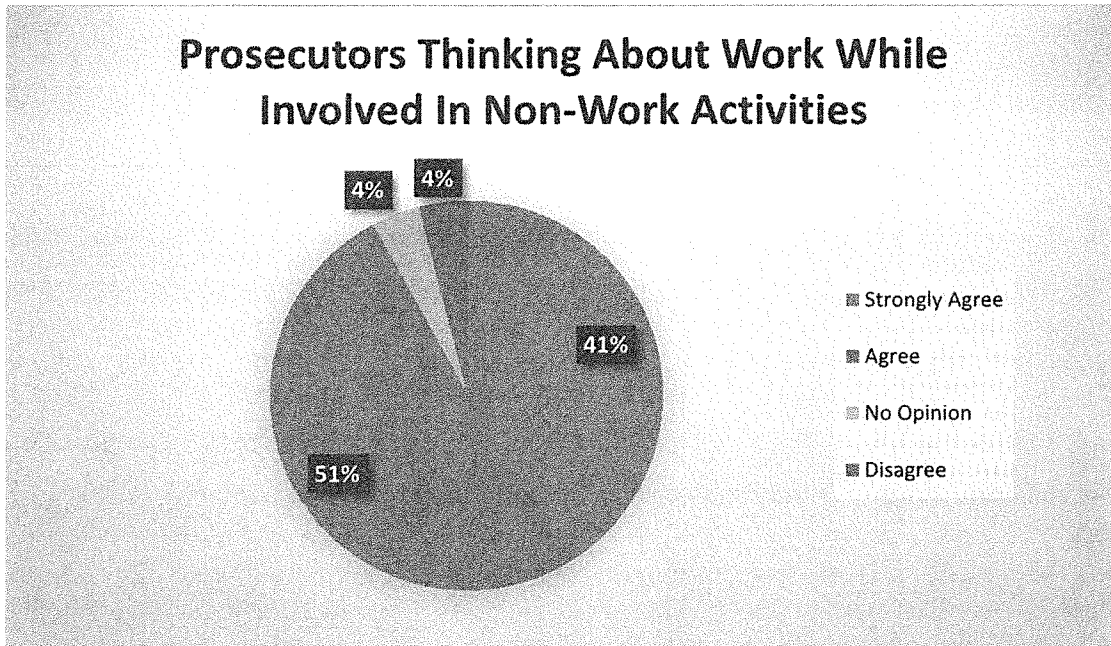
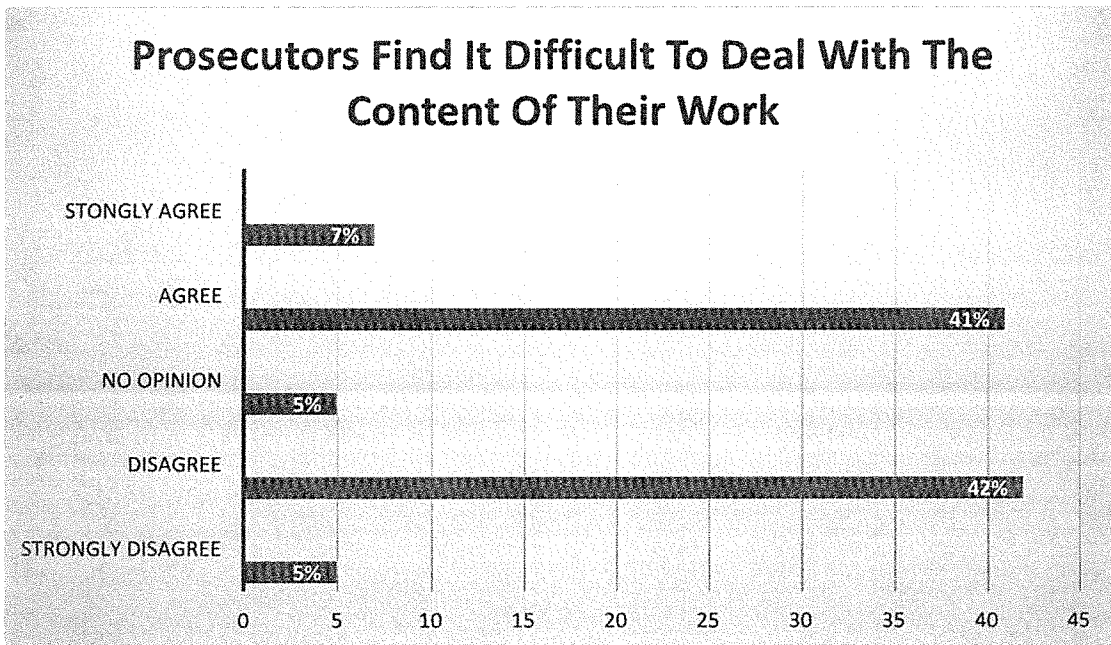


Table 3

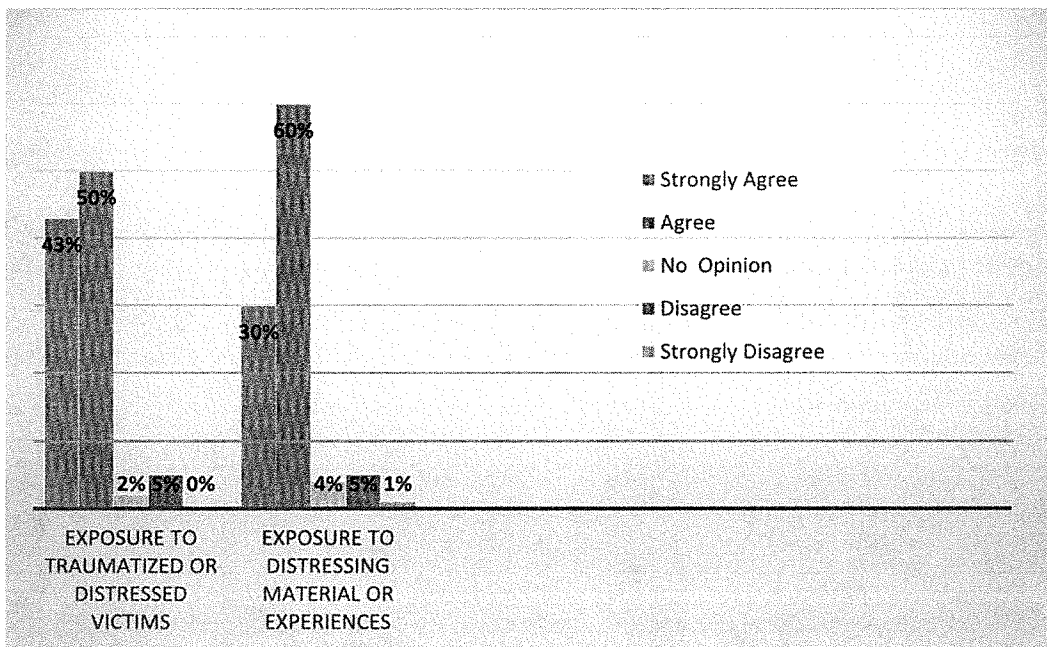


In **Table 3**, 7% of prosecutors strongly agree that they have difficulty dealing with the content of their work (at times) and 41% merely agree with that statement.

Conversely, 47% of prosecutors indicated that they did not have difficulty dealing with the content of their work with 42% strongly disagreeing and 5% simply disagreeing with the question. Meanwhile, 5% had no opinion on the matter and one person did not answer the question.

Table 4

Questions 14 and 15 asked prosecutors whether or not they were exposed to traumatized or distressed victims (#14) or distressing material or experiences (#15).



Ninety three (93) percent of prosecutors strongly agreed (43%) or agreed (50%) that their job involves exposure to distressed or traumatized victims. Five (5) percent of prosecutors disagreed with this statement, whereas, two (2) percent had no opinion. Similarly, ninety (90) percent of prosecutors strongly agreed (30%) or agreed (60%) that their job involves exposure to distressing material or experiences. Five (5) percent of respondents disagreed, four (4) percent had no opinion, and one respondent (1%) strongly disagreed.

Table 5

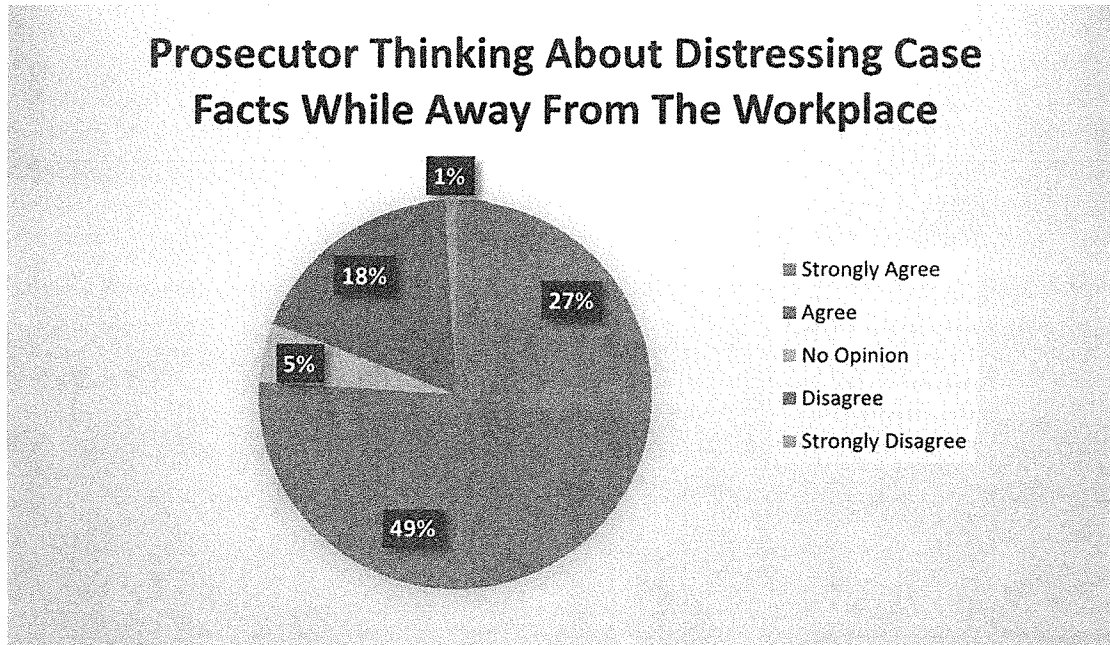
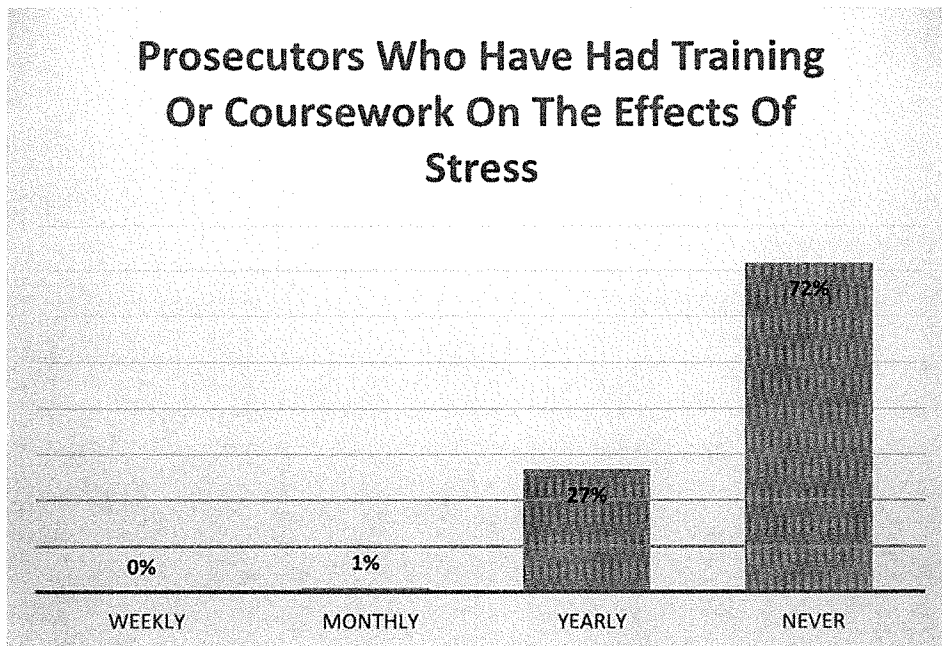


Table 5 demonstrates that 76% of prosecutors agreed or strongly agreed that they think about distressing case facts while away from the workplace, 49% and 27% respectively, while 5% had no opinion, 18% disagreed, and 1% strongly disagreed. 47.6% of prosecutors reported that they were less optimistic given the things that they encounter at work, with respondents strongly agreeing (18.3%) and agreeing (29.3%), however, 13.4% had no opinion, disagreed (26.8%) or strongly disagreed (12.2%) with that statement.

When questioned, prosecutors indicate that they have lost sleep due to their job, either nightly (1%), weekly (17%), monthly (29%), or within the last year (48%). However, 5% reportedly have never lost sleep because of the job. Prosecutors were asked if they had experienced health related symptoms due to stress and 40% of the respondents indicated they had, while 60% of the respondents had not.

Table 6



While 69% of prosecutors indicate that they would be interested in training to manage stress, (strongly agree 17% and agree 52%), 72% of prosecutors report that they have had zero training or course work on the effects of stress. If stress management education or training has occurred for prosecutors, it occurred during law school (20.7%), in the workplace (12.2%), or through self-initiated training (20.7%) or a combination of those three sources (9.8%).

Discussion

Not unlike other specialty areas of lawyering, prosecutors experience high stress levels. This study demonstrates that an overwhelming number of prosecutors (99%) experience stress on a daily, weekly, or monthly basis. As noted earlier, a primary condition affecting the health of lawyers can be long-term, overwhelming, unmanaged stress. Unfortunately, 19% of prosecutors reported that they do nothing at all to attempt

to manage their stress. For trial lawyers who daily handle high volume caseloads in an adversarial system, the cumulative effect of the stress on an individual can be significant and can have personal, professional, and health consequences. This study indicates that 40% of prosecutors have experienced health related symptoms due to the stress of the job. Furthermore, prosecutors are not only experiencing stress related health symptoms, but they also are not sleeping, with 48% reporting lost sleep within the last year.

The major source of prosecutorial stress is still up for debate and could use further research. The respondents were split on what is their major stress source, with salary, caseload, and the nature of the cases accounting for the top three stressors. However, even when prosecutors are not at work, they are thinking about work, with 92% of them thinking about work while involved in non-work activities. Additional research is needed to determine the source of pressure exerted on a prosecutor to ensure a positive outcome on a criminal case.

Overwhelmingly the data also indicates that the nature of their cases expose the prosecutors to traumatized victims, distressing material and experiences. Seventy six (76) percent of prosecutors think about distressing case facts while they are away from the workplace. The data points toward a need to develop educational programs and consistent training regarding the effects of trauma on the prosecutors themselves. Agencies who wish to improve in this area need to openly communicate with their prosecutors about the effect of trauma over the course of a career and provide adequate support and supervision of these lawyers.

Even though prosecutors handle distressing and difficult cases, there still may be an element of satisfaction and pride amongst prosecutors in providing assistance to victims and ensuring that justice is done (Vrklevski & Franklin 2008). Notwithstanding the reported stress and exposure to trauma, the prosecutors in this study resoundingly report a 96% satisfaction rate with their jobs.

Despite a strong desire for training to manage stress (69% of respondents indicated they would be interested in stress management training), a surprisingly large number (72%) of prosecutors have had zero training or course work on the effects of stress. On their own, prosecutors are attempting to manage their stress largely through physical exercise, taking time off, leisure activities, spending time with others or through stress management techniques.

Perhaps a legal employer could offer a program "...that could demonstrate the relationship between stress and mental and physical health and teach lawyers how to cope with the stress and trauma they experience while conveying a message of concern and support that can have a positive influence on employee morale." (MacLeish, 2008). Providing education, strong collegial relationships and support systems, may help offset the stress for an employee but may assist the legal employer as well. Stress effects the rate of lawyer turnover in an office (which has an economic impact on the employer), the quality of work that is performed by prosecutors, health care and liability costs may be incurred, and the morale of the office in general may be diminished. (MacLeish, 2008).

Prosecutors should be reminded and encouraged that ongoing education and support in this area is needed for their personal and professional success. This is

particularly important since this research indicates that approximately half (47.6%) of the prosecutors surveyed already report that they are less optimistic given the things they encounter at work. Legal employers should consider committing to equipping the prosecutors with stress management techniques and assistance for the trauma exposure they encounter. Long term, this will likely benefit the prosecutor, their loved ones, their employer, the community they serve and importantly, the victims of criminal cases.

Recommendations

Prosecutors should be educated about the risks inherent in choosing the profession as well as ways to mitigate the risks through ongoing training and promotion of a healthy work/life balance. Prosecutors and their employers should take a proactive approach to address stress and vicarious trauma amongst prosecutors in an effort to achieve successful, healthy, long term careers in such a challenging profession. Specialized training in stress management and vicarious traumatization will raise awareness and recognition of the challenges of prosecution. Prosecutors need ongoing support and supervision which will allow lawyers to address the effects of stress and continued exposure to trauma.

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