



CHRIS NOCCO, SHERIFF OFFICE OF THE SHERIFF

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August 28, 2020

Kathleen and Neil,

Your most recent memo dated August 24, 2020 contains several concerning issues regarding factual accuracy and the bias demonstrated by the Tampa Bay Times' reporting that the Pasco Sheriff's Office wishes to address.

To begin, the Times attempts to address the individuals currently managing the Pasco Sheriff's Office Intelligence-Led Policing unit in a seemingly disparaging manner. The Pasco Sheriff's Office prides itself on hiring veterans, and will not apologize for hiring the two well-qualified veterans who serve in these roles. Including this information does not further any type of information the Times claims to have received, but rather aims to cast doubt on these individuals personally, which we simply cannot allow. Again, these two individuals are veterans who served their country and are well-qualified for the positions they currently hold at the Pasco Sheriff's Office. While including their former positions certainly points to their qualifications to lead at the Pasco Sheriff's Office, it does not appear to further any point or assertion held by the Times.

In addition, in that same paragraph in the Times' memo, the Times yet again leans on incorrect information from "sources", who are addressed later in this memo. The Times states that "analysts mine police reports, Twitter feeds and Facebook pages, and use facial recognition and bank statements to create reports." Let us be abundantly clear; only police reports, recent releases from the Land O'Lakes Detention Center and gang member information are used to identify prolific offenders. This information has been continually provided to the Times, yet the Times continues to report incorrect information, casting the rest of this reporting in doubt.

Instead, Twitter feeds, Facebook pages, facial recognition (the Pasco Sheriff's Office utilizes the Pinellas County Sheriff's Office FACES program) and bank statements are only used to investigate crimes or locate missing individuals. As a recent example, the Pasco Sheriff's Office utilized social media platforms last week to locate a missing, endangered juvenile in the Wesley Chapel area. The Pasco Sheriff's Office would strongly encourage the Tampa Bay Times to evaluate its sources thoroughly, as well as the information these sources provide, as it continues to be factually inaccurate, evidence of which was continually provided to the Times in these memos and in the responses to your questions.

In addition, as the Times was previously provided, analysts do not add points to any prolific offender. Instead, that is done by the algorithm which is faceless, nameless and removes any and all identifying

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New Port Richey, FL 34654
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7432 Little Road
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36409 State Road 52
Dade City, FL 33525
352-518-5000

District III
11530 Trinity Boulevard
Trinity, FL 34655
727-372-5920

Pasco Detention Center
20101 Central Boulevard
Land O' Lakes, FL 34637
813-996-6982

features of an individual, including age, and only focuses on their criminal history. Again, analysts may manually review these computer-generated lists and exclude individuals from it, based on criteria which was previously provided but, put plainly, at no point do analysts assess additional points to any individual for any reason.

As was previously provided to the Times, district analysts must assign the prolific offender designation for an individual after review of the scores generated through the algorithm. Contrary to what the Times seems to believe, the computer does not assign the tag, and only a handful of the people that meet the scoring criteria are assigned the Prolific Offender tag and that is only after a thorough review by a district analyst that considers the individual's impact on the crime environment in that district. While the Times may think that everybody on the computer generated list gets the Prolific Offender designation that is not the case.

The Times continues to assert that the Pasco Sheriff's Office is "harassing" individuals, yet continues to ignore that their inclusion on these lists in the first place is based on lengthy criminal histories, details of which were previously provided to the Times.

In fact, in the current environment around our country, the Pasco Sheriff's Office is quite proud that we were ahead of the curve and introduced a system nine years ago that avoids any type of perceived bias. Again, to reiterate and as was provided to the Times in numerous responses, the ILP system removes any opportunity for bias by removing descriptive features and focuses strictly on the criminal history of the individual, regardless of their race, gender, creed or any other identifying factors. We are surprised to see a system that is blind to anything but the criminal history of an individual is under attack, instead of being celebrated as an important step forward in our country.

Further, the Times asserts in its latest memo that points are added to people's scores for "violating probation and missing court dates." It is baffling that the Times does not acknowledge that violation of probation and failure to appear are additional criminal charges. These are not merely technical issues but are, in fact, additional criminal charges the individuals have chosen to bring upon themselves. As the Times was provided previously, the ILP system is based on an individual's criminal charges so, naturally, these additional criminal charges would be factored into their prolific offender score in the algorithm.

To continue, the Times also states that "Neither the 2016 nor the 2018 manual describes a criteria for selecting either category of targets" (referring to Top 5 offenders and district targets). The Pasco Sheriff's Office points back to the responses provided to the Times in the memo dated July 31, 2020, which stated:

"We suspect, as well, that this misunderstanding and the fact that the Times constantly includes the Top 5 list and the Prolific Offender list together, despite the fact that the Times has been told in previous answers to questions these are separate programs, leads to a misunderstanding of facts."

Again, the Pasco Sheriff's Office must point out that the Top 5 list and District Targets are completely separate from the Prolific Offender program. The fact the Times continues to not address this and report as if they are the same, casts the remainder of this reporting in doubt, as it represents a basic misunderstanding of the Prolific Offender program.

Regarding Dr. Ratcliffe, the Pasco Sheriff's Office provided the Times with the following response last week:

"Pasco Sheriff's Office Captain Justin Ross also contributed a segment to Dr. Ratcliffe's recent book (originally published July 31, 2018) *Reducing Crime: A Companion for Police Leaders*, along with acknowledgements in that book being given to PSO members Major Jeff Peake, Captain Mike Jenkins and Major Tait Sanborn.

In addition, several of our commanders and analysts attended a January 2020 training of Dr. Ratcliffe's in St. Petersburg."

The Times' assertion that there has been no contact with Dr. Ratcliffe "in years and years" is factually inaccurate, as the Times was already provided, and continuing to report such information as fact is irresponsible and inaccurate.

Further, while the Pasco Sheriff's Office is unaware of the experts with whom the Tampa Bay Times discussed our ILP philosophy, we would again highlight the basic fact that residential burglaries are down over 74% in Pasco County since this process was implemented, and our clearance rate for all crimes is the highest in the area. While the Times makes irresponsible comparisons to major metropolitan cities such as Los Angeles and Chicago, the Pasco Sheriff's Office would challenge the Times to analyze the crime rates in these areas to learn, perhaps, that this type of crime reduction and clearance rate that the Pasco Sheriff's Office has provided to the Times would be well-received in either Chicago or Los Angeles.

In addition, while the Times makes comparisons to major metropolitan cities, such as Los Angeles and Chicago, who have concentrated populations far higher than the entirety of Pasco County, the Pasco Sheriff's Office would challenge the Times to find comparable areas or counties to compare to Pasco. Analysis of a similar population would be far more beneficial to the Times' readership when analyzing statistics such as clearance rates and crime reduction, which the Pasco Sheriff's Office is confident will show the success of the ILP philosophy.

The Times also states that "seven people subjected to these checks told us they received or were threatened with code citations" out of "more than 12,000 prolific offender checks." First and foremost, code issues and quality of life issues are major factors in Pasco County and as such, the Pasco Sheriff's Office would direct you to the Pasco County Board of County Commissioners' creation of the "High Return Enforcement" program. As recently as Friday, August 21st, Pasco County demolished a problematic house in Gulf Highlands due to continued code violations, both by the Pasco Sheriff's Office and County Code Enforcement. To imply that code issues are merely used for "harassment" is inaccurate and, again, shows a fundamental lack of understanding about Pasco County and the issues in

this community. A simple review of any Board of County Commissioners meeting would show the gravity of code complaints in our county, and we are proud of the partnership that we have with Pasco County Code Enforcement to work hand-in-hand to bring resolutions to these issues and improve the quality of life for our citizens.

Again, though code complaints are serious quality of life issues, and more specifically, a major issue in Pasco County, we would note that the Times spoke with seven people out of 12,000 prolific offender checks that complained (.06% of prolific offender checks reviewed by the Times), and suggest that this is a case of selection bias. It is important to note that these are individuals with significant criminal histories, and perhaps there is reason on their behalf to attempt to discredit the Pasco Sheriff's Office, instead of facing their own criminal actions, which has required this reaction from the Pasco Sheriff's Office. Once again, this was also previously provided to the Times.

The same can be said regarding the sources on which the Times is relying: namely former Lt. Chris Starnes, former Cpl. Royce Rogers, and former Capt. James Steffens. As the Times correctly notes, these individuals are plaintiffs in a lawsuit against the Pasco Sheriff's Office and we wholly reject their arguments and have been successful, thus far, in the court proceedings, which remain ongoing. Perhaps the Times is, again, guilty of selection bias in the sources they use, as these sources, who are disgruntled former employees, have reasons to attempt to discredit the Pasco Sheriff's Office with erroneous information, much like those with a lengthy criminal history.

For example, in the Times' memo, former Cpl. Rodgers is quoted as saying that "the teams did not always log prolific offender checks in the official record" which we greatly appreciate the Times bringing to our attention. This is an absolute violation of our policies which is being immediately referred to our Internal Affairs section.

Of course, it should not be surprising based on former Cpl. Rodgers' member activity report, where he has numerous violations of our policies and procedures including insubordination, failure to properly process property and evidence, failure to properly search a vehicle and also failing to properly search an individual and then attempting to blame a less tenured deputy for his own failures, in that regard.

The Pasco Sheriff's Office contends that these failures in following proper policies and procedures are exactly why former Cpl. Rodgers is no longer employed with the agency and, unfortunately, we are not surprised to read in your memo more evidence of his wrongdoing and failure to follow proper policies and procedures. As noted, we will be sending this information to our Internal Affairs Section.

The same can be said for both former Lt. Starnes and former Capt. Steffens. Specifically, as the Sheriff noted in his press conference announcing former Capt. Steffens' resignation, Capt. Steffens failed to properly lead and supervise his district and additionally failed to follow proper policies and procedures when presented with possible criminal actions by a member under his command. Based on the history of a failure to lead, it is not surprising that former Capt. Steffens is alleging policies and procedures were not followed when, as the leader of a district, he was the one tasked with making sure they were, in fact, followed.

These issues are exactly why former Capt. Steffens is no longer with the agency and we appreciate the Times highlighting these facts, and look forward to continuing to defend against frivolous lawsuits and allegations in the proper venue. As the Times itself notes in their memo, there was a serious failure to lead and that is exactly why these members are now former members. Failure to lead and follow processes and procedures is regarded with the utmost seriousness, and often leads to necessary changes, including members being removed from their positions. We stand by our history of holding our members accountable for their actions.

It is disappointing to see that, while the Times continues to rightfully ask for increased transparency and accountability in law enforcement, they in turn utilize and rely on the accounts of those same former, disgruntled members, who were held accountable by an agency, as “reliable sources,” even as they provide false and misleading information to a reporter.

As was previously provided, the Times itself has found that juvenile crime, specifically auto burglary, is a “crisis” and an “epidemic” and urged law enforcement to address these issues. It is baffling, in the face of the Times’ own reporting, to see continued accusations relating to juvenile offenders in the Times’ latest memo.

The Pasco Sheriff’s Office would like to remind the Times that there is no age limit on committing crimes and, again, based on information previously provided to the Times, the ILP system removes factors such as gender, age, race and other identifying information. If individuals are prolific offenders, it is solely the result of their own actions, their own decisions and the negative impact they have on our community through their criminal actions.

The Pasco Sheriff’s Office would instead pose the question back to the Times: does the Times now believe that juvenile auto burglary is no longer a “crisis” and an “epidemic” in the Tampa Bay area, as they previously reported? Moreover, would the Times suggest, then, that this supposed epidemic dissolved not as a result of coordinated policing strategies, such as widespread ILP implementation in the Bay Area? We believe the citizens of Pasco County would be interested to know if the Times believes it is now acceptable for juveniles to commit crimes, specifically crimes that the Times previously referred to as a “crisis” and an “epidemic,” simply because of their age, and without regard for an individual’s propensity to commit crimes, as evidenced by their own criminal history.

The Pasco Sheriff’s Office would also like to address the Times’ memo as it relates to [REDACTED]. The Times notes that [REDACTED] was “questioned at the Dunkin’ Donuts where she worked twice in two weeks. [REDACTED] had no criminal history beyond traffic violations, but her boyfriend was a Top 5.” The Times notes that deputies “stopped monitoring her [REDACTED] after her boyfriend left town with another woman.”

Again, we must point back to the answers previously provided not just in these memos but in previous answers to the Times’ questions. The Top 5 is focused on those for whom the Pasco Sheriff’s Office is actively searching, based on actionable intelligence and criminal histories, to include active probable cause affidavits. Therefore, it is not surprising that deputies would speak to [REDACTED] regarding the whereabouts of her boyfriend, for whom we were actively looking. As the Times itself notes, the

questioning of [REDACTED] stopped once it was clear she was no longer associated with her boyfriend, providing proof that the system works as intended and, instead of “harassment,” as the Times alleges, the questioning discontinues once the actionable intelligence involving an individual is no longer actionable.

Furthermore, regarding both [REDACTED] and Da’Marion Allen, the Pasco Sheriff’s Office believes it is important to address their criminal histories.

[REDACTED] has nine cases for which he was arrested during the time period of June 4, 2015 and April 7, 2016. Again, we will not apologize for addressing an individual who committed nine crimes during a time period of less than a year. Regarding the specific allegations by former Cpl. Rodgers, we again stress that, if proper procedures and policies were not followed, those are solely his responsibility and, based on his previous history with the Pasco Sheriff’s Office, something that was addressed when he was removed from the agency and held accountable for his actions.

Da’Marion Allen has a record of arrests in 13 different cases. As previously noted to the Times in this memo, would the Times suggest that an individual who was arrested in 13 different cases not warrant increased attention to ensure that reoffending ceases, thereby bettering the quality of life for our community?

In addition, when addressing Rio Wojtecki, we again point back to the answers previously provided to the Times, and the fact that there remains active criminal intelligence involving Mr. Wojtecki. Furthermore, we would appreciate the Times including that in their reporting as, currently, the Times seems to ignore our assertions and takes Mr. Wojtecki’s remarks at face value. We believe, in order to avoid bias, it is important to note that the Pasco Sheriff’s Office continues to assert there is active criminal intelligence regarding Mr. Wojtecki that reveals far more than he has provided to the Times.

We also previously addressed the Times’ reporting regarding Tammy Heilman, but believe it is again important to identify that she was arrested after she refused to stop when deputies observed that she had not properly secured a child in her vehicle. Regardless of the reason that deputies were at Ms. Heilman’s residence that day, the fact remains that deputies observed her violating the law and endangering a child by failing to properly secure the child in a vehicle and were forced to react to her actions and choices. Had Ms. Heilman stopped as she was lawfully ordered to do based on deputies observing a violation of the law, the situation would not have escalated but, instead, the escalation was caused strictly by her actions in endangering the child in her vehicle.

To again ask a question of the Times, does the Times believe it would have been acceptable to allow Ms. Heilman to leave, knowing that a child was not properly secured in the vehicle? Does the Times believe that it is acceptable to endanger a child and ignore lawful commands by law enforcement? Would the Times prefer sworn law enforcement officers turn a blind eye to an individual blatantly putting a child in danger?

Finally, the Pasco Sheriff’s Office continues to dispute the Times’ reporting regarding crime rates, though we would also wish to remind the Times of the answers previously provided where reduction in

crime in other jurisdictions could also be due to their implementation of the ILP philosophy. As a reminder, we were not the first agency in the area to use ILP, nor are we the only agency in the area to use this policing philosophy.

This fact has been previously provided to the Times in these memos, but we also wish to highlight the Times' own reporting on this issue, from 2010, a year before we implemented our ILP philosophy:

<https://www.tampabay.com/archive/2010/04/09/predicting-worst-offenders-next-moves/>.

In this article, the Times notes a success story regarding an arrest where the subject "identified Ester (the subject) as a convicted burglar likely to commit such a crime, so they followed him for two days before catching him in the act." The reporting continues by noting that "Ester's was one of dozens of arrests made through a new emphasis on intelligence-led policing" with former Sheriff David Gee noting to the Times that "'We were actually able to intervene on crimes in progress" and noting that serious crime in unincorporated Hillsborough County "had dropped more than 10 percent in 2009."

As the Times rightfully notes in their reporting on the Hillsborough County Sheriff's Office ILP philosophy, "With intelligence-led policing, investigators look for patterns in crime and try to intercept the 6 percent of criminals who commit 60 percent of crimes." These patterns are identified, as the Times notes in their own reporting, in "many forms: Rashes of burglaries. Addresses and habits of ex-convicts. Nuggets in deputies' reports, such as a car that turns up at the scenes of multiple crimes. Pawnshop tickets. Postings to MySpace and YouTube. Observations from other county employees, like code enforcement inspectors, who notice things."

The Times further notes in their reporting that "it works" and "has led deputies to a marijuana grow house in the Baycrest neighborhood in Town 'N Country, a trio of copper thieves in Seffner and a Town 'N Country ring that stole more than \$100,000 through the use of cloned cell phones." It is encouraging to see the Times recognizing that our predecessor in ILP, the Hillsborough County Sheriff's Office, experienced these success stories. The Pasco Sheriff's Office would appreciate the same type of coverage on success stories we have experienced. However the Times has consistently refused to cover stories involving the Pasco Sheriff's Office which demonstrate these successes, such as the role ILP played in removing more than 435,000 lethal doses of fentanyl off of Pasco's streets, a success story that was provided to the Times in our last memo and also to numerous Times reporters by our Public Information Office.

The Times continues with their reporting on the Hillsborough Sheriff's Office ILP philosophy in that same 2010 article when the reporter spoke to the "architect of this new approach," Col. Albert Frost. Col. Frost told the Times in April 2010 that "After seeing crime go up even as deputies made lots of arrests and wrote lots of tickets, Frost said he told deputies he didn't care how many tickets they wrote. What he wanted them to know and focus on was who were the worst criminals in their zones." This mirrors exactly the information that the Pasco Sheriff's Office has repeatedly provided to the Tampa Bay Times in these memos and in response to questions.

The Times also notes, again, how this philosophy worked in Hillsborough County. “After six months of the new approach, crime in District 3 dropped 18 percent. The next closest district saw a drop of 2 percent. ‘We realized this can’t be luck,’ Frost said.” The Times also notes that the Hillsborough County Sheriff’s Office “reorganized its patrol operations to hold deputies accountable for what happens in their zones,” much like the Pasco Sheriff’s Office did as we held members accountable. These are now the same members who are considered “reliable sources” for the Times.

However, it is not just the one article highlighted above that demonstrates the Times’ previous reporting on the ILP philosophy. In fact, eight months later, the Times wrote a follow up article on the successes the ILP philosophy had already brought to the Hillsborough County Sheriff’s Office:

<https://www.tampabay.com/archive/2010/12/24/crime-rates-fall-as-agencyfocuses-on-worst-10-percent/>

As noted by the Times in this article on the success the Hillsborough County Sheriff’s Office experienced when they implemented the ILP philosophy, “Serious crime in unincorporated Hillsborough County dropped 15 percent during the first 11 months of 2010 and is down nearly 25 percent over two years.” The Times also found that “Much of the reduction comes from the expansion of an effort to target the small percentage of offenders - less than 10 percent - who commit most of the crimes.”

As described by the Times, the Hillsborough County Sheriff’s Office ILP philosophy featured “detectives, crime analysts, gang experts and other specialists analyze the huge volume of reports generated by the Sheriff’s Office, plus other data: files on known offenders and their habits, tips from the public and county employees, pawn shop tickets, criminals’ postings to social networks like MySpace, intelligence from informers and information from jail inmates.”

The Times also notes the goals of the Hillsborough County Sheriff’s Office ILP philosophy as “The goal is to spot patterns early and give deputies fresh information to guide their strategies - watch for break-ins on this street, look out for this guy suspected of holding up convenience stores” while noting a weakness in law enforcement, ““What’s always been the weakness in law enforcement is we get a lot of intelligence, but the hard part is how do you put it all together?” Sheriff David Gee said. “How do you efficiently use that information? That’s what we’ve been trying to do.””

In the same article, the Times notes several successes of this philosophy, stating the ILP philosophy “has led to the arrests of thieves who targeted copper tubing and wiring and appliances from foreclosed or abandoned homes, as well as one man who tried to entice underage girls into his pickup truck, another behind a home invasion and a group that stole more than \$100,000 through the use of cloned cell phones.”

However, the Times also notes the success that the Tampa Police Department was having with a similar model: “In Tampa, police have had their own success, reducing city crime 56 percent in seven years largely by focusing on four key crimes: burglary, robbery, auto burglary and auto theft.” The Tampa Police Department also noted that “The thieves who commit those four crimes also commit more violent crimes, police say, so catching them creates a “powerful ripple effect” on the overall crime rate” and, in

January of 2010, "Tampa police created dozens of "rapid offender control" squads that team up undercover officers and narcotics investigators."

The Pasco Sheriff's Office could not summarize it any more succinctly than Hillsborough County Sheriff's Office Cpl. Frank Cruze did to the Times in this 2010 article, "'If their job is to be a criminal, and they know we're after them, they're either going to have to quit their job or we're going to catch them or they're going to move. Any of those three is fine with us because it's going to reduce crime.'"

These successes, as documented by the Times' own reporting, are exactly why the Pasco Sheriff's Office partnered with and received training from the Hillsborough County Sheriff's Office as we implemented our own ILP philosophy in 2011, information that has been previously provided to the Tampa Bay Times.

The question becomes, then, why has the Times changed its reporting from praising this philosophy and the successes it brings by referring to this philosophy as "child abuse, mafia harassment and surveillance that could be expected under an authoritarian regime" as outlined in previous memos provided to the Pasco Sheriff's Office? We are curious what has caused this complete reverse of opinion. Is it possible that, again, the selection bias of a few disgruntled individuals has led to mistruths and misinformation being provided to the reporter? Or, more concerning, though we certainly hope this is not the case, are the reporters incapable of being balanced and fair, which is a core tenet of journalism?

Further, questions must also be asked as to why the Pasco Sheriff's Office seems to be the only agency that this Times' report is focused on? We are aware of inquiries to other law enforcement agencies around the Tampa Bay area from a reporter involved in this story that state the intention is to investigate "Pasco's" use of ILP. Why, despite the Pasco Sheriff's Office providing numerous examples of other agencies that use ILP in our area and who have used ILP for longer than us, is the Pasco Sheriff's Office the only focus of the Times' reporting in this case?

Is this fact because the Times is, again, guilty of selection bias and is relying on unreliable sources for their information? Is there something deeper involved in this decision to seemingly ignore every other agency that utilizes the ILP philosophy in our immediate area while trusting unreliable sources?

It is hard to ignore that the Times currently has a fund allowing donations to the Times' investigative journalism:

<https://projects.tampabay.com/projects/investigative-fund/#:~:text=The%20fund%20is%20administered%20by,important%20stories%20we%20can%20find.>

In the spirit of openness, accountability and transparency, the Pasco Sheriff's Office believes that the Tampa Bay Times should immediately identify any and all individuals with whom they have discussed this reporting on the ILP philosophy, regardless of if they will be named sources in the story or not, who have also contributed to the Times' investigative journalism fund. That same information should also be featured prominently at the beginning of the article, above the pay wall, so readers can have a full and complete understanding of the reporting process.

Unfortunately, an absence of balanced and fair reporting is something that the Pasco Sheriff's Office has come to expect from the Tampa Bay Times. A reporter involved in this story has demonstrated bias already, just through a review of the interview conducted with an inmate at the Land O'Lakes Detention Center. For example, during a line of questioning of the inmate, who had a lengthy criminal history, the reporter instead focused on how the Pasco Sheriff's Office made the inmate and his family "feel", instead of even once asking a question about how the individual's criminal actions may have led to the Pasco Sheriff's Office required response. It is disappointing, again, that there does not seem to even be a remote interest on the part of the Tampa Bay Times to share both sides of this story.

For example, just this week, two cases of bias occurred involving two separate reporters with the Tampa Bay Times.

On Wednesday, a Tampa Bay Times reporter emailed requesting an update on an officer-involved shooting from June that was determined to be justified by the Pasco-Pinellas State Attorney's Office. However, per the Tampa Bay Times' reporter's email, the State Attorney's Office "declined to file charges" instead of deeming it justified. There is a significant difference in this case being determined to be justified versus the State Attorney's Office choosing not to file charges, but yet the Tampa Bay Times reporter adopted the most negative view of the situation for law enforcement that was possible; in this case, saying the State Attorney's Office "declined to file charges" instead of stating the fact that the shooting was, in fact, deemed to be justified. Bias does not always exist in outright, easily viewed means, but it exists through the choice of words, the choice of information to include or not include and the choice to trust unreliable sources, as the Times has done in this report to this date. The Times has consistently taken the stance that law enforcement is inherently dishonest or untrustworthy, with little to no fact-based evidence or data to support this claim.

Unfortunately, this same bias made it into the article that the same Times reporter published later on Wednesday afternoon. The headline is factual, yes, but misleading and deceptive at best: "Pasco deputy who killed armed, suicidal woman will not face charges." The first paragraph, reads:

"Prosecutors will not file charges against a Pasco County sheriff's deputy who shot and killed an armed, suicidal woman in June."

Crucial to the factual basis of the story, the fact that the shooting was ruled justified, not just that charges will not be filed, is not included until the second paragraph:

"The Pinellas-Pasco State Attorney's Office said it has found that the deputy, who has not been named publicly, was justified in shooting 40-year-old Bonnie Jo Figueroa-Ortiz in her backyard on June 27."

What is most interesting about the decision to not include this information that the shooting was justified until the second paragraph? This important, critical information does not appear to someone who is not a subscriber to the Times, as this information is covered by the pay wall, as the photograph below demonstrates:



By **Jack Evans**

Published Yesterday

Updated Yesterday

Prosecutors will not file charges against a Pasco County sheriff's deputy who shot and killed an armed, suicidal woman in June.

The Pinellas-Pasco State Attorney's Office said it has found that the deputy, who has not ...To continue reading, subscribe to The Tampa Bay Times.

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Again, as we have discussed throughout this memo, it is difficult to see this as anything other than outright bias and, at worst, a form of yellow journalism by a local media outlet. The Times, in this case, has no interest in sharing with the general public that the deputy's shooting was determined to be justified by the State Attorney's Office and, for the vast amount of readers who are likely not subscribers to the Tampa Bay Times, all they are provided from the Times is that charges will not be filed against the deputy. In addition, the reporter for the Times seemingly selected a headline to illicit a specific, predetermined response by readers, which in turn lends inherent bias to the article as a whole. Furthermore, the Pasco Sheriff's Office would go so far as to argue that this headline was selected to generate and drive traffic via readership to this article, by burying integral facts of a case behind a paywall.

Let us be exceedingly clear, there is a vast difference between stating that charges will not be filed and stating that something is justified, and this fact should be well known by the Times. It is not a coincidence that this fact is left out of the information shown before the paywall.

Other inaccuracies are also included, such as this statement by the Times reporter in response to a statement from Sheriff Nocco:

“He said Figueroa-Ortiz was pointing the gun at the deputy — not at her own head — as she ran across the yard toward the deputy.”

Yet again, the Pasco Sheriff’s Office must point out the inherent bias in this reporting and attempt to cast doubt on the Sheriff’s statement. We must ask the question, how did the female fire a shot that landed in a beam feet above our deputy’s head while not pointing the gun at the deputy?

This type of inaccurate and incomplete reporting serves only to create distrust and further an anti-law enforcement narrative the Times seems to have embraced.

Furthermore, later in the story by the Times’ reporter, unsubstantiated and groundless claims are made by an attorney representing the family. It is not lost on the Pasco Sheriff’s Office that this same attorney is also representing the disgruntled former members who are the unreliable sources that the Times is relying on for their information in the reporting on the ILP philosophy.

The attorney claims, in part, “the deputy who shot her may have broken the law by not turning his body camera on before the incident.” The fact that this baseless accusation is allowed in the Tampa Bay Times, without any type of fact check is stunning and, again, a clear demonstration of the bias that the Tampa Bay Times has against law enforcement officers and agencies.

A simple fact check and review of history would show the Times that there is no law in Florida or at the federal level requiring body worn cameras or that body worn cameras are utilized by deputies. In fact, the Pasco Sheriff’s Office remains ahead of the curve when it comes to the adoption of body worn cameras precisely because they are not required in law.

The question must be asked, then, why was the attorney’s quote published without any type of basic fact checking? Why did the Times not send several memos and numerous questions to this attorney as they have the Pasco Sheriff’s Office, but instead allow him to make these unsubstantiated claims unchecked and without regard to truth or facts? Again, we point to the continued bias of the Tampa Bay Times.

In addition, before the assumption is made by the Times that the Pasco Sheriff’s Office is opposed to any media, we wish to highlight a fine example of journalism by another local media outlet regarding the same deputy involved shooting story. That outlet’s headline?

“Pasco Sheriff’s deputy involved shooting incident deemed justifiable”

Headlines and words matter and it's disappointing that the Tampa Bay Times seems to have forgotten that fact. Make no mistake, the Pasco Sheriff's Office is under no illusions that each article or news piece written about the agency will be a positive or likable piece. We do, however, contend that news reports must be, above all else, accurate, without bias and deeply rooted in fact.

The second example of this intrinsic bias demonstrated by the Tampa Bay Times is in the tweet below, from a Tampa Bay Times reporter earlier this week:



As the Times should well know, issues regarding social media are prevalent throughout our society. What is meant as a good-willed reminder to our citizens to attempt to, sometimes, take a break from social media by going outside, spending time with their family or enjoying another hobby, became social media fodder for a Times reporter.

The Times certainly recognizes that social media is an important communication and outreach tool for elected officials, government agencies and numerous other entities to talk directly with their constituents. This type of demeaning comment on a very important message again shows the implicit bias present in the Tampa Bay Times, and casts significant doubt on the ability of reporters with the

Tampa Bay Times to accurately and fairly cover the Pasco Sheriff's Office, especially when combined with the other issues that are already identified in this memo.

In addition, the Pasco Sheriff's Office wishes to point out the numerous times that the Times has sought to portray the Pasco Sheriff's Office ILP philosophy in a negative light without understanding facts or more concerning, leaving out known facts in an attempt to meet a conclusion that has already been decided. The Pasco Sheriff's Office points to previous memos sent to us, where the Times notes that "The statistics you provided us on the decline in property crimes match the overall trend across the Tampa Bay area" as a way to discredit a success that we provided the Times in response to a question about the successfulness of the ILP philosophy. It is irresponsible, based on the information previously provided to the Times in these memos and in conjunction with the Times' own reporting from 2010 as documented above, for the reporters to not note in memos to the Pasco Sheriff's Office and in their reporting that those same agencies who "match the overall" "decline in property crimes" "across the Tampa Bay area" also use the very same ILP philosophy that the Pasco Sheriff's Office uses.

With these facts as presented above, it is hard to escape a conclusion that the sole purpose of this article is to attack a law enforcement agency to further the anti-law enforcement position of the reporters. This is conspicuously evidenced by the reporters' use of untrustworthy sources, all of whom have well established reasons to misinform and discredit the Pasco Sheriff's Office, despite an abundance of evidence to the contrary that has been provided multiple times by the Pasco Sheriff's Office to the Tampa Bay Times.

The question remains, and is one that the Pasco Sheriff's Office wishes to pose to the Times, with so many other law enforcement agencies in our area experiencing success with this model and with the documented evidence from the Times' own reporting that ILP is a success and has worked to address "epidemics" and "crises" as described by the Times' own staff, why does the Times' reporting in this instance ignore any of these success stories, not just from the Pasco Sheriff's Office, but also from surrounding agencies who utilize this same philosophy?

One cannot help but to suggest that the Times' reporting in this case is biased, again, by those who wish to discredit the Pasco Sheriff's Office through inaccurate information such as former members who are disgruntled and those who have committed numerous crimes in our community and are frustrated at the reaction to their own actions, something that is succinctly addressed by Cpl. Cruze's comments above to the Times in 2010.

We encourage the reporters in this to strongly reconsider their reporting, the "facts" that their sources have provided them, and acknowledge their publication's previous reporting on this very program as being successful and addressing an "epidemic" and a "crisis" as they attempt to paint the Sheriff's Office as a nefarious entity through untrustworthy sources.

Regarding the Times' reporting on violent crime rates, in 2011, our violent crime rate was 308.9 per 100,000 citizens, with 1,441 offenses. In 2019, our violent crime rate was 321.2 per 100,000 citizens with 1,693 offenses. This is an increase of 3.98% in violent crime rate (321.2 per 100,000 to 308.9 per

100,000) citizens while our population during that same time period has increased from 466,533 to 527,122 (an increase of 12.98%).

Furthermore, by focusing only on the violent crime rate, the Times continues to ignore the fantastic work done in regards to property crimes. As previously provided to the Times, our residential burglaries, for example, are down over 74% since the implementation of the ILP philosophy.

Finally, as was previously stated in our responses to the Times, we will not apologize for directly improving the lives of Pasco's citizens through the reduction of thousands of residential burglaries.

The Times has now been provided over 30 pages of typed responses that have been researched by members who are still responsible for their normal duties. We are thankful to our members who have gone above and beyond, without expense to the Times, to provide answers to these questions and requests, and would hope the Times would note the diligence in our responses.

It is evident through continued memos and lines of questioning that the Times looks to discredit the exemplary work of the Pasco Sheriff's Office's ILP Program through allegations of harassment and bias, despite overwhelming evidence to the contrary. The Times negates this through selection bias and cherry-picked information from, at best, questionable and anecdotal sources of information, which in turn seemingly supports their assertions.

We would ask the Times to present facts to its readership, rather than the opinions of a few selected supposed experts or those, such as disgruntled, former employees, who seek to discredit the Pasco Sheriff's Office for their own gain after they were held accountable for their actions.

In light of this request for the facts to be presented to the readership of the Tampa Bay Times, the Pasco Sheriff's Office further requests that this memo and the previous memos provided to the Tampa Bay Times be published, in full, on the Tampa Bay Times' website upon publication of this article. We note this has been done in the past regarding Tampa Bay Times' investigations (source: <https://www.tampabay.com/investigations/2020/03/01/read-gardaworlds-response-to-our-investigation/>) and would expect the same treatment that was provided to previous entities that the Times investigated. This should be published not behind the paywall, but made available to any party interested in our responses.

We sincerely hope you take the information provided in this response, as well as the detailed information previously provided, and include it in your reporting to present a complete, fact-based and unbiased product to the public. Our citizens deserve nothing less from the media.