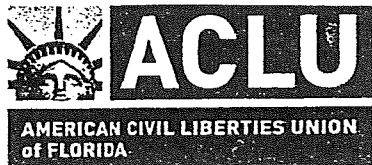


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July 2, 2003

Shanetta Brown Cutlar, Acting Chief
Special Litigation Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Ave. N.W.
Washington, D.C. 20530

Dear Ms. Cutlar:

We write to request that the United States Department of Justice, through the Civil Rights Division, investigate a pattern of fatal police shootings by the Escambia County Florida Sheriff's Office. In the past two weeks alone, police shootings have resulted in the deaths of two citizens, both under questionable circumstances. These tragic incidents raise serious questions about the competency of the Escambia County Sheriff's Office in dealing with mentally unstable citizens of our community and about the use of deadly force by Escambia Sheriff's deputies.

The most recent incident, involving a Mr. David Sean Lewandowski, began when officers came to the scene of a reported bomb threat on June 26, 2003. Lewandowski was formerly enlisted in the Air Force and had no previous criminal history. Mr. Lewandowski had entered a convenience store and acted in an unusual manner. After being chased out of the convenience store, Lewandowski stripped himself of his clothing and kneeled in the middle of the road, praying and yelling incomprehensibly. He then attempted to enter a local residence by breaking the window with his bare hands. Naked and bleeding profusely, police finally arrived and instructed Lewandowski to lie face down. When he did not comply deputies used a Taser gun, but then eventually shot Lewandowski several times with a conventional weapon as he was fleeing.

These are not isolated incidents for the Escambia County Sheriff's Office. Just ten days earlier, Mr. Lathern Broughton, an African-American male with no previous criminal record, was shot by deputies during a raid of his home. In addition to the two fatal shooting in June, the office has had twelve other fatal, deputy-involved shootings between 1994 and 2000, and another in May of 2001 involving the death of fifty-seven year old Michael Robb. African-Americans were disproportionately represented among the victims of these fatalities.

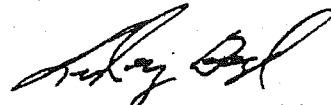
Three officers involved in the June 26 shooting have now been placed on administrative leave with pay. One officer, Kevin Eggleton, has been involved in all three shootings since 2001, namely the Lewandowski, Broughton and Robb shootings. With the Escambia County Sheriff's Office death toll now at fifteen, a federal investigation is vital to ensure the safety of Escambia county residents.

Thank you for your assistance in this matter. We look forward to hearing from you shortly.

Sincerely,



Susan Watson, Chair
Panhandle Chapter
American Civil Liberties Union of Florida



LeRoy Boyd, President
Movement for Change

Please Reply to: Susan Watson, ACLU, 1603 N. Davis Highway, Pensacola, Florida 32503



7/12/2003

Shanetta Brown Cutlar, Acting Chief
Special Litigation Section
Civil Rights Division
U. S. Department of Justice
950 Pennsylvania Ave. N. W.
Washington D.C. 20530

Dear Ms. Cutlar,

In a letter dated July 2 we requested that the Department of Justice, through the Civil Rights Division, investigate a pattern of fatal police shootings by the Escambia County Sheriff Department.

We are enclosing two documents for you review. The first document is a list of the shootings by the Escambia County Sheriff officers. The second document is a brief description of each incident.

Again, thank you for your assistance in this matter. We look forward to hearing from you.

Sincerely,

Susan Watson, Chair
Panhandle Chapter
American Civil Liberties Union of Florida

LeRoy Boyd
Movement for Change

Please Reply to:

Susan Watson
ACLU
1603 N. Davis Highway
Pensacola, Florida 32503

ESCAMBIA COUNTY OFFICER INVOLVED SHOOTINGS 1987-2003							
Date	Name	Age	Race	Officer	Ruled Justified	Crime Alleged	Weapon
6/26/03	David Sean Lewandowski	26	W	Dep. Jennifer Amerson Dep. Kevin Eggleton Dep. Christina Sudduth	Not Yet, Paid administrative leave	Assault/Burglary	No
6/16/03	Lathern Broughton	64	B	Dep. Kevin Eggleton Six Unnamed Deputies	Not Yet, Paid administrative leave	Shot at SWAT team	Yes (gun)
5/20/01	Michael Paul Robb	57	W	Dep. Kevin Eggleton	Yes	Assault/Burglary	Yes (knife)
1/4/01	Edward Ray McDowell	39				Kidnapped/Rape of minor	Yes (car)
10/20/00	Gregory Kidd	32	W	Dep. Kevin Coxwell			Yes (gun)
7/22/00	David John Chausee	31	W	Dep. James Guthrie		Vehicular Assault	Yes (gun)
6/8/00	Otto Fitts	33	B	Dep. Mickey O'Reilly		Assaulting an Officer	Yes (gun)
3/21/00	Justin and Jennifer Haberski					Robbery and Arson	Yes (gun)
10/29/99	Marvin Juan Hudson	20	B	Dep. Lee Perry		Drug suspect	No
12/19/98	Timothy Jirgens	47	W	Dep. Mike Workman		Burglary	No
5/18/98	Jerry Campbell	29	B	Dep. Barton Fryer	Yes, Circuit Court Judge	Kidnapping/Assault	Yes (gun)
9/30/97	Gerald D. Houser			Eleven Deputies			
6/15/97	Casey Lee Brown	19	W	Lt. Bill Chavers		Rape/Vehicular Assault	Yes (car)
5/20/96	John S. Sexton, Jr.	36	W	Dep. Barton Fryer	Yes, Judge	Rape/Robbery	No
12/13/95	Anthony Gee	15	B	Dep. Demetrius Cain		Assault/Robbery	Yes (unloaded shotgun)
2/12/95	Ronald Pinyan	32	W	Lt. Ron Summerlin	Yes, Sheriff investigation		Yes (gun)
7/23/94	Lawrence Gatto	43	W	Dep. Donnie White	Yes, Escambia County	Murder/Shot at police	Yes (gun)
7/4/92	Thad Patterson	43		Ben Porter	Judge Thomas Johnson	Rape	Unknown
3/18/89	Daniel Arthur Wrisley	40		Dep. Barton Fryer		Rape	
9/27/87	John Ageris			Dep. Robert Boos Dep. Carson Mayo		Robbery	No (plastic gun)
Escambia County Sherriff's Office: 700 Sworn Deputies (400 uniformed patrol + 300 detention)							
Escambia County Population: 293,205							
72.4% White							
21.4% Black							
1 shooting: 17,247 citizens in 1987-2003							

Name	Description
David Sean Lewandowski	June 26, 2003: David Sean Lewandowski, 26, is shot by deputies in the woods behind a home on Cerry Road. Lewandowski was behaving erratically in a convenience store on Blue Angel Parkway nearby. He left the store, stripped nude and after dodging traffic, yelling at passing drivers and dropping to the ground in prayer in the roadway, tried to break into a house on Cerry Road. Deputies tasered him at least three times, but he continued on into the woods, where he was shot. A preliminary report from the medical examiner's office indicates he may have bled to death from the cuts he received breaking in the window of the home of Clayton and Dorothy McPhaul. Three deputies - Jennifer Amerson, Kevin Eggleton and Christina Sudduth - were placed on administrative leave. The Florida Department of Law Enforcement is investigating.
Lathern Broughton	June 16, 2003: Lathern Broughton, 64, is shot by the SWAT team when they enter his house after a 2-hour standoff outside Broughton's Ensley home. Broughton argued with his wife, who fled their house and called 911. He shot at deputies who arrived to investigate her call, shooting out the window of a cruiser, then barricaded himself in his house. After 2 hours of negotiations, the SWAT team used flashbang grenades to enter the house and were fired upon. Family members say police could have waited Broughton out. Seven deputies were placed on administrative leave and restored to active duty pending a psychological evaluation. They were: Mickey O'Reilly, Stanley Reed, Kevin Eggleton, Tony Tampary, Rick Powers, Jared Seabury and James Johnson. FDLE is investigating.
Michael Paul Robb	May 20, 2001: Michael Paul Robb, 57, of Pace is shot when deputies Kevin Eggleton and Johnny Perkins enter the Cantonment house of Lance Krieger, 35, and find Robb straddling Krieger holding a knife to his chest. They repeatedly tell Robb to drop the knife, but he does not and both deputies open fire. It is the first deputy-involved shooting of Sheriff Ron McNesby's tenure.
Edward Ray McDowell	Jan. 4, 2001: Kidnapped and raped 8 year old girl. Was armed with a gun.
Gregory Kidd	Oct. 12, 2000: Gregory Kidd is shot by deputy Kevin Coxwell. Kidd, 32, kills a police dog and shoots deputy Mike Mayne.
David John Chaussee	July 22, 2000: David Chaussee, 31, tells deputies they will have to kill him. When he rams a patrol car, he is shot by deputy James Guthrie.
Otto Fitts	June 8, 2000: Otto Fitts, 33, is killed by deputy Mickey O'Reilly while inside the Escambia County Jail as Fitts holds a female sheriff's employee at gunpoint.
Justin and Jennifer Haberski	March 21, 2000: Charged with robbery and arson. Armed with gun. Shootout and high speed car chase.
Marvin Juan Hudson	Oct. 29, 1999: Deputy Lee Perry kills drug suspect Marvin Hudson, 20, as he runs from an undercover drug sale in the Pine Forest area.
Timothy Jirgens	Dec. 19, 1998: Deputy Mike Workman kills Timothy Jirgens, 47, as he steps out of a Comfort Inn room on New Warrington Road waving a .357-caliber Magnum toward deputies.
Jerry Campbell	May 14, 1998: Deputy Bart Fryer struggles with and then shoots and kills Jerry Anthony Campbell as he runs through a Brownsville neighborhood after robbing an 89-year-old man in his home.
Gerald D. Houser	Sept. 30, 1997: Eleven deputies fire more than 100 rounds at home-invasion and carjacking suspect Gerald D. Houser after a brief standoff on Nine Mile Road in Ensley. Seconds before the barrage, Houser takes his own life with a single shot to the head.

Casey Lee Brown	June 15, 1997: Lt. Bill Chavers shoots and kills Casey Brown, 19, after Brown tries to run over Chavers with a car on Pensacola Beach. Minutes earlier, a 15-year-old girl had identified Brown as the man who raped her.
John S. Sexton, Jr.	May 20, 1996: As Deputy Bart Fryer searches John Sexton Jr. for drugs, Sexton grabs Fryer's flashlight and swings it at him. Fryer fires a single bullet into Sexton's chest, killing the 36-year-old man.
Anthony Gee	Dec. 13, 1995: Deputies Demetrius Cain and Van Weeks, trying to stop an anticipated pizza delivery robbery, kill Anthony Gee after the 15-year-old sticks an unloaded shotgun in Cain's face.
Ronald Pinyan	Feb. 12, 1995: Lt. LaRon Summerlin kills Ronald Pinyan, 32, after Pinyan grabs and fires Sgt. Tom Jones' gun during an attempted arrest.
Lawrence Gatto	July 21, 1994: Lawrence Gatto, a fleeing murder suspect, sprays bullets into rush-hour traffic on New Warrington Road. He injures three deputies before he is shot and killed.
Thad Patterson	July 4, 1992: Rape suspect, unclear if armed or not.
Daniel Arthur Wrisley	March 18, 1989: Robbing a drugstore of cash and prescription drugs. Had a plastic replica of a 9 mm automatic pistol.
John Ageris	Sept. 27, 1987