

OFFICE OF THE PUBLIC DEFENDER

FIRST JUDICIAL CIRCUIT OF FLORIDA
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To Whom It May Concern:

I was recently provided with a link to a Youtube video called "Coffee & Conversation with Paul Hamlin & Scott Ritchie." Both are candidates for the open Escambia County Court judicial position and both have spent time employed at the First Judicial Circuit's Public Defender Office. I do not endorse either candidate and have not previously spoken for or against either candidate nor have I commented on the judicial race. I reluctantly do so now.

A judicial race is nonpartisan and candidates are not allowed to publicly comment on political issues, disclose their party affiliation, or personal views on most issues. This prohibition leaves the candidates' qualifications as one of the few things that may be discussed. This is why it is so important that a candidate not misrepresent their qualifications to the public. The prohibition is ethical, applies to judicial candidates, and is expressly stated in Florida's Code of Judicial Conduct, Canon 7.

Watching the video I was troubled by misrepresentations made by candidate Ritchie regarding his qualifications and experience. These misrepresentations have placed me in a difficult position. I do not want to get involved in this contest and have advised both candidates of my position. Many people are aware of the misrepresentations and have asked me to comment since I am the only one who can. It has also been suggested to me that as an elected Constitutional Officer and public official, I have an ethical obligation to publicly address the misrepresentations. I agree.

During the 'conversation' candidate Ritchie stated, "I have more experience. I've been with the Public Defender Office for 17 years. We handle somewhere between 400-500 cases a year so you can do the math on how many cases I've handled." Referring to his opponent, he added, "I was at the Public Defender Office significantly longer than you, handling significantly more cases."

The statements are not factually correct. The invitation to multiply 400 or 500 by 17 years to arrive at the number of cases handled would produce a grossly inflated number. Candidate Ritchie is aware that in multiple years he was not in a trial division due to other assignments and therefore handled relatively few cases during those years. Pulling data from the Public Defender case management software system to ascertain the number of cases each candidate handled

during their years in the Public Defender Office indicates candidate Hamlin was assigned 4,381 cases and candidate Ritchie 2,614.

Candidate Ritchie also claimed, "I've supervised attorney and support staff . . . about 60 attorneys and another 60 support staff across 4 counties and 6 offices. At any one time I was overseeing between 30 and 40 thousand cases a year."

I have been the elected Public Defender for just shy of ten years. During that time candidate Ritchie has supervised a small number of the total number of attorneys. His assignment ranged between eight and sixteen attorneys at any given time. Most of his time was spent supervising eight attorneys in one office. At one time he did supervise eight attorneys in our Milton Office, but never simultaneously with his later Pensacola assignment. He did not supervise any attorneys in the remaining four offices. Like the previous elected Public Defenders, I have always had a separate attorney supervisor assigned to the different offices in the six offices of the four counties. Further, candidate Ritchie has never 'overseen' between thirty and forty thousand cases a year. This number of cases would reflect the entire total number of all cases handled by the Public Defenders office in any one year. Further, some of those cases would be death penalty cases which candidate Ritchie is not qualified to handle without the supervision of an experienced first chair qualified attorney.

Only recently was supervision of any staff assigned to candidate Ritchie. He supervised four legal assistants located in the Pensacola Office. During my administration he has not supervised any other support staff either in the Pensacola Office or the remaining other 5 offices. Former Public Defender Jack Behr has advised me that candidate Ritchie had no supervision duties during his administration.

Finally, I am aware that candidate Ritchie has stated he 'manages a complex budget' as part of his duties at the Public Defender Office. During my administration, candidate Ritchie has had no involvement or participation of any kind with the budget. I, along with my administrative director manage the budget and staffing.

Again, I take this highly unusual step with great reluctance. I have previously confronted candidate Ritchie about his misrepresentations. Another Public Defender employee has also previously expressed their concern to candidate Ritchie regarding the misrepresentations. Both attempts to encourage candidate Ritchie to correct the misrepresentations have been ignored. A fair election requires a fair process.

Sincerely,



Bruce A. Miller
Public Defender First Judicial Circuit