

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

CHRISTOPHER W. CROWLEY,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File Nos.
2019-10,070 (12B)
2019-10,109 (12B)
2019-10,148 (12B)

_____ /

COMPLAINT

The Florida Bar, complainant, files this complaint against Christopher W. Crowley, respondent, pursuant to the Rules Regulating The Florida Bar and alleges:

1. Respondent is and was at all times mentioned herein a member of The Florida Bar admitted on November 9, 1998 and is subject to the jurisdiction of the Supreme Court of Florida.
2. Respondent resided and practiced law in Lee County, Florida, at all times material.
3. The Twelfth Judicial Circuit Grievance Committee “B” found probable cause to file this complaint pursuant to Rule 3-7.4, of the Rules Regulating The Florida Bar, and this complaint has been approved by the presiding member of that committee.

RECEIVED, 04/14/2020 03:00:30 PM, Clerk, Supreme Court

COUNT I

TFB File No. 2019-10,070 (12B) and TFB File No. 2019-10,148(12B)

4. In 2018, respondent was a candidate for 20th Judicial Circuit State Attorney.

5. During the course of his campaign, respondent publicly disparaged his opponent through various political campaign materials, advertisements, and social media postings.

6. One example of respondent's commentary includes a radio ad, approved by respondent, declaring his opponent "corrupt" and "swampy", among other things.

7. Respondent, on more than one occasion, made an issue of his opponent's religious beliefs.

8. Without knowledge of his opponent's religious beliefs, respondent consistently made allegations related to the opponent's beliefs, including but not limited to a campaign flyer that read, "she won't answer questions about Sharia Law. Why?"

9. Further, in August 2018, respondent shared an article from AmericanThinker.com titled "More Muslim Candidates for Political Office" on his Facebook page.

10. The article criticizes Muslim candidates in the United States and expresses concern for democracy should Muslim candidates take office. The article specifically calls respondent's opponent a "Muslim candidate."

11. Respondent advertised that this opponent was Muslim without verifying the truth or falsity of that claim.

12. Respondent has endorsed a view that his opponent is unqualified for public office based on her race, ethnicity, and/or religion.

13. On or about August 2018, respondent was arrested and charged with promoting a lottery, F.S. 849.09 and violation of campaign contributions law, F.S. 106.08, both third degree felonies.

14. On August 2, 2018, respondent signed a Pre-Trial Diversion Contract admitting he violated F.S. 849.09 and F.S. 106.08.

15. Further, in a letter dated August 13, 2018, respondent self-reported his arrest to The Florida Bar and in the letter, he stated that he "[f]ully admit[s] to participating in a \$670 raffle and a technical violation of State campaign law."

16. Despite respondent's admission of participating in an unlawful incident and thereby violating Florida state law, respondent campaigned on the position that his opponent was corrupt and orchestrated his arrest.

17. Respondent stated that his opponent “w[ould] do or say anything to get elected, including having her opponent arrested...” and “...she will use her office to arrest her political opponent.”

18. In March 2019, when respondent was asked by The Florida Bar, “[t]o your knowledge, what role did Ms. Fox play in your arrest?”, respondent replied, under oath, “I don’t know, but it was convenient.”

19. During the same under oath exchange with The Florida Bar, respondent was asked, “[h]ave you been presented with any evidence that [your opponent] was involved in your arrest?”; to which respondent replied, “No...”

20. Respondent advanced the position that his opponent improperly used her employment to have respondent arrested, knowing the statement to be false or with reckless disregard for its truth or falsity.

21. By reason of the foregoing, respondent has violated **Rule 4-8.2 (a)** (Impugning Qualifications and Integrity of Judges and Other Officers) of the Rules Regulating The Florida Bar.

22. By reason of the foregoing, respondent has violated **Rule 4-8.4(a)** (Misconduct) of the Rules Regulating The Florida Bar.

23. By reason of the foregoing, respondent has violated **Rule 4-8.4(d)** (Misconduct) of the Rules Regulating The Florida Bar.

COUNT II

TFB File No. 2019-10,109 (12B)

24. In 2017 respondent was court appointed as defense counsel for a defendant in two Lee County felony criminal cases.

25. Prior to respondent's court appointment, the criminal client had other defense counsel and during that time the client rejected at least one plea offer from the Lee County State Attorney's Office.

26. Sometime between respondent's court-appointment in 2017 and January 2018, respondent asked the female assistant state attorney ("ASA") assigned to the two criminal cases to meet respondent at Starbucks to discuss the case.

27. The female ASA declined the invitation from respondent.

28. On January 24, 2018 respondent attended a pretrial hearing in the criminal cases.

29. Prior to the start of the hearing respondent requested a private meeting with the assigned assistant state attorney ("ASA").

30. Respondent and the ASA met behind closed doors in the witness waiting room outside the courtroom.

31. During the meeting, respondent requested the ASA make a plea offer for respondent's client and the ASA declined.

32. In response, respondent screamed at the ASA and used expletives, demanding a new plea offer.

33. Due to respondent's unprofessional behavior, the ASA excused herself from the witness room and returned to the courtroom.

34. Upon respondent's return to the courtroom, respondent provided an apology in a mocking tone and in a condescending manner asked the ASA if she "needed a hug."

35. On January 26, 2018, the ASA's supervisor emailed respondent to inform him that his conduct was inappropriate and that all future contact with the ASA was to be in writing or on the record.

36. On the same day, respondent replied to the supervisor's email and stated, among other things, that the supervisor needed to "[g]row up".

37. In the same email, respondent wrote, "[y]our petty attempts to politicize this is due to the campaign for State Attorney makes you look foolish, unprofessional and immature."

38. Respondent engaged in conduct that is prejudicial to the administration of justice, including humiliating and disparaging other counsel.

39. By reason of the foregoing, respondent has violated **Rule 3-4.3** (Misconduct and Minor Misconduct) of the Rules Regulating The Florida Bar.

40. By reason of the foregoing, respondent has violated **Rule 4-8.4(d)** (Misconduct) of the Rules Regulating The Florida Bar.

WHEREFORE, The Florida Bar prays respondent will be appropriately disciplined in accordance with the provisions of the Rules Regulating The Florida Bar as amended.



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CERTIFICATE OF SERVICE

I certify that this document has been E-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida; with a copy provided by United States Mail, certified mail No. 7017 3380 0000 1082 7096, return receipt requested, to Scott Kevork Tozian, Counsel for Respondent, 109 N. Brush Street, Suite 200, Tampa, Florida 32806-5059, and via email to stozian@smithtozian.com; a copy has been provided to Lindsey Margaret Guinand, Bar Counsel, 2002 N. Lois Avenue, Suite 300, Tampa, Fl 33607, via email at lguinand@floridabar.org, on this 14th day of April, 2019.



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**NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY
EMAIL ADDRESS**

PLEASE TAKE NOTICE that the trial counsel in this matter is Lindsey Margaret Guinand, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Tampa Branch Office, 2002 N. Lois Ave., Suite 300, Tampa, Florida 33607-2386, (813) 875-9821, lguinand@floridabar.org. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Patricia Ann Toro Savitz, Staff Counsel, The Florida Bar, 651 E Jefferson Street, Tallahassee, Florida 32399-2300, psavitz@floridabar.org.

MANDATORY ANSWER NOTICE

RULE 3-7.6(h)(2), RULES REGULATING THE FLORIDA BAR,
PROVIDES THAT A RESPONDENT SHALL ANSWER A COMPLAINT.