

IN THE SUPREME COURT OF FLORIDA

CITY OF TALLAHASSEE, FLORIDA,
et al.,

Petitioners,

Case No.: SC21-651

v.

L.T. Case Nos. 1D20-2193
2020-CA-1011

FLORIDA POLICE BENEVOLENT
ASSOCIATION, INC., JOHN DOE 1,
and JOHN DOE 2,

Respondents.

_____ /

PINELLAS COUNTY SHERIFF BOB GUALTIERI'S
NOTICE OF INTENT TO FILE AN AMICUS BRIEF

A police officer who shoots and kills another is not a “victim” of that shooting and cannot invoke Marsy’s Law to shroud his shooting in secrecy. A “victim” is a person harmed by the commission or attempted commission of a crime. Fl. Const. art. I, § 16(e). Florida’s Constitution treats police officers the same as anyone else claiming self-defense. While the person using force in self-defense is a “victim” of the crime to which he responded with force, the person on whom he used force is a “victim,” too (at least according to Marsy’s Law). That a use of force is justified does not shield the identity of the person using it from public view. Here, the appeals court

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misconstrued the plain text of Marsy's Law by expanding it to suppress the identity of a police officer who shot and killed another person.

The issue presented is of profound importance to Bob Gualtieri, who has served as the Sheriff of Pinellas County, Florida, since 2011. The 3,000 men and women of the Pinellas County Sheriff's Office not only protect life and property in the state's most densely populated county but uphold the public's trust in the transparency and accountability of their sworn mission.

WHEREFORE, Sheriff Gualtieri respectfully gives notice of the intent to seek leave to file a brief as amicus curiae under Fla. R. App. P. 9.370(d) in support of Petitioner City of Tallahassee, Florida, if this Court accepts jurisdiction.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via the Florida Court's E-Filing Portal on all counsel of record on this 12th day of May, 2021.

**PINELLAS COUNTY SHERIFF
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in his Official Capacity as
Sheriff of Pinellas County, Florida