

OPEN NINTH:

CONVERSATIONS BEYOND THE COURTROOM

PART 2: THE SHOOTER, THE VICTIMS, THE AFTERMATH

EPISODE 41- Part 2

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>>Welcome to “Open Ninth: Conversations Beyond the Courtroom.” In Episode 2 of this three part series, we continue with our discussion, focusing our attention on the tragic events of that fateful day, January 10th, 1984.

>>**JUDGE BLECHMAN:** It turns out that the last thing that Arnie did, and Mark Blechman will probably tell you this too, was to tell them to hit the floor. And Mark and other prosecutors, Les Hess, Joe Cochiarella, Lynn Oswald, they – and John Sloop, they were directly behind the door which was riddled with bullets which occurred when Arnie took fire. So I remember being afraid of who had gotten killed, and I will always, whenever I think of the shooting, wonder if I would have had children if Arnie hadn’t given his life to keep Provenzano out of that courtroom.

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>>**CHIEF JUDGE LAUTEN:** I want to welcome our listeners to Open Ninth. This is Part 2 of a segment that addresses one of the sadder days in Orange County court history, in Central Florida and that would be January 10th, 1984 when Thomas Provenzano entered the Orange County Courthouse and went on a shooting spree. In Segment 1, I introduced our listeners to Judge Emerson Thompson who talked to me about the Orange County Courthouse the day before the shooting, and described it as a sort of sleepy, southern town courthouse with a culture that included many court users coming into the courthouse, sometimes with knives, maybe occasionally with guns because it was sort of the culture in the community at the time which was a bit rural and agricultural, a lot of citrus industry at the time. And the ability to access the courthouse from multiple entrances and exits, virtually no security. There certainly were no magnetometers, no cameras. There were court deputies, most – many of whom were armed, although not all of them were armed. And so the courthouse was intimate. You could move around freely and you could visit judicial assistants and even judges when their schedules permitted. And everyone sort of knew one another. And then we had January 10th, 1984 and before we move into that, I’d like to welcome Circuit Judge Mark Blechman to Segment 2 of the day of the Orange County Courthouse involving the shooting of Mark – of Thomas Provenzano. So Judge Blechman, I want you to introduce yourself a little bit to our listeners. Tell us where you were born and where you went to undergraduate and law school, and then you and I have an association from our working before we became judges, and we’ll get into that in a second.

>>**JUDGE BLECHMAN:** Absolutely. Nice to see you again, Chief. I was born in Miami Beach and lived in Florida my entire life, including attending both undergraduate and law school at the University of Florida. Graduated in 1981, in December and my first job was at the State Attorney's Office in January of 1982, so on January 10th of 1984 I was an experienced two-year prosecutor.

>>**CHIEF JUDGE LAUTEN:** And so I came to work on February 8th, 1982 and was assigned to your division and basically you were my trainer and mentor in front of then Judge Gary Formet in the courtroom on the 4th floor where the shooting occurred.

>>**JUDGE BLECHMAN:** Exactly.

>>**CHIEF JUDGE LAUTEN:** Although by that time, in 1984 you were in a separate felony division and I was in a different felony division.

>>**JUDGE BLECHMAN:** Right, we had been promoted to felonies and just by coincidence I was still on that floor in the courtroom that was perpendicular to where the shooting began. But you say the shooting occurred, it actually began there. It went into the hallway and bullets actually entered our courtroom during the shooting, and it was our – I think they were called bailiffs back then. They're court deputies now, but our bailiff, Arnie Wilkerson, who had been assigned to the division for a year so we were like family, he went out to protect us once the bullet entered the courtroom and it was bouncing around in the courtroom. And as Arnie turned the corner, he had the rifle put into his midsection and it was discharged. And so when we left the courtroom, Arnie was there.

>>**CHIEF JUDGE LAUTEN:** That's just awful. I want to go back in time by one day and just quickly ask you, what was your perspective, or how would you describe the courthouse, particularly in terms of its layout and security on January 9th, 1984? What was your impression of the building that day?

>>**JUDGE BLECHMAN:** Your introduction was very accurate. It was an open, friendly building. There were numerous ways to get in. The front staircase, we always came in the side staircase from the State Attorney's Office. Briefcases, nobody checked us, nobody looked at us. I can't imagine any security that was there and in the courtroom, at best you had bailiffs who were not law enforcement officers where they were trained to use a gun. They might

have had a gun. And everybody behaved themselves. We didn't have the dangers that now have caused the security we have now.

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>>**JUDGE BREWER:** Jerry Brewer, and I was a practicing attorney here in Orange County. Had been practicing for three or four years at that point. I mean, you mingled in that building with inmates. When they transported inmates from place to place, they did it in the hallway so that when you were sitting there waiting for a hearing, a line of inmates would come by. Judges used those hallways. Everybody was out in the public where you could see them and touch them.

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>>**MR. SIMON:** My name is Steve Simon, and I was an electronic court reporter on January 10th, 1984. I currently work as a manager of court facilities for court administration. Going down the halls, you're sitting there waiting to get into a courtroom or you were talking to people, and it was not uncommon to see the bailiffs escorting prisoners down the hall doing the inmate shuffle which was they had – they had the shackles on and they had the chains on their arms, and you'd hear the – the shackling, the marching going back and forth with the chains bouncing on the terrazzo floor of the courthouse which was all over the courthouse.

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>>**CHIEF JUDGE LAUTEN:** So I remember just the sort of freedom of movement, especially as a lawyer practicing. You could take staircases to get from one floor to the other.

>>**JUDGE BLECHMAN:** Remember visiting judges, you could just walk into their chambers and talk to them.

>>**CHIEF JUDGE LAUTEN:** Right. Right. Certainly we could walk in and talk to a judicial assistant at length, you know, with just walking through a door.

>>**JUDGE BLECHMAN:** Now, we would never do that with Judge Thompson but other judges we certainly could go in and say hi to. I'm kidding, Judge Thompson.

>>**CHIEF JUDGE LAUTEN:** And I mentioned in the first segment to Judge Thompson, I remember especially this entranceway through sort of a breezeway and immediately when you walked through the door, there was a snack bar on the left. Do you remember that? And so you could get coffee, and you could get crackers, and it was run by the Division of Blind Services. So was that the first floor –

>>**JUDGE THOMPSON:** Ground floor, right across from the jail. We called it the sally port because the vans would come through and discharge the prisoners. You went to the left, you went to the jail; you went to the right, you entered the courthouse and there was a snack bar as you entered the door to the left.

>>**JUDGE BLECHMAN:** I do not remember that.

>>**CHIEF JUDGE LAUTEN:** Do you recall, Judge Blechman, did you have conversations with other prosecutors or lawyers that you knew, or really anybody about, well, this building is friendly, but it's not very secure? Did we even talk that way or think that way?

>>**JUDGE BLECHMAN:** We didn't talk that way, didn't enter our minds. The security just wasn't an issue. We didn't think of it. Ironically, if I can just go back to – or go forward to the date, the morning of the shooting, the two prosecutors that I recall that were assigned to the courtroom, were Scott Farr and Tim Berry.

>>**CHIEF JUDGE LAUTEN:** To the courtroom where the shooting occurred.

>>**JUDGE BLECHMAN:** To the courtroom –

>>**CHIEF JUDGE LAUTEN:** Which was a county – as we said in segment one, one irony is this was a county court courtroom, not felonies in a circuit courtroom, but misdemeanors were heard.

>>**JUDGE BLECHMAN:** Right. It was a misdemeanor court. I recall they were assigned to it. I recall when they left that morning, they had joked to their secretary that if we don't come back, it's because we've been shot.

>>**CHIEF JUDGE LAUTEN:** Oh, my goodness.

>>**JUDGE BLECHMAN:** And I don't know where those fellows are today but –

>>**CHIEF JUDGE LAUTEN:** Scott Farr is a judge in the 13th Circuit. I think still – I think a county judge. And Tim Berry is pretty much retired from the practice –

>>**JUDGE THOMPSON:** Right. Right.

>>**CHIEF JUDGE LAUTEN:** -- of law. But Scott Farr is on the bench.

>>**JUDGE BLECHMAN:** I think it was Scott Farr that made that comment.

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>>**MR. TUMARKIN:** My name is Danny Tumarkin, and I was an assistant public defender back on January 10th of 1984. Mr. Provenzano came in the front door and something just struck me as incredibly wrong. And I just stood in the door while Kim dealt with him because I was concerned for her safety. It just – something made me very leary of this individual.

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>>**MS. WELCH:** My name is Helene Welch, and I was an Official Court Reporter here in the Orange County Courthouse on January 10th, 1984. I currently work in Court Administration as a Court Operations Consultant. A month before the incident he came to my office asking for a transcript in his felony case. He had a misdemeanor case and a felony case. Back in 1984 we did not have computers. I had a typewriter and that's how I produced my transcripts. My typewriter was at home because I did a lot of my work in the evening, and I was explaining to Mr. Provenzano that I could not do his transcript. And he was very upset. After much explanation as to why I couldn't produce the transcript, I called his lawyer and he spoke with Mr. Provenzano over the phone and left my office. But it was one scary incident for me because Mr. Provenzano was very, very upset visibly, very red in the face. He had his overcoat on and after the incident on January 10th, I thought about what he probably had under his jacket and what could have happened to me that day.

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>>**CHIEF JUDGE LAUTEN:** So let's set the scene for that day. I went to work on the 3rd floor in front of Judge James Stroker. You went to work on the 4th floor in front of Judge Ted Coleman.

>>**JUDGE BLECHMAN:** Exactly.

>>**CHIEF JUDGE LAUTEN:** So where was your courtroom and office in 1984?

>>**JUDGE THOMPSON:** It was on the top floor.

>>**CHIEF JUDGE LAUTEN:** Was it on the 5th floor or 4th floor? I'm trying to remember.

>>**JUDGE THOMPSON:** I want to say 7th because --

>>**CHIEF JUDGE LAUTEN:** Oh, we had the tower too.

>>**JUDGE THOMPSON:** Right.

>>**CHIEF JUDGE LAUTEN:** All right. So you were on the 7th floor. You were on the 4th floor; I was on the 3rd floor. We go to work. It's relatively early in the morning, although not at the very beginning but pretty close to the beginning of the morning.

>>**JUDGE BLECHMAN:** Right. Back in those days attorneys showed up early for court, as opposed to just when court started.

>>**CHIEF JUDGE LAUTEN:** Okay.

>>**JUDGE BLECHMAN:** And on that particular day, as usual, I showed up early. Judge Coleman always started right on time.

>>**CHIEF JUDGE LAUTEN:** Okay.

>>**JUDGE BLECHMAN:** And I had left the courtroom to go do something. I can't remember what. And I'm walking down the corridor just opposite of where the bailiff's congregated, where their office was, towards the bank of elevators. And walking towards me is this person in military garb with a backpack --

>>**CHIEF JUDGE LAUTEN:** Was it military or camouflage?

>>**JUDGE BLECHMAN:** Camouflage.

>>**CHIEF JUDGE LAUTEN:** Camouflage.

>>**JUDGE BLECHMAN:** Camouflaged, so it wasn't formal military, but it was camouflage.

>>**CHIEF JUDGE LAUTEN:** Yeah, I want the picture for the listeners, not a military uniform, but a camouflage.

>>**JUDGE BLECHMAN:** Correct, exactly.

>>**JUDGE THOMPSON:** That's exactly right.

>>**JUDGE BLECHMAN:** He's walking towards me. I remember the military style boots and I remember he had a backpack. I did not know he had a long gun down his pants. I didn't know the backpack was filled with weapons. And I don't know if any of you gentleman have had the experience, but sometimes you'll walk at somebody and play an unofficial game of chicken and see who's going to step off the line first. And I certainly had the experience with Provenzano. I'm walking and he's walking at me and his head is somewhat down. So I'm not making eye contact with him. And at the last minute I figured, this person is not going to step off and I'm not going to bump into him on purpose, so I stepped off and he walked by me. And it turned out it was him and a half hour later his guns were firing.

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>>**MR. HARTSFIELD:** My name is David Hartsfield and I was a Sergeant with the Orange County Sheriff's Office in the court services section on January 10th, 1984. Judge Colemena did not like deputies or police officers that were not in uniform to carry a gun so we didn't have our guns on us. Neither one of us. We're both sworn but neither one of us had our firearms. We got off the elevator on the 4th floor, started walking north in the hallway, and half way down the hallway encountered Thomas Provenzano walking the other direction. He had a – Tommy Ward and I were walking together of course, and Provenzano had what I recall a green Army trench coat on and made eye contact with me, and just, you know, I had chills go up my spine, just the way he looked at me. And we passed, we got where I could whisper to Tommy. I said, boy, that guy looked strange. And he said, he sure did, not realizing that – thinking back now that if had had my weapon, I might have stopped him and asked him, and it might have had a whole different outcome and I might not be here or Tommy because he had the guns sewn basically or tied inside his trench coat.

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>>**MS. VENABLE:** My name is Nancy Venable. I was an employee with the Orange County Clerk of Court, circuit criminal division. I was the assistant manager at the time, and I just recently retired November 30th of 2017. My manager came out of the office from the back of the office and shouted to me at the front of the office in a calm voice, Nancy, get up and lock the door. I didn't ask any questions, I just got up and went to the front door and locked the door. Then I came back around the front counter, and I was coming around the front counter, I saw somebody – the courtroom was across the hall from us, adjacent to our door. We had glass doors at the time, and this person, I don't remember if he stopped – I thought he stopped and looked in through our glass and had a gun. And I just remembered thinking, what was this all about and I jumped either down behind the counter or behind the computer. There was a little infrarex machine on the counter. At that time then everything happened very quickly.

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>>**CHIEF JUDGE LAUTEN:** So I told Judge Thompson in segment one that I escorted him out of the State Attorney's Office the Wednesday before Thanksgiving when we went down to a short staff in the afternoon. This was 2:00 or 3:00 because he came in to use the law library in the State Attorney's Office, and of course, we weren't going to let just anybody go into that law library. And we were really down to like three people on each floor, and I kind of gently grabbed him by the arm and said, we're about to close anyway and walked him out. So we all kind of – because Judge Thompson earlier in segment one informed our listeners that he saw him that day and he saw him with I think a duffle bag –

>>**JUDGE THOMPSON:** Looked like a duffle bag. It was just hanging down in his hand and it didn't swing. You know how if you're carrying your purse or a briefcase, you walk, it swings; it just hung straight down. And I noticed it; I mentioned it to Harry Dalton and we thought nothing of it and just moved on. He probably got his law books because he thought of himself as a pro se litigant and he always represented himself. I never knew him to have a lawyer and so he would bring books and law books and notebooks that he'd made his notes in.

>>**CHIEF JUDGE LAUTEN:** So he's due in Judge Lee Conser's courtroom on the 4th floor. Do you remember the number by any change?

>>**JUDGE BLECHMAN:** I think it was 4F because I was in 4E.

>>**CHIEF JUDGE LAUTEN:** All right.

>>**JUDGE BLECHMAN:** And 4F, because you and I were assigned there with Formet and I remember 4F –

>>**CHIEF JUDGE LAUTEN:** That's right. And there was like a witness management room close by that.

>>**JUDGE THOMPSON:** At the end of the hall right across from the elevators, that's where the jury room was. And I don't know about a witness management like we have now.

>>**JUDGE BLECHMAN:** It was a little tiny office.

>>**CHIEF JUDGE LAUTEN:** A little tiny office.

>>**JUDGE THOMPSON:** Really.

>>**JUDGE BLECHMAN:** With a dial –

>>**CHIEF JUDGE LAUTEN:** Almost right next to it.

>>**JUDGE BLECHMAN:** With a dial phone.

>>**CHIEF JUDGE LAUTEN:** And you could go in there and say, please call my witnesses; I'm about to start a trial. But anyway, so he – did he go – do you remember what he was going to court for? Was it pretrial or arraignment? But it wasn't – or maybe it was even a trial call.

>>**JUDGE BLECHMAN:** I don't believe it was a trial. I don't remember what it was for.

>>**CHIEF JUDGE LAUTEN:** One charge was a resisting officer without violence and I think there was some other misdemeanor charge.

>>**JUDGE BLECHMAN:** I don't remember what it was for.

>>**CHIEF JUDGE LAUTEN:** So he's – as I learned – later learned, he's called up to address the court and stands up and one of the deputies, I'm not – I can't remember which one sort of confronted him. Who was the first one shot? Mark Parker or Harry?

>>**JUDGE THOMPSON:** No, he shot Dalton and then Parker tried to jump him. Parker was a correction's officer. His father was either a sergeant or lieutenant with the Orange County Sheriff's Office. Provenzano got away. Parker turned to run and got shot in the cervical and was paralyzed from that part down. And then Provenzano left the courtroom, turned left, went toward the bank of elevators, shot Wilkerson, turned left, went into the jury room and the court deputy – there was a sliding panel, slid the panel opened, reached down and shot him while he was in that small area.

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>>**MS. SHELTON:** My name is Candi Shelton. I was a criminal court clerk on January 10th, 1984. Myself and my assistant supervisor realized what was going on. We ran into the file room vault. We locked ourselves into the vault. When we heard people talking, we opened up the vault and everybody was scurrying everywhere. We were asked to get jackets, pillows, blankets, whatever we had for Harry, Arnie and Mark. Everybody was trying to help them. Provenzano had run the L shape around to the court deputy briefing room. He opened the door to the conference area of the briefing room, not knowing that there is a sliding glass window at the end of that conference room that leads into the command area of the court deputies which were bailiffs back then. The officer – deputy that was in the command center saw Provenzano through the glass window and that's when he shot him in that conference room. So Provenzano was a mouse trapped in a hole.

>>**MR. JACOBS:** My name is Alex Jacobs. I was a corporal with the Sheriff's Department at this time. I had duty in the court security office along with the clerk. Around 10:20 in the morning, I heard shots. I told the clerk to get under the desk. I got up from behind the desk and went to the sliding window that led into our break room and I saw an individual standing there holding a shotgun. He had just fired the shotgun. I drew my weapon and shot him. After that, I went down the hallway, approximately 20 feet to the doorway which – where Provenzano was standing and he was laying there and I kicked the shotgun and rifle out into the hallway. At that time I saw Mark Parker and Arnie Wilkerson lying in the hallway.

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>>**CHIEF JUDGE LAUTEN:** So did you hear the shots initially right away, do you think?

>>**JUDGE BLECHMAN:** We heard them initially.

>>**CHIEF JUDGE LAUTEN:** Right.

>>**JUDGE BLECHMAN:** We didn't know what it was. It sounded like fire crackers going off. I never had the opportunity to experience that in a building before, a gun going off, so we thought fire crackers went off. Arnie Wilkerson, our bailiff obviously had a better suspicion of what it was.

>>**CHIEF JUDGE LAUTEN:** Right.

>>**JUDGE BLECHMAN:** And then it must have been as Provenzano left the courtroom, there must have been something that challenged him where he shot at them. The bullet then entered the – I'm saying the window might have been eight inches by eleven inches, an opaque piece of glass that we called a window. The bullet entered that, ricocheted throughout our courtroom. At that point, because the shooting was so loud, we thought the gunman was actually in our courtroom. We all ducked and I can remember being under these big heavy attorney tables with a couple of defense attorneys. We were in the process of sentencing somebody that morning. And we thought the person was going to lean over the railing and just shoot us, pick us off one by one. And Arnie, I recall him saying, stay here. He left and that was last I saw of him.

>>**CHIEF JUDGE LAUTEN:** So we – in fair – we have to paint a picture of Arnie Wilkerson for our listeners. So he – his visage – his kind of appearance reminded you of Captain Kangaroo.

>>**JUDGE THOMPSON:** Exactly. That was his nickname.

>>**CHIEF JUDGE LAUTEN:** And he had the disposition of Captain Kangaroo. He was the nicest guy you could ever meet. I remember trying a case once and he came over to the table as a bailiff and said, is there anything you need? Do you want some water? Do you need

some aspirin? Can I get you a diet coke? He was just always looking out for everybody in the courtroom, no matter who you were.

>>**JUDGE BLECHMAN:** If you look up the word avuncular in the dictionary, there's a picture of Arnie right there.

>>**CHIEF JUDGE LAUTEN:** So he goes out in the hall. I heard – I don't know what's true and what's, you know, just taken on the truth. I heard that, you know, he was like getting out his weapon or it was out, and that Provenzano shot him in the hand and might have like shot part of his hand so he couldn't shoot.

>>**JUDGE BLECHMAN:** No, I don't think that happened.

>>**JUDGE THOMPSON:** I didn't hear any of that.

>>**CHIEF JUDGE LAUTEN:** You would probably know.

>>**JUDGE THOMPSON:** No, no, I didn't hear – I know he got shot –

>>**CHIEF JUDGE LAUTEN:** Then shot in the chest.

>>**JUDGE THOMPSON:** Right.

>>**JUDGE BLECHMAN:** The – what I heard and I actually saw the bullet markings in the marble, is that when he left the courtroom, that Provenzano had already turned the corner and was heading towards the bailiff's office. That Arnie was taking a gun out, maybe he had it out, but they were actually shooting at each other and Provenzano had missed him with bullets. You can actually see the markings. Arnie had then walked to the end because Provenzano had retreated. He was now being shot at by Arnie. And when Arnie was about to turn the corner, a blind corner, the gun was placed into his belly and discharged.

>>**CHIEF JUDGE LAUTEN:** Was it a shotgun?

>>**JUDGE BLECHMAN:** It was a shotgun, a long gun of some type. I'm presuming it was a shotgun.

>>**CHIEF JUDGE LAUTEN:** I see.

>>**JUDGE BLECHMAN:** And that's where Arnie fell.

>>**JUDGE LAUTEN:** And he died pretty quickly.

>>**JUDGE THOMPSON:** He died instantly.

>>**JUDGE BLECHMAN:** He did. I remember a bailiff, a female name Rusty who was by his side as he passed. And we all loved Arnie. He was just like you described. He just came back from a family trip, and he was showing us pictures of where he had been and it was a friend of ours who was lying there.

>>**CHIEF JUDGE LAUTEN:** So I'm down on the 3rd floor. I can't recall whether I heard shots. What I do recall distinctly is the unmistakable sound of a lot of people running. You could just hear their footsteps the floor below, and then it seemed like an eternity, I'm told it was just a matter of minutes, a deputy, a bailiff came – we had a bailiff, but another bailiff came into our courtroom and said, there's been a shooting on the floor above. Everybody get into the judge's chambers and the two bailiffs joined us and we locked the door. So there was Judge Stroker, his JA, prosecutors, public defenders. I can't really recall who else and we're all in there and the bailiff locks the door behind us, and eventually this seemed like forever too, but I don't know how long it was, there was – I think a radio or someone came down and said, you're cleared now, you can go. And then they asked us, please get out of the building because this building is now a crime scene, and it's going –

>>**JUDGE THOMPSON:** Right, right.

>>**CHIEF JUDGE LAUTEN:** -- to have, you know, lots of investigators and crime scene tape. And as we left, there to go back to the State Attorney's Office, which was about two blocks away, by that time there were ambulances, police cars and the other thing I remember was news trucks everywhere. I mean, the scene was just sort of what you see classically now, all kinds of different lights, either blue lights, red lights, or flashing as we walked back to the State Attorney's Office. And we were all in shock, I mean, we were in shock, we couldn't believe what had happened.

>>**JUDGE BLECHMAN:** Back in those days we didn't have cell phones.

>>**CHIEF JUDGE LAUTEN:** Right.

>>**JUDGE BLECHMAN:** And the people at the public defender's and state attorney's office, we were both housed in the same building, got word there was a shooting. And my fiancé who became the other Judge Blechman, knew there was a shooting on the 4th floor, knew that I was on the 4th floor and she had no idea what happened. And my imagination would be that everybody in those buildings would be concerned about their co-workers without being able to communicate.

>>**CHIEF JUDGE LAUTEN:** Right. I got a call later in that day from friends of mine in New York who called long distance because it had made national news pretty quickly, because courthouse shootings were not unheard of, but they were really rare events.

>>**JUDGE THOMPSON:** Orlando was very quiet so it was unexpected. It's the home of Disney and it's still a southern town, citrus, orange groves. So it was surprising. It is interesting in that the whole floor was cordoned off, but when I came down, the first thing that I remember is, one, the smell and the other is blood. And I didn't go out because they said you can't, but I was checking on somebody, and the phones were ringing all over the place because people were trying to reach their kinfolk, or their family, or their children to see what happened. And a lot of the clerks' employees had relatives who were also employed by the county and they knew where they worked, and they were trying to get in touch with them because the people in the clerk's office were not making calls. They were just trying to hide and then leave, and there were no cell phones. So they were leaving the building and getting out but they hadn't called to check in to say I'm okay because they were told just to get out. And they were in the area close to the – and they did not want to stay and they were trying to get out, and they tried to collect them in an area to get individual accounts of what did you see, what did you hear, et cetera, et cetera, give me your name, your address, and phone number so we could get back with you to get your statement. And some people gave statements immediately. So they were in a hurry to clear the floor and clear the building because it was very traumatic. Several people did not come back to work ever. They had people pick up their gear, but they never came back into the Orange County Courthouse.

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>>**JUDGE SPRINKEL:** My name is George Sprinkel. I was a county judge on January 10th, 1984, and then was appointed by the Governor as a circuit judge and retired 10 years ago. I

was doing my job in small claims court in my office when my judicial assistant received a call saying that there had been a shooting on the – I believe it was the 4th floor. And from my court deputy, I found out that Arnie Wilkerson was shot as well as Harry Dalton, and both of them had served as my court deputies or bailiffs, as we called them back then. And I was particularly close to both of them, and I wanted to find out what happened, so I went down on the elevator. And as the elevator door opened on the 4th floor, I stepped out and I could see Arnie lying at the corner of where the courtroom hallway makes a jog.

>>**JUDGE BLECHMAN:** My name is Deborah Blechman. I was an assistant public defender on January 10th, 1984. I currently am retired recently from the Orange County bench as a county court judge. I was one floor below. I would have been in the same courtroom with Judge Lauten who was – I was a public defender, he was a prosecutor. And we heard the rat-tat-tat and then soon after we heard another round. But another woman prosecutor and I had – she had her husband and I had my future husband in the courtroom that Arnie Wilkerson had stepped out of. We didn't know if they had been shot. And her husband, John Sloop sort of broke ranks and stole down to the 3rd floor to tell us that they were okay.

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>>**CHIEF JUDGE LAUTEN:** So Judge Thompson, so shooting occurs, you're in the building, you're a judicial officer. What – do you remember what – was it like everything was cancelled, this courthouse is shut down for the rest of the day, I think that happened.

>>**JUDGE THOMPSON:** Exactly. The court deputy came by. As I mentioned earlier, we didn't have automatic notification by computer, cell phone because they didn't exist. So the court deputy came by. We wouldn't open the door, and so he called and said, open the door. You can clear the building. Go down this elevator, leave the building. We did. Some of the judges gathered about what to do tomorrow. Are we going to open the courthouse or what? Yada, yada, yada. And a decision was made at that time but I left. They had court deputies stationed out in the parking lot, the judge's parking lot so you could get out because the streets were crowded.

>>**JUDGE BLECHMAN:** And you all parked right outside the courthouse at that time.

>>**JUDGE THOMPSON:** We talked about that earlier. Everybody knew the judges' cars and they would wait till the car would roll down the street and they'd dash into courthouse. And so we left. And we did not open for business the next day, but some of us came in to kind of see what was going on and we had a meeting eventually. George Diamantis –

>>**CHIEF JUDGE LAUTEN:** So George Diamantis was the chief judge at the time. Did the courthouse open the next day or did it close for a full day, do you remember?

>>**JUDGE THOMPSON:** The courthouse was open, parts of it. Remember it was a county building so they had to conduct county business. The floor was closed because they were doing photographs, measurements, samples, the whole nine yards. And I don't remember if the clerk's office was open. I assume they were not, but they cordoned off that whole building. They had worked all night to take pictures, photographs, and the whole nine yards, and try to get witnesses. Try to find out where people were. I do recall that investigators from the sheriff's office – there was a dispute about who had jurisdiction, OPD or Orange County Sheriff's Office. They did schematics measurements of the building floor, the courtroom. They got dimensions, just like a traffic reconstruction accident because they wanted to know where everybody was relative to where the shooting occurred, and they had names of people and asked them where they were. And some of it was wrong because people are just excited and so – but then they started working backwards from there to identify where were you, where were you, what did you see to get a timeline for what happened. So the courthouse, part of it was open and that floor I know was closed.

>>**CHIEF JUDGE LAUTEN:** I see.

>>**JUDGE THOMPSON:** And some people, lawyers included, it was so traumatic that they didn't want to go back to that particular courtroom.

>>**CHIEF JUDGE LAUTEN:** So that was your courtroom in part.

>>**JUDGE BLECHMAN:** Right.

>>**CHIEF JUDGE LAUTEN:** So do you remember going back there afterwards?

>>**JUDGE BLECHMAN:** It was even harder because of our relationship with Arnie and how sweet of a human being he was. I remember going back; I don't remember how it was

in court after that. I know that the other attorneys that were below the table with me, we see each other now and then and we all remember that time frame. I did want to ask Judge Thompson, you indicated you had gone back or gone down to the floor after the shooting. My memory is that it was hazy from the smoke – all the smoke from all the gunshots.

>>**JUDGE THOMPSON:** It wasn't right away. Now, I'm not – now remember, I – it was the next day.

>>**JUDGE BLECHMAN:** Okay.

>>**JUDGE THOMPSON:** Because the court deputy said you can leave and I was not in a mood to visit, so as soon as he said that, we grabbed our gear. We took the – we didn't take – I'm trying to remember if we took the elevator or the steps. But I remember we left and there were court deputies downstairs escorting us out of the building, everybody out of the building into the parking lot and then we took off.

>>**JUDGE BLECHMAN:** Well, we were just prosecutors so weren't allowed back on the floor to see the next day, but I remember leaving that day and it was just all smoky, foggy like after a fireworks show and you could smell the gunfire. It was just a surreal experience for a – I was a 23 year old kid, 24 year old kid to be in this situation. And I don't – I don't have a recollection of courthouse shootings prior to that. Certainly after that.

>>**CHIEF JUDGE LAUTEN:** Yeah, well, I – I'm not sure I knew of courthouse shootings but we were – well, but there was the one that you mentioned that I think preceded –

>>**JUDGE THOMPSON:** I don't remember if it was before or after but I was mentioning that judges became acutely more aware of their personal security in the courthouse and outside the courthouse after that. We had a shooting in the Panhandle where a judge got shot in his office because he was holding a divorce case in his office. You had a judge who got shot at and behind the bench in Fort Lauderdale, Florida and several other things like that in the state of Florida. So the security became more and more important. We had national – the National Center for State Courts out of Virginia, the National Judicial College, the U.S. Marshal Service. Then later you had the bomb scare. Several pipe bombs went to a federal retired judge in Birmingham, Alabama, an attorney in Savannah – black attorney in Savannah, Georgia. A pipe bomb went to the 11th Circuit in Atlanta, but was discovered before it was moved into the

building. And then you had a pipe bomb that went to the President of the NAACP named Willie Dennis in Jacksonville, Florida. And so I got a visit from the U.S. Postal Service because they thought they were targeting people who had been involved in either civil rights, the judge who handled cases, a black lawyer in Atlanta was a civil rights lawyer. A black female who was head of the NAACP, they thought it might be specifically addressed to Joe Hatchett who was on the 11th and so I get a call from – and they said, well, you know, you might be on the list, so I said, well, why, because I was chief judge at that time. And then you had various other things, so we would have conferences – we had a conference in Palm Beach County where a U.S. Marshal joined us. We were around the pool. He had on a flowered shirt, pair of shorts and was just mingling and walking. The next day he came in with his coat and tie and said, I could have done great damage last night because I was eating your food, drinking your water and coca-colas and nobody said a word to me. I didn't have on ID. I didn't have on a name tag. I was just walking around. And so after that we had security at each of the judge's conferences and we would not advertise that there was going to be a judge conference.

>>**CHIEF JUDGE LAUTEN:** So can we all agree that January 10th, 1984 was a watershed in terms of our attitude and our awareness and changed the way we thought about being in a building where justice was administered?

>>**JUDGE THOMPSON:** Absolutely.

>>**JUDGE BLECHMAN:** It changed everything around the country. And in thinking about it now, how many years later, the only people that were injured or killed were the bailiffs who were there to protect us, and so they literally put their lives on the line to protect all of us in that building.

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>>**JUDGE RUSSELL:** My name is Dorothy Russell and I was a county judge on January 10th, 1984. I currently am retired but I'm a senior judge. I knew them as deputies. I was in county court at that time and Arnie Wilkerson was in circuit court. Not that they didn't change once in a while. I can't remember if they ever served in my court, but you just knew people. You just knew everyone in the courthouse so I knew them. I didn't know – I know Al

Jacobs, I believe is the deputy that shot Provenzano and he was a bowler. I knew that about him. But of course Mark I knew nothing about because he was so brand new. What a shame that was.

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>>**MR. SIMON:** And I've already talked about Arnie, he was an amazing guy and we will always miss him. I will always miss him because he was – he was important to me in my – in the early part of my career because he kind of took me under his wing.

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>>**MS. SHELTON:** Within the first couple of days of even working, like I had said in the beginning, it's like a family atmosphere and people just welcomed you. You know, oh, welcome, you need anything, let me know. And the bailiffs were the same way.

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>>**MR. JACOBS:** Arnie and Mark – I mean, and Harry were military veterans as I am. Mark Parker he was just a personable young man who assisted court personnel in various courts.

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>>**JUDGE BREWER:** Well, I know Arnie and I knew Dalton because you know they were there and, you know, when you saw a judge for a hearing, whether it was civil or criminal, you were going to see one of those bailiffs, as they called them back then. And Arnie, yes, I – you couldn't not know Arnie if you were in the courthouse. He was such a nice guy. And he was one of those guys that if you were a young attorney who maybe didn't know all the ropes, didn't understand judges' likes and dislikes and stuff like that, as soon as he saw that in you, he would sort of let you know.

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>>**MS. WELCH:** Arnie was, as well as Harry and Mark, very fine men, very gentle, very conscientious about their duties as bailiffs.

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>>**UNIDENTIFIED SPEAKER:** So Arnie and I were kind of close and we used to make jokes about the late nights.

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>>**JUDGE BLECHMAN:** And I would imagine that Harry, when he confronted Mr. Provenzano, probably was doing so, maybe even in close physical range because he might have been trying to calm him down.

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>>**CHIEF JUDGE LAUTEN:** So for our listeners, Thomas Provenzano was tried for first degree murder of Arnie Wilkerson and attempted first degree and I think – I'm not sure that either Deputy Parker or Deputy Dalton – well, Bailiff Dalton and Corrections Officer Parker, I'm not sure they had died but –

>>**JUDGE THOMPSON:** They had not.

>>**CHIEF JUDGE LAUTEN:** -- by the time of his trial. They eventually both died really from complications of the shooting.

>>**JUDGE BLECHMAN:** Am I correct that the trial actually occurred six months later?

>>**CHIEF JUDGE LAUTEN:** Was it that fast?

>>**JUDGE BLECHMAN:** I think it was an amazingly fast trial. And I think it was only six months later.

>>**CHIEF JUDGE LAUTEN:** I know a judge came in from the outside which is understandable so that – since we all knew Arnie.

>>**JUDGE THOMPSON:** The big issue was whether or not the trial would be moved.

>>**CHIEF JUDGE LAUTEN:** Right.

>>**JUDGE THOMPSON:** Because of the impact of being in this building where the scene occurred – shooting occurred, and the lawyers were adamant that – the fact that you're in the building, the court personnel who were here would have access to the jury and so they were extremely concerned that the trial would resurrect memories that would taint the jury.

>>**CHIEF JUDGE LAUTEN:** Was it tried here? I can't remember if it was tried here or moved to another city. I just for some reason – for some reason I think it was tried here; but I could be wrong. Because today you would never imagine a trial happening here so...

>>**JUDGE BLECHMAN:** I could be wrong, I think it was here. I think it was tried in my courtroom, Courtroom 4E and I remember having the thought that the bullets struck the paneling opposite the window and nobody in that courtroom trying the case knew that to point that out except for the few of us that were in there.

>>**JUDGE LAUTEN:** Well, not sure about the trial. Maybe we can find that out for our listeners. I do know this, Thomas Provenzano was convicted of first degree murder. He received a death sentence from the court and he was executed on June 21st, 2000. January 10th, 1984 just changed the culture here in our region and particularly security in this building. As we know, everyday we make decisions that disappoint people or sometimes greatly anger people and it's just the nature of our job so we're highly conscious of security and we feel strongly that weapons should not be in this building of any sort. And Judge Thompson recalled in the early 80s being shown a display of weapons that were seized in that building. That of course happens even in this building with magnetometers and big signs that say that weapons are precluded and yet some people still walk in here –

>>**JUDGE THOMPSON:** They forget.

>>**CHIEF JUDGE LAUTEN:** And just forget. Oh yeah, I have a gun in my purse or my briefcase.

>>**JUDGE BLECHMAN:** Hopefully it's that they forgot as opposed to an intentional act.

>>**CHIEF JUDGE LAUTEN:** I hope so too.

>>**JUDGE THOMPSON:** Well, I made mention of the story about this older woman who had a .357 Magnum in her purse because her husband left her rental property and when she went to collect rent, she carried her husband's gun, which she had never fired. And the court deputy wondered who she was more of a danger to, herself or to somebody on the other end of that gun.

>>**CHIEF JUDGE LAUTEN:** And now even – it's kind of restricted who in law enforcement can have a weapon, so certainly the court deputies are armed, but if a law enforcement officer comes here for business that's not official business, not allowed to bring their weapon into the building. So we're trying to make sure that all weapons are accounted for in the building, and we're very security conscious. And I'm on a Florida Supreme Court committee on courthouse security that Chief Justice Labarga created, and I've had the opportunity to travel around the state and look at courthouses. And a couple of observations from that: One, is I come back and say to my colleagues, we're very lucky because this county committed significant resources to this building and we are more secure than so many other courthouses. Jacksonville, Duval County has a new courthouse. That courthouse has I think 184 cameras in it. That's a secure building. But we visited a Dixie County courthouse and there is no security in that building. It reminds me of a smaller version of our courthouse in 1984, but the county also is at its maximum millage rate and so for them to generate revenue to provide court security through magnetometers or deputies, it's just almost an impossibility. They don't have any cap in their millage rate to raise money for that, and the sheriff himself came to visit us and said which one of my four deputies would you like me to take off the road and dedicate just to this building all day long. And it was a mix use building, Judge Thompson, just like ours was. So you know, for us here in Orange County, in many ways we're blessed by the commitment that the county has made.

>>**JUDGE THOMPSON:** Absolutely.

>>**CHIEF JUDGE LAUTEN:** And I think the same is true in Osceola County. I think they're very serious about not just the judge's security, and I think it's important to note this for the public. Not just let's secure the judges, but let's secure everyone who uses the building. And Judge Blechman, you pointed out something that's really amazing and fascinating, who knows who could have died on January 10th, 1984. It could have been spectators in the courtroom or other defendants or family members, and it was law enforcement who did put their lives on the line to protect us, but it could so easily have been all kinds of people. And so the security here sometimes people tell me, you know, it's just for you judges, but I respond, no, it's not. It's for everybody who enters this building. We have, as you all know, over two thousand visitors everyday to this building and so we have an obligation not just to secure ourselves, but to secure

all of those visitors. And I've said multiple times, I'm really grateful to the Sheriff of Orange County, to the Orange County Mayor and the Orange County Commissioners because they are dedicated to making sure that everybody who enters this building is secure. I want to thank you both for taking time out of your schedule and sharing your very personal experiences about that tragic day, and I hope it was enlightening to our listeners and I really, really appreciate that you're with us today. Thank you.

>>**JUDGE BLECHMAN:** Thank you.

>>Thank you for listening to this episode of Open Ninth. Today we discussed the tragic events that occurred on January 10th, 1984. In our next episode, we'll take a look at how the courts have changed in order to prevent events like these from every happening again. We'll hope you'll join us.

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