

OPEN NINTH:

CONVERSATIONS BEYOND THE COURTROOM

PART 3: THE SHOOTER, THE VICTIMS, THE AFTERMATH

EPISODE 42 PART 3

JANUARY 29, 2018

HOSTED BY: CHIEF JUDGE FREDERICK J. LAUTEN

>>Welcome to Open Ninth: Conversations Beyond the Courtroom. In Episode 3 we conclude the series by looking at how our court and community has changed since the events of January 10th, 1984 and the impact those events have on court operations today.

>>**UNIDENTIFIED SPEAKER:** Life in general has changed from those days and not in a good way.

>>**MR. SIMON:** We now have metal detectors. We have wand scanners. Everybody is reviewed, even the employees.

>>**UNIDENTIFIED SPEAKER:** You feel like it's annoying when you're rushing to work and you have to stop and go through the security even that the employees have to come through. You be thankful that you have to come through that security.

>>**JUDGE RUSSELL:** Of course, I'm aware that this is a possibility now, but it didn't make me afraid to go to work.

>>**JUDGE BREWER:** Well, this is a very secure building. I mean, you getting around in this building without that proximity card is impossible.

>>**MR. TUMARKIN:** All of a sudden rather than a sleepy big town, it became a small big city.

>>**MS. WELCH:** I think I felt more safe because of the security measures that were put into place.

>>**CHIEF JUDGE LAUTEN:** We're here today with Sheriff Jerry Demings in our three-part series about an unfortunate event that occurred in our history on January 10th, 1984 in the Orange County Courthouse when Thomas Provenzano shot three deputies, bailiffs I think we probably referred to them at the time in our courthouse. Before we get to that though, since it's our pleasure to have the sheriff with us, Sheriff Demings maybe you can tell our listeners a little bit about your background. Where were you born and raised? And where did you go to high school, and what led you into law enforcement?

>>**SHERIFF DEMINGS:** Well, Judge, let me first begin by saying thank you for inviting me here to the Open Ninth, for this podcast and I'm honored to be here. I was born here in Orlando, in west Orlando in the late 50s and so this is my home. I was born and raised here. And been serving in law enforcement for nearly 37 years now. I started my career out as an Orlando police officer, and worked my way up through the various ranks to being appointed police chief in 1998, about 20 years ago and of course, I'm in my third term as Orange County Sheriff.

>>**CHIEF JUDGE LAUTEN:** Great, wonderful. We're blessed to have you as Sheriff. I want to take you back to 1984, late 1983 and early 1984, so you were working as a law enforcement officer then?

>>**SHERIFF DEMINGS:** I was an Orlando police officer at the time assigned to criminal investigations. And when the incident occurred, I was one of many law enforcement officers who responded to the Orange County Courthouse on that dreadful day.

>>**CHIEF JUDGE LAUTEN:** So I was in the courthouse. I was a floor below where the shooting occurred in Judge James Stroker's felony court and I can't recall whether I specifically heard the shots. But we certainly heard the commotion which was people running and I think we heard that -- the running started, I think we heard some more shots which were consistent with Provenzano coming out of the county courthouse and going -- courtroom and going down the hallway, and then coming into contact with Arnie Wilkerson, and then later him being subdued by gunshots. And I recall that building, you could walk in and out of, I think, five entrances and exits.

* * * * *

>>**JUDGE PRATHER:** My name is Charles Prather, and I am a senior judge at this time, was appointed a county judge in 1983 and then in 1990 became a circuit judge. It was very friendly. It was non-secure. You just walked into the courthouse, which is now of course the historical center, and if you

had a hearing before a judge, you went into the judge's waiting room between the chambers of the two judges.

>>**CHIEF JUDGE LAUTEN:** Do you remember – well, I'm sure you testified as a witness, as a police officer. Do you remember kind of the easy access into that building?

>>**SHERIFF DEMINGS:** Yes, I do, and there was obviously court bailiffs who were assigned to protect the judiciary at the time who worked for the sheriff. In addition, there would be a plethora of law enforcement officers in and out of the courtrooms. But there was no peer group security; there were no magnetometers or what have you that you had to go through. And so the courthouse was really pretty open at the time, and the world that we live in – lived in at that time and the world that we live in today has drastically changed.

* * * * *

>>**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 who comes back occasionally. The day after he was arrested, he was in the hospital because he had been shot by one of the deputies in the courthouse. And he had to be – have his initial appearance within the 24 hours, so I had to go to the hospital and, of course, a bunch of the deputies went with me, and the press was there. And we had to deal with that, but I had a little meeting in the beginning and told everybody, nobody wiggles when we're in that room, when we go in the room. And I remember Wendy Spirduso, she was the court liaison to the Sentinel, and she raised her hand and said, well, can I write? And I said, yes, you can write but don't anybody make any moves and we'll get through this.

* * * * *

>>**SHERIFF DEMINGS:** There's a great deal now to have a secure courthouse because of the numerous attacks that have been pointed at officials of the courts throughout the country, and so it is

something that forced the issue here to occur perhaps more rapidly than it would have occurred otherwise if that shooting had not occurred.

>>**CHIEF JUDGE LAUTEN:** Has sort of changed in a flash. So we've talked in previous podcasts about sort of how open the courthouse was and I'm wondering if you can talk to me about the changes that sort of immediately happened and where we've progressed to today, so right after – do you remember what happened right after the shooting?

>>**SHERIFF DEMINGS:** What I do remember is that there were different judges on the bench who were known to carry guns at the time, but not all judges wanted to carry a gun and saw that as a need, but there were a few who did. Immediately after this incident occurred, it caused all of us to rethink the overall security at the courthouse. Within probably a matter of a day or so there were uniformed Orange County Deputy Sheriffs, other bailiffs who were armed, who were put in place at the entranceways to the courthouse. So some screening almost began immediately. As I recall, there was a task force that was created by the Chief Judge and others at the time to assess best practices for courthouses in other places and to make recommendations for long term permanent changes to occur and over time within probably a matter of months there were some type of screening devices that were put in place and, of course, working with this being a county facility, there were some negotiations with private security and ultimately you then saw where you had private security provide us – providing initial screening responsibilities coupled with law enforcement or sheriff's office personnel being nearby and the level of sophistication continued. And so to this day, the Sheriff now does have a contingency of court deputies who are fully certified law enforcement officers and in most cases very, very experienced officers who are assigned to each of the courtrooms, and they do a number of other duties where we patrol within the courthouse. They have a presence in the courtroom and they patrol outside. So we have rings of security that's in place. There's human security and then we use other crime prevention through environmental design and technologists to make sure that the courthouse is as secure as it possibly can be.

Today we're also using things like various fingerprint and IRIS technology, facial recognition technology to help strengthen the security here at the courthouse.

* * * * *

>>**MR. AKERT:** My name is Tom Akert. I am retired from the Orange County Convention Center. In 1984, I was an assistant to the county administrator, primarily working in relation to court and court related activities. The county and the court system were in a great period of transition, although to be honest with you, I'm not sure we forecast what eventually happened. We were definitely in that stance of growth period from the late 70s into the early and mid-80s. There was enormous pressure on both the court system and the county with respect to facilities and funding services. Nobody ever supports tax increases, but the demand of services in every regard, from general county services to court related services, everything was just growing expedientially.

* * * * *

>>**CHIEF JUDGE LAUTEN:** Contrasting what we had in January of 1984 to today, if you come on to our grounds, first of all, as you've noted, your deputies can be seen. Lots of deputies in full uniform patrolling the exterior of the courthouse, present as soon as you enter the building and then they are in every single courtroom. And by the way, we appreciate that very much here. The other thing that's kind of interesting, and I don't think this is giving away a secret, we have a lot of cameras in this building that are being monitored. And I think it's okay for the public to know that. That that shouldn't come as any surprise that you're sort of being watched when you come into a 23-story building that has had a shooting in its history.

>>**SHERIFF DEMINGS:** That's the world we live in now. You cannot drive down the roadways, into private or public buildings now without generally being caught on a camera somewhere. So this building has many cameras that in some cases are smart cameras. They have the ability to take snapshots of one's face that can be used to be checked against an existing database that we have to

determine if this is a known subject or not. You know, we call it facial recognition that we use here in this courthouse and as well as some other technology that I won't get into the specific details. But I think the public expects to have cameras in government buildings today. They expect to see a certain level of screening that occurs in order for them to feel safe and secure and, of course, perception is everything. And so what we're trying to do is create the perception from the very beginning that this is a safe place. You feel safe emotionally as well as you – we have the screening that's being done to hopefully stop unwanted, either guns or other weapons from coming into this courthouse that could cause a problem for many people here.

>>**CHIEF JUDGE LAUTEN:** So for our listeners who haven't been here, first of all, on our website and then at the front door we post items that are prohibited from entering this courthouse and obviously, no one can bring a gun into this courthouse or a knife, or pepper spray, something that could be used to disable a law enforcement officer or anyone really, assault anyone in the building. And you enter the building and you're met by a number of magnetometers on our first floor. And you've presented this to us before, the number of items that actually get confiscated at that front and turned over to your office, it's just astounding how many weapons are actually taken from people.

>>**SHERIFF DEMINGS:** Well, here in Florida we are a state that is pretty much a pro-gun rights state where many individuals are able to lawfully obtain a concealed weapons permit and they can carry a firearm. And because of that, sometimes people who otherwise legitimately are able to carry a firearm on their person or, you know, in a briefcase or backpack or what have you, while they may be lawfully carrying that on a day-to-day basis, sometimes they end up here at the courthouse and just through oversight they have forgotten to take their weapon out or what have you. And they are stopped and they're detained, and in most cases that weapon may be confiscated. And when you enter the public entrances, you see right away that there is screening going on so that should be your first clue that if you might have anything, turn around, take it back to your car, lock it up or whatever but do not enter this

building. And if you choose to come forward at that point then you're going to subject yourself to the potential for being arrested.

>>**CHIEF JUDGE LAUTEN:** Right. Well, you get through the checkpoint here in the building. You enter a large rotunda and then we have 23 floors. And one of the features in the design of this building, and all of these are pluses and minuses, is there are probably more secure doors, more secure hallways, certainly monitored hallways in this building than there were in the courthouse in the 1984 shooting. Makes the movement around this building a little more difficult than the movement in that unsecure building, but again it's to ensure not just judges security, I don't want people to think it's only that the judges are being secured. It's really anybody who enters the courthouse, our users as much as the people who work here on a full time basis. It still is the people's courthouse and we want them to feel like they can come here and use the courthouse because it exists for them to resolve their disputes.

* * * * *

>>**JUDGE BREWER:** Jerry Brewer, and I was a practicing attorney here in Orange County. I had been practicing for three, four years at that point. Well, this is a very secure building. I mean, you getting around in this building without that proximity card is impossible. It's more like a federal building now than like a state building because back then the feds over there got security pretty quick. I did quite a bit of work over there as well, in the old federal courthouse, and security entered that building within a couple of months. They got security first and then eventually the state court got it. But this building is incredibly secure.

* * * * *

>>**CHIEF JUDGE LAUTEN:** Is there a percentage of your work force that is dedicated to this building or a number of employees? Do you have an idea about how many deputies?

>>**SHERIFF DEMINGS:** Yeah, between full time and part time deputy sheriffs and support staff that's here, we probably have out of the 2600 employees, we have a 100, 120 employees who are

just here assigned to the courthouse itself. But the courthouse as you said is the people's courthouse and so our job is to have visible security, invisible security here but allow the business of the courts to go forward. There are now requirements for law enforcement and those who work in the building to have certain credentials, identifications. I remember the days when that wasn't the case. They didn't readily have a lanyard with a photo ID. Everyone that works in this courthouse has been vetted in some manner with a criminal history background check, and they meet those stringent criteria that has been agreed upon by the tenants here of the courthouse itself and the county. So our ultimate goal is to make certain that everybody is as safe as they possibly can be when they come here.

>>**CHIEF JUDGE LAUTEN:** Sheriff, I don't think we want to disclose these details, but is it, suffice it to say, that any package of any sort that comes into this building gets checked one way or the other; isn't that correct?

>>**SHERIFF DEMINGS:** Yes, you know, we're doing screenings again because of the world that we live in. You may recall back in the early 2000s, late 90s, you know, the threat was of substances such as Anthrax and so there began to be quite an interest in that. And from time to time, you know, we have such things that happen here. Sometimes people do things as a joke. Sometimes they do intend to hurt public officials and because of just the individuals that you come in contact with, well, you know, our job is to make sure that officers of the court are not threatened in any manner and so we're willing to step up our game. They must do package screening and other things because we've seen again various other types of attacks that have occurred around the country.

>>**CHIEF JUDGE LAUTEN:** Is there specific training for one of your deputies if they come say, from off the road and into this building that they go through?

>>**SHERIFF DEMINGS:** Absolutely. If they're assigned here to the courthouse, the work of the courthouse is somewhat unique to the courthouse itself. So in addition to the normal training requirements as a law enforcement officer, they go through another training when they come here to the

courthouse to familiarize themselves with the workings of the court. And so that way we can ensure that they're all really very, very confident to be able to provide the best quality service they possibly can to the public and to the judiciary here.

>>**CHIEF JUDGE LAUTEN:** Sheriff, I don't know if you can answer this the way I'm going to phrase it, but what would you list as the most significant change in courthouse security since the 1980s when we had our unfortunate episode?

>>**SHERIFF DEMINGS:** The mere design of courthouses now are designed with certain security features in them. The technology that we have today, just the fact that we're doing a podcast now, in many ways the courtroom can use technology through closed circuit TV, otherwise for certain types of testimony. But probably the most visible thing that you will see in a courthouse that has changed from the past to today is the screening features associated with the entranceways in the courthouse. That would be the most visible feature that you will see.

>>**CHIEF JUDGE LAUTEN:** Sheriff, is there anything that civilians can do to assist your deputies here in this building in executing their responsibilities or assist law enforcement to ensure everyone's safety?

>>**SHERIFF DEMINGS:** That's an excellent question and a point because the security of this building is only as good as the weakest point, and everyone who enters this building has a role to play in the overall safety of this facility because of what they see. So we say to people, if you see something that looks suspicious, say something to the appropriate authorities because no matter how large or small, it may be the piece of the puzzle that is necessary for them to carry out some type of attack. And so everyone plays a role in the security of this facility from those who work here, those who have direct safety and security responsibilities to those who merely enter the building and they're just simply present to take care of personal business here in the building.

>>**CHIEF JUDGE LAUTEN:** Sheriff, tell me if this is a true statement or not. Is it impossible to absolutely guarantee everyone's security a hundred percent?

>>**SHERIFF DEMINGS:** It is, I will say, impossible; it's a difficult task but if we all work together, we can get pretty close.

* * * * *

>>**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 just came down here to be grateful and to say how thankful I've always been that these guys will put their lives on the line for us.

>>**CHIEF JUDGE LAUTEN:** All right, and so comparing where we are today to 1980, how would you characterize that comparison?

>>**SHERIFF DEMINGS:** Now that I've been a law enforcement here for nearly four decades and had the opportunity to observe security features in courthouses around the nation, I can say that the security at the Orange County Courthouse is one of the best that you will see anywhere.

>>**CHIEF JUDGE LAUTEN:** Well, Sheriff, I want to thank you for taking time out of your busy schedule. And on behalf of all of the Judges, there are 65 of us here, I know I speak for all of them when I tell you personally that we're very grateful to you as Sheriff and leader of that agency for the competent, dedicated, compassionate, professionals that you have assigned to this building. And I want to thank you for your continuing support of the security, not of just the Judges, but of all the citizens who enter this building to do that important work that occurs here, whether it's trying a criminal case or resolving a civil dispute, or domestic violence injunctions or handling families who are going through divorces or reviewing whether a parent should be with children, important business is being done here and sometimes it can be very stressful for the people who participate. I'm very

grateful for your professional and dedicated law enforcement work force that help us here. Thank you very much.

>>**SHERIFF DEMINGS:** Judge, thank you and I have to say I applaud your efforts by the mere fact that you're doing something here with the podcasts. I don't think this has been done in many places and so we appreciate the work and partnership that we have each day with you and others in this building, and we look forward to continuing that relationship as well.

>>**CHIEF JUDGE LAUTEN:** Thank you. On January 10th, 2018 an annual ceremony was held honoring Bailiff William Arnie Wilkerson, Bailiff Harry Dalton and Corrections Officer Mark Parker. It was in fact the 34th consecutive remembrance ceremony for these three brave men who stand as heroes from that tragic January day in 1984. We leave now with the sounds of that ceremony and Amazing Grace as played by the Orange County Sheriff's Office pipe and drums. As Chief Judge of the Ninth Judicial Circuit, I would like to thank everyone who provided testimonials for this podcast series, and I want to thank you for listening.

>>Thank you for listening to this episode of Open Ninth. This concludes our three part series on how the tragic events that occurred January 10th, 1984 dramatically changed individual lives, the court and our community. We will forever remember those who lost their lives as a result of this horrific event, along with all Central Florida first responders who have fallen in the line of duty.

If you would like to stay up to date with everything that is happening at the Ninth Circuit, you can follow us on Facebook, Twitter and Instagram, or watch video materials on our Vimeo or YouTube channels. To access these, please click on their respective icons at the bottom of our website, www.ninthcircuit.org.