

June 10, 2020

Bob Gualtieri, Sheriff for Pinellas County, Florida  
Sent via email to RGualtieri@pcsonet.com

**Re: No bond for Unlawful Assembly arrests**

Dear Sheriff Gualtieri,



4023 N. Armenia Ave.  
Suite 450  
Tampa, FL 33607  
(786) 363-2708 (Direct)  
aclufl.org

Jacqueline Azis  
Staff Attorney

People in St. Petersburg have recently assembled to express outrage about systemic racism and police brutality. In response, some of them have been arrested on the sole charge of unlawful assembly in violation of § 870.02, Fla. Stat., a second-degree misdemeanor punishable by up to no more than 60 days in jail. In those circumstances, we understand that you have not released them on their personal recognizance or at most a \$250 monetary bail as the Uniform Bond Schedule provides. Instead, you have detained these people accused of this minor offense on “no bond” (which is reserved for only the most dangerous defendants) overnight until their first appearance.

This oppressive practice, seemingly by design, has a chilling effect on the exercise of free speech by those who want to express their disapproval of excessive use of force by law enforcement. It is not a good strategy for law and order, limits a free exchange of ideas, and thwarts a more perfect union. The First Amendment to the U.S. Constitution protects against government actions which impede people’s rights to speech, assembly, and petitioning of their government. We demand that you immediately cease detaining people overnight for expressing their beliefs and follow the Bond Schedule’s recommendation to release them on their personal recognizance. We request a response from you in writing by Friday, June 12, informing of us how you intend to address our concerns. Alternatively, we can make ourselves available to discuss this via phone.

Sincerely,

Jacqueline Azis, ACLU of Florida, Staff Attorney

Catherine Blackburn, ACLU of Florida, Pinellas Chapter Legal Panel Chair