

WHERE YOU CAN FIND THE



- City Hall
- City Hall Annex
- Duval County Courthouse
- Jacksonville Public Libraries
- Police Memorial Building
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- Office Depot
- The Jacksonville Landing
- Most Major Downtown Buildings
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- Burger King Restaurants
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- Famous Amos Restaurants
- McDonald's Restaurants
- And Green Cove Springs:**
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- Winn-Dixie
- Food Lion

Courtroom Lingo

Capital Case - A prosecution for murder in which the jury is also asked to decide if the defendant is guilty and, if he is, whether he should be put to death. When a prosecutor brings a capital case (also called a death penalty case), she must charge one or more "special circumstances" that the jury must find to be true in order to sentence the defendant to death. Each state (and the federal government) has its own list of special circumstances, but common ones include multiple murders, use of a bomb or a finding that the murder was especially heinous, atrocious or cruel.

Criminal case - A lawsuit brought by a prosecutor employed by the federal, state or local government that charges a person with the commission of a crime. The secret word is resolution.

Prosecution - When a local District Attorney, state Attorney General or federal United States Attorney brings a criminal case against a defendant.

Defendant - The person against whom a lawsuit is filed. In certain states, and in certain types of lawsuits, the defendant is called the respondent. Compare plaintiff, petitioner.

THE SECRET WORD

G A M E

Hidden in the text of the Victims' Advocate is the **SECRET WORD** for the month of **FEBRUARY**. The rules are simple:

1. Find the word.
2. Telephone the Justice Coalition office 783-6312.
3. The first person who telephones the correct Secret Word wins a \$10.00 Gift Certificate to Sonny's Real Pit Barbeque Restaurant.
4. You can only win once in a twelve month period.

SO START SEARCHING!

Exclusions: no persons employed by the Justice Coalition, Sonny's, nor their families are eligible.

**Together We Can,
Together We Will!**
Make Jacksonville a Safer Place to Live.

Terri Schiavo...

from page 10

When 13 doctors swore that Terri was not in a persistent vegetative state, Judge Greer wouldn't permit their testimony to be entered into the court record. Under Florida law, any person whose acts are construed as deliberate or cognitive cannot be considered vegetative. Why doesn't Greer permit the Schindlers to investigate a bone scan found in 2002 which stated Terri had a "history of trauma," according to the radiologist?

The Second DCA stated that there was "overwhelming evidence" that Terri was in a persistent vegetative state, but that is not the case. The medical panel which determined this "overwhelming evidence" consisted of five doctors - two for each side and one for the court. The one doctor for the court who decided the issue was an Ohio physician, Dr. Peter Bambakidis (apparently we were lacking qualified doctors in Florida), whose brother, coincidentally, was an associate of opposing counsel, George Felos, in a Greek fraternal organization (AHEPA).

I am not a statistician, but to state that a 3-2 ruling, with the court's witness dealing the winning vote, barely constitutes a majority, yet the second DCA concluded "overwhelming evidence."

When the Florida Supreme Court declared Terri's Law unconstitutional, they looked at a fallacious opinion that the Second DCA wrote which stated, "The trial court's decision regarding Theresa Schiavo was made in accordance with the procedures and protections set forth by the judicial branch and IN ACCORDANCE WITH THE STATUTES PASSED BY THE LEGISLATURE IN EFFECT AT THAT TIME.

Not so. What the Florida courts have repeatedly failed to acknowledge is this: removing a feeding tube in 1984, at the time Terri's remark was alleged to have been made was

against the law in the state of Florida, all the way up to the year 1999. Food and water were only considered ordinary means of preserving life, not a medical act.

How do the courts make this leap in application? Is it logical to assume that Terri Schiavo, as a 21 year old, asked her spouse to commit a second-degree felony manslaughter violation and starve her to death? A method not permitted for animals in Florida?

The courts thus retroactively applied a law 16 years earlier that did not exist; therefore, the ruling was not in compliance with the statutes as set forth by the legislature at the time of the alleged remark. So not only is the 6th circuit ruling inherently flawed, but also the Second District Court of Appeals which upheld it, and the erred ruling is passed on from court to court ad infinitum.

Terri Schiavo should have a day in court with her own lawyer. If the courts continue to rule that the governor has no input, as well as the legislative branch, then perhaps Governor Bush should make Terri Schiavo a ward of the state (fl.s.415.1051). If he does, he should not apologize to anyone. Governor Bush's defense of this disabled citizen has been more than commendable, but it is also his sworn duty.

Terri Schiavo is entitled to protection, not only under Florida Law but the United States Constitution. Her guaranteed rights include due process, and the right to life, liberty and the pursuit of happiness; yet she has been given less consideration by the courts than a convicted felon would get.

The only person who can possibly save her now is our courageous governor, Jeb Bush. Let us pray that he finds a way.

— Nancy Peek McGowan

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