

## State Attorney Phil Archer's Statement

After a review of the case file, I have determined that no further action will be taken in this case and no formal charges will be filed. However, let me be clear on several points. First, there was more than enough probable cause for the Brevard County Sheriff's Office to make the arrest in this case, and I fully support their decision to do so. The deputies in this case showed great restraint and took appropriate action to prevent a potentially dangerous situation.

There is no question that a person has a right to speak at a public event and sometimes that includes speech that many might find objectionable. A person who believes they are denied that right has several options. One of those options includes practicing civil disobedience and then using their arrest to gain further attention to their cause. The Defendant in this case chose that option and in fact was quoted in an interview as saying that his arrest was awesome and the best thing that could have happened to him because he is getting free coverage like Donald Trump.

The deputies and other police officers who are assigned to provide security for public meetings every week in this county are not there to make a determination on whether the official responsible for running the meeting is justified in ordering someone to stop speaking and to take their seat. It would be unreasonable to require them to make that determination. They are there to ensure the safety of all those attending the meetings and must be able to make quick decisions to carry out those duties. The video from the meeting in this case shows clearly the dangers they face. As they are dealing with the Defendant and trying to get him to comply with the chairman's order to stop speaking and leave the podium, a member of the audience is seen leaving his seat and approaching the deputies from their rear. Luckily, it was someone who only made verbal statements to the Defendant trying to get the Defendant to stop resisting and leave the meeting. It could have been much worse. Much, much worse. In conjunction with the increasing unease of the audience, you have the potential of an extremely dangerous situation not only for the deputies trying to do their job but for all of the people in attendance at the meeting. This has nothing to do with "free speech" but everything to do with ensuring the safety and security of our citizens and law enforcement. Their decision to forcefully remove the Defendant from the meeting and make an arrest for resisting without violence for direct refusal of their lawful direction is fully supported by the evidence and I commend them for resolving the situation without endangering the public or further disruption of the meeting.

Our evaluation of a case, however, includes more than whether or not there was probable cause for the arrest. We must also take into consideration the likelihood of success at a trial with the assertion of first amendment issues involved in the underlying charges and whether additional public resources should be utilized in a case that some are using to advance their political platform. Based on all of these factors, no further action will be taken in this case.