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PUBLIC DEFENDER
Seventeenth Judicial Circuit

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April 20, 2018

The Honorable Jack Tuter
Chief Judge
Broward County Courthouse
Room WW 20170
Fort Lauderdale, FL 33301

Re: Judge Ehrlich's conduct at first appearance court

On April 14-15, 2018, Judge Merrilee Ehrlich demonstrated aggressive and tyrannical behavior and revealed her lack of emotional fitness to sit on the bench. She raised her voice to many defendants, berated the attorneys, and was impatient and exasperated during the proceedings. Her handling of two misdemeanor cases at first appearance on Sunday, April 15 was shocking and an embarrassment to Broward County.

59-year old Sandra Twiggs appeared via video from the North Broward Bureau after her arrest on misdemeanors. She was in a wheelchair and coughed throughout the first appearance hearing. The court was advised she had no prior criminal record and that she suffers from asthma and COPD. After curtly asking Ms. Twiggs a question, Judge Ehrlich became angry and frustrated as Ms. Twiggs tried to answer these questions. As Ms. Twiggs continued to cough, Judge Ehrlich repeatedly berated her.

Struggling for breath, Ms. Twiggs again advised the court about her health issues. Ms. Twiggs advised the court that she needed a breathing treatment. Judge Ehrlich impatiently yelled that she was "not here to talk to you about your breathing treatment." The court then turned her ire to the public defender and instructed counsel to chide Ms. Twiggs about her perceived impropriety in court. Ms. Twiggs lowered her head, sipped water and attempted to apologize. The Judge flashed to anger and again yelled at Ms. Twiggs for not answering questions the way Judge Ehrlich wanted, and the demeaned Ms. Twiggs put her head in her hands. She then instructed Ms. Twiggs to make arrangements for someone to "carry" her to Pretrial Services if she could not get there herself.

Judge Ehrlich's bullying continued into the next hearing, another misdemeanor allegation. The Judge was informed that Nefreteri Tamalo had no income and was a stay-at-home mother to her nine month old child. In making a bond determination, Judge Ehrlich stated that the father of Ms. Tamalo's infant was at home to care for the child. When a panicked and crying Ms. Tamalo tried to correct this mistake, the Judge angrily silenced her. As with the previous hearing, Judge Ehrlich would not listen to

the defendant. Concerned about her child, Ms. Tamalo again tried to speak and the Judge yelled, "Ma'am, be quiet or be removed. Be quiet."

Canon 3B.(4) of the Code of Judicial Conduct provides that a "judge shall be patient, dignified, and courteous to litigants." Judge Ehrlich's shameful behavior could not be further from these dictates. Her embarrassing demeanor yet again reveals that she lacks the civility and professionalism to sit on the bench. It is Judge Ehrlich, not Ms. Twiggs or Ms. Tamalo, who needs instructions about courtroom decorum. Judge Ehrlich should never again preside over First Appearance Court or any criminal or juvenile delinquency proceeding.

Sincerely,



Howard Finkelstein
Public Defender