

# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

## COMMITTEES:

Appropriations Subcommittee on Agriculture,  
Environment, and General Government, *Vice Chair*  
Appropriations  
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Joint Committee on Public Counsel Oversight

## SENATOR BOBBY POWELL

30th District

October 9, 2019

Judicial Qualifications Commission  
Post Office Box 14106  
Tallahassee, FL 32317

To Whom It May Concern,

I am requesting that you immediately investigate Judge John S. Kastrenakes of the 15<sup>th</sup> Judicial Circuit of Florida for violations of the Code of Judicial Conduct. The wrongful exercise of Judge Kastrenakes's lawful authority in the case of Deandre Somerville missing jury duty is unacceptable and shameful.

On August 20, 2019, 21-year-old Deandre Somerville of West Palm Beach, FL showed up for jury selection in Judge Kastrenakes's courtroom and was selected to participate in a three-day negligence trial beginning the following day. After waking up late the next day and learning that he slept through the beginning of the trial, Mr. Somerville decided to go to work for the remainder of the day. As a result, Judge Kastrenakes sent the police to serve Somerville with an order to appear in court.

At the September 20 contempt hearing, Judge Kastrenakes found Mr. Somerville guilty of contempt and imposed an excessive penalty of 10 days in jail, a year of probation and 150 hours of community service, in addition to \$223 in court costs and an order to write a letter of apology to the court. Despite having no prior criminal history, Judge Kastrenakes threatened Mr. Somerville with more jail time on top of the 10 days if he failed to complete his 150 hours of community service.

From September 20 to September 29, Mr. Somerville served his jail sentence and was subjected to harsh conditions. During his stay, Mr. Somerville witnessed beatings and had trouble eating and sleeping.

## REPLY TO:

- ☐ 2715 North Australian Avenue, Suite 105, West Palm Beach, Florida 33407 (561) 650-6880
- ☐ 214 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5030

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BILL GALVANO**  
President of the Senate

**DAVID SIMMONS**  
President Pro Tempore

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At the October 4 hearing appealing his contempt conviction, Mr. Somerville and his family testified about the emotional toll he took while incarcerated. Judge Kastrenakes went on to further chastise Mr. Somerville for failing to appear for jury duty because of his race, stating “He was the only African American on the jury, representing a cross-section of the community, and he decided on his own that it wasn’t worth his time.” At the conclusion of the hearing, Judge Kastrenakes agreed to reduce Mr. Somerville’s sentence to three months of probation and 30 hours of community service.

Then, on Saturday, October 5, Judge Kastrenakes decided to rescind the remainder of Mr. Somerville’s punishment and vacate his conviction for contempt only after mounting public pressure to do so.

The facts outlined above illustrate that Judge Kastrenakes acted in an unprecedented manner to unfairly punish one individual for a minor transgression, singling him out as an example solely because of his race. The judge later rescinded his original punishment after succumbing to public scrutiny. According to Florida’s Code of Judicial Conduct, a judge shall perform judicial duties without bias or prejudice and shall not be swayed by partisan interests, public clamor, or fear of criticism. Judge Kastrenakes has evidently violated the Code of the Judicial Conduct and has engaged in misfeasance in his official duties as the 15<sup>th</sup> Judicial Circuit Court Judge.

Therefore, I am requesting that you immediately investigate this matter and discipline Judge John S. Kastrenakes accordingly.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bobby Powell, Jr.", written in a cursive style.

Bobby Powell, Jr.  
State Senator – District 30  
Florida Senate