

Fellow Citizens:

There has been a lot of media attention to the recent incident where George Zimmerman shot and killed Trayvon Martin. This is indeed a tragic situation and has caused a flood of questions and strong emotions from within our community, the region and nation. On behalf of the employees of the City of Sanford, Our deepest sympathy and prayers go out to the family and friends of Trayvon Martin. As a father, I can only image the pain Trayvon's family must be going through.

In an effort to continue to be as responsive as possible to the public seeking information on the incident, I have asked Chief Lee to provide answers to some of the most frequently asked questions regarding this matter. Below are his responses. Please understand that since this is still an ongoing investigation, the Police Department is limited in what information it can publicly release.

The City of Sanford is committed to insuring that justice is served and, therefore, the City of Sanford has contacted the United States Attorney General's Office for assistance in this matter.

The men and women of the Sanford Police Department extend our heartfelt sympathies to the Martin family. This is indeed a tragic situation. The death of anyone due to violence, especially a 17 year old young man, is morally appalling. As this incident has generated a lot of media attention, we wanted to provide answers to some of the most frequently asked questions.

### **Why was George Zimmerman not arrested the night of the shooting?**

When the Sanford Police Department arrived at the scene of the incident, Mr. Zimmerman provided a statement claiming he acted in self defense which at the time was supported by physical evidence and testimony. By Florida Statute, law enforcement was PROHIBITED from making an arrest based on the facts and circumstances they had at the time. Additionally, when any police officer makes an arrest for any reason, the officer MUST swear and affirm that he/she is making the arrest in good faith and with probable cause. If the arrest is done maliciously and in bad faith, the officer and the City may be held liable.

According to Florida Statute 776.032 :

[776.032](#) Immunity from criminal prosecution and civil action for justifiable use of force.—

(1) A person who uses force as permitted in [s. 776.012](#), [s. 776.013](#), or [s. 776.031](#) is justified in using such force and is immune from criminal prosecution and civil action for the use of such force, unless the person against whom force was used is a law enforcement officer, as defined in [s. 943.10\(14\)](#), who was acting in the performance of his or her official duties and the officer identified himself or herself in accordance with any applicable law or the person using force knew or reasonably should have known that the person was a law enforcement officer. As used in this subsection, the term "criminal prosecution" includes arresting, detaining in custody, and charging or prosecuting the defendant.

(2) A law enforcement agency may use standard procedures for investigating the use of force as described in subsection (1), but the agency may not arrest the person for using force unless it determines that there is probable cause that the force that was used was unlawful.

**Why weren't the 911 tapes initially released?**

There are exemptions to the public records laws for active criminal intelligence and for ongoing investigations. In this instance, the 911 calls made by neighbors in the subdivision, and the non-emergency call made by Mr. Zimmerman are all key to the investigation by Sanford Police Department. In consultation with the Office of the State Attorney, the Sanford police department had decided not to release the audio recordings of the 911 calls due to the ongoing investigation. Many times, specific information is contained in those recordings which is vital to the integrity of the investigation. At the time, it was determined that if revealed, the information may compromise the integrity of the investigation prior to its completion. The 911 tapes have since been released.

**Why did Mr. Zimmerman have a firearm in his possession while acting in the role of a neighborhood watch member?**

Mr. Zimmerman holds a concealed weapon permit issued from the State of Florida. He is authorized to carry the weapon in a concealed manner wherever Florida Statute dictates.

Neighborhood Watch programs are designed for members of a neighborhood to be “eyes and ears” for police and to watch out for their neighbors. They are not members of the Police Department nor are they vigilantes. Training provided by law enforcement agencies to Neighborhood Watch organizations stresses non-contact surveillance of suspicious situations and notifying police of those situations so that law enforcement can respond and take control of the situation.

Mr. Zimmerman was not acting outside the legal boundaries of Florida Statute by carrying his weapon when this incident occurred. He was in fact on a personal errand in his vehicle when he observed Mr. Martin in the community and called the Sanford Police Department.

**If Zimmerman was told not to continue to follow Trayvon, can that be considered in this investigation?**

Yes it will; however, the telecommunications call taker asked Zimmerman “are you following him”. Zimmerman replied, “yes”. The call taker stated “you don't need to do that”. The call taker's suggestion is not a lawful order that Mr. Zimmerman would be required to follow. Zimmerman's statement was that he had lost sight of Trayvon and was returning to his truck to meet the police officer when he says he was attacked by Trayvon.

**Why was George Zimmerman labeled as “squeaky clean” when in fact he has a prior arrest history?**

In one of the initial meetings with the father of the victim the investigator related to him the account that Mr. Zimmerman provided of the incident. At that time the investigator said that Mr. Zimmerman portrayed himself to be “squeaky clean”. We are aware of the background information regarding both individuals involved in this event. We believe Mr. Martin may have misconstrued this information.

**What about media reenactments of the shooting incident?**

Any media reenactments of the shooting incident are purely speculation. To date the Sanford Police Department has not released any rendition of the events of the evening to anyone other than the Office of the State Attorney. The renditions we have seen are not consistent with the evidence in this case.

The Sanford Police Department has conducted a complete and fair investigation of this incident. We have provided the results of our investigation to the Office of the State Attorney for their review and consideration for possible criminal prosecution.

Although the Police Department is the target of the troubling questions, let me assure you we too feel the pain of this senseless tragedy that has dramatically affected our community. Therefore, as we move forward and strive to answer the questions that are a point of controversy in the community, we ask for your patience, understanding and assistance in getting the correct information to the community.

Thank you,

Norton N. Bonaparte, Jr., ICMA-CM  
City Manager  
March 19, 2012