

1 MS. JACKSON: They deny a lot of that for me.  
2 That's why I've been -- I'm on ~~suicide~~ --

3 THE COURT: Who is "they"?

4 MS. JACKSON: The officers. I've been on  
5 ~~suicide watch~~ for a very long time because they  
6 hate me. They put me --

7 THE COURT: Are you on ~~suicide watch~~ now?

8 MS. JACKSON: Yes. They put me in there, and  
9 they want to torture me, basically. They said that  
10 I threatened to kill them. Like, I -- Why would I  
11 threaten to kill somebody? It just doesn't make  
12 any sense.

13 So they have to -- They put me in the chair,  
14 and they said they were going to beat my ass.  
15 The -- one of the officers said that. She grabbed  
16 my hair, while they were putting handcuffs on me,  
17 and threatened they were going to tase me. So  
18 I'm --

19 THE COURT: When did that occur?

20 MS. JACKSON: -- in an 8 x 5 cell, and they  
21 always --

22 THE COURT: Okay. Hold on. Take a breath.  
23 When did that occur?

24 MS. JACKSON: This whole -- these two weeks  
25 has been hell for me.

Softing her up to get her  
to take the plea deal?

1 They have, right now, no other juveniles. They did  
2 for a period of months have another juvenile.

3 In any event, the other option that we  
4 considered was to raise this issue. And the  
5 nearest facility that might have housing for her  
6 would be, in our judgment, in Orlando. And, so, we  
7 weighed out the options, and thought, Well, what  
8 would be a better option? To move her further away  
9 from us and the Court, if it was granted, or there  
10 was some movement in housing where we would have  
11 less access.

12 We see her weekly now - in person, weekly.  
13 Which has been since the entirety of her case. And  
14 we thought it would be better to have her nearby  
15 where we could continue that visit schedule, rather  
16 than move her further away.

17 Also, she sees her ~~therapist~~ - at least since  
18 that order has been in place - and her guardian  
19 ad litem, and others who are all Volusia based.

20 So I kind of ran through that quickly. But  
21 we've considered this solitary issue. First, it's  
22 not solitary confinement. She has been outside.  
23 She does have access to phones, tablets, and other  
24 ways to contact people. But those are the reasons  
25 why we took no action.

1 THE COURT: The last two weeks?

2 MS. JACKSON: This whole two weeks. I'm  
3 freezing in that cell.

4 THE COURT: Two weeks before today?

5 MS. JACKSON: Yeah.

6 MR. AVALLONE: Yes.

7 THE COURT: So you are currently on ~~suicide~~  
8 ~~watch~~?

9 MS. JACKSON: Yes. Because of me banging on  
10 the door. Because they always deny my phone time  
11 and my tablet. So, no, I don't have access to the  
12 phone 24/7. There's other people in the rotundas,  
13 what they call it, in the segs. And I can't sleep  
14 in there. I get three hours of sleep because  
15 there's always movement. So, no, Mr. Avallone, I  
16 do not have 24 hours for the phones, and they shut  
17 off periods of times.

18 MR. AVALLONE: Her handling has been changed  
19 in the last two weeks, Judge.

20 THE COURT: Okay. Well, all right. Let me  
21 talk about -- a little bit about that issue, and  
22 then I'll --

23 MS. JACKSON: And I haven't been outside.

24 THE COURT: And you haven't what?

25 MS. JACKSON: I haven't been outside.

1 THE COURT: Okay. In the last two weeks?

2 MS. JACKSON: Last two weeks, yes.

3 THE COURT: Okay. So are you still able to  
4 see your ~~therapist~~?

5 MS. JACKSON: Yes. But now, for some reason,  
6 she has to do -- has to go home with a badge. She  
7 comes to the jail, and they have to clarify  
8 something. She has to go home, and then she has to  
9 wait 45 minutes, and they call for me. So it's  
10 just -- I feel like Orlando, where they have  
11 housing at, would be way better for me. And I will  
12 do the videoconference.

13 THE COURT: Okay. Well --

14 MS. JACKSON: I will videoconference.

15 THE COURT: You don't get to choose where you  
16 stay --

17 MS. JACKSON: Of course --

18 THE COURT: -- number one. Ultimately, that  
19 would be the Court's determination, subject to  
20 department of the jail, or whatever the department  
21 is who is in charge of the housing.

22 I'm not inclined to move you at this juncture,  
23 because we're literally 30 days out from your trial  
24 date. So I'm not going to move you to Orlando,  
25 where your lawyers, and all the people who are,

1 actually, legally supportive, and appointed to  
2 represent you, are. Because we have proceedings  
3 coming up, as you know, in a couple weeks related  
4 in anticipation of trial. So I'm not going to move  
5 you far away where we can't get to you.

6 Today is an example. We had to set this  
7 hearing on short notice. If I had to get you here  
8 from Orlando, it may take a week for me to get you  
9 back. And that is not in your best interest, and  
10 that's not going to help your case. It's not going  
11 to help us address issues that come up quickly on  
12 short notice. And now that we're closing in on  
13 that trial date, that may happen; and I've got to  
14 be able to get you. If I call over in the morning,  
15 I can get you here this afternoon if I need to. I  
16 would never be able to do that in Orlando. So that  
17 just really isn't realistic. Maybe a year and a  
18 half ago, it might have. But it's not now.

19 How long have you -- Are you seeing your  
20 ~~therapist~~ on a weekly basis?

21 MS. JACKSON: No. She's always on vacation.

22 THE COURT: Okay. How often do you typically  
23 see her?

24 MS. JACKSON: Every other week. It really  
25 depends.

1 THE COURT: And do you have a good -- I don't  
2 need to hear what you-all talk about. Do you have  
3 a good relationship with this ~~therapist~~?

4 MS. JACKSON: Um, well, she mostly talks about  
5 herself. But, yeah, I just sit there and listen,  
6 kind of.

7 THE COURT: Okay. So is there someone --  
8 Counsel, this is getting a little far out of  
9 your bailiwick. Although, we wanted to try to  
10 get -- I did enter an order to allow her to see a  
11 ~~therapist~~. Is there -- Can we, perhaps, address to  
12 see if we can get someone out there more regularly?  
13 That might help, kind of, put a damper on this high  
14 anxiety that's causing issues out at the jail.

15 MR. AVALLONE: I'm in communication with her,  
16 Judge. Her perspective -- I don't get involved in  
17 what they talk about, of course. But her  
18 perspective is that things are going well. And  
19 they meet regularly. But I will address that with  
20 her and see if she can go more often.

21 THE COURT: If you can do that. Especially,  
22 in light of Ms. Jackson being on ~~suicide~~ watch.  
23 That's concerning, obviously, to the Court.

24 MR. AVALLONE: Yes.

25 THE COURT: I don't run the jail. I don't

Apparently not "concerning" enough  
to question moving forward with this hearing, plea

1 have the authority to address some of those issues.  
2 But it's concerning to me that you're not -- If  
3 you're not seeing your ~~therapist~~ every week, and  
4 you're on ~~suicide watch~~, and you've got some of  
5 these other things going on, that's something that  
6 I want to make sure we can get in place, to try to  
7 give you the proper professional to talk to, so  
8 some of those situations at the jail will calm  
9 down.

10 Counsel, I'm going to ask that you just look  
11 into what's going on. If there are issues that  
12 need to be brought to the Court's attention,  
13 obviously, I'll consider them on short notice if  
14 need be. There's -- you know what I have  
15 jurisdiction over and what I don't. Obviously, if  
16 it becomes an issue. But I'm going to ask you to  
17 look into that. If what's happening, as she's  
18 indicating has occurred, that is, obviously,  
19 concerning to the Court.

20 Ms. Jackson, I want to go back and talk to you  
21 about some other things that you raise in your  
22 motion, which is the scoresheet issue. So tell me  
23 about your concerns about not having a  
24 scoresheet --

25 MS. JACKSON: Um, well --

Question: With these on-going issues - WAS  
MS Jackson in the right frame of mind to be accepting A plea deal?