

NK/CN

IN THE COUNTY COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE
COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO.

vs.

JAMES THOMAS BODEN
COBB, JARETT ANTONIO
CONDY, JERELL JONTAY
DUBOSE, KAYONDRA
GONZALEZ, AMBRAHAM
HUNT, DANIEL
HUTSON, MICHELLE
JACKSON, LISA
THOMAS, ALTO

23-MM-024238
22CF16879
23CF16343
24CF15513
23CF15833
24CF15524
23CF18014
24MM20329
24CF156
23CT100174
24CF15197
24CF17114 (JG)

MOTION TO EXCLUDE MEDIA FROM MENTAL HEALTH COURT PROCEEDINGS

COMES NOW, the Defendants, by and through the undersigned counsel, and on behalf of all clients currently represented by The Public Defender's Office in the 20th Judicial Circuit in Mental Health Court, and respectfully moves this Honorable Court to exclude members of the media from attending any Mental Health Court proceedings in which confidential information is discussed, and in support thereof states the following:

1. § 394.47892, Fla. (2025) governs Mental Health Court programs.
2. § 394.47892 (8)(a), Fla. (2025) explicitly protects the confidentiality of information related to participants in Mental Health Court.
3. Any information relating to participants in the Mental Health Court program obtained through screenings, assessments, or court status reports is confidential and exempt from § 119.07(1), Fla. Stat. (2025) and s. 24(a), Art. I of the State Constitution.
4. Status reports, assessments, treatment progress, diagnoses, and related discussions constitute the primary substance of this Court's interactions with the participants in court and are explicitly included in the statute's confidentiality protections.
5. Participants sign limited waivers of confidentiality upon entry into the Mental Health Court program. These waivers do not contemplate or authorize the presence of media. Additionally, these waivers are not blanket permissions to disclose sensitive mental health information to parties not directly listed in the waiver.
6. Permitting members of the media to attend status hearings where verbal status reports and confidential therapeutic mental health or substance use information are disclosed would result in a release of protected information in violation of § 394.47892(8)(a).
7. Defense Counsel objects to the disclosure of any confidential information including but not limited to treatment status, mental health diagnoses, or behavioral assessments on behalf of all clients currently represented by this office who participate in Mental Health Court.

8. This objection applies to all such discussions that fall within the ambit of the statute's confidentiality provisions and include innocuous questions that could lead to the disclosure of the information in open court.
9. There is no express permission granted by any client represented by the Public Defender's Office of the 20th Judicial Circuit to permit third-party access by members of the media to information protected under Florida law, Federal Law, and HIPAA regulations.

WHEREFORE, the Defendant's counsel hereby certifies that this motion is made in good faith and respectfully requests that this Honorable Court grant this Motion to Exclude Media from Mental Health Court Proceedings and enter an order excluding members of the media from any portion of Mental Health Court proceedings that may involve the discussion of confidential information as protected by Florida Statute § 394.47892(8)(a), and to take any additional steps necessary to ensure the privacy rights of participants are upheld consistent with the statute, Florida, and Federal law.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the Amy Kosinski, Assistant State Attorney, Kosinski, Amy akosinski@sao20.org Post Office Box 399, Fort Myers, FL 33902; this 15th day of June, 2025, DMCA@winknews.com Monica Kummer.

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