



**Al Mccray**  
Managing Editor

## **Is there Disparity of Justice in Tampa FL?**

A serious look at the Ethel Anderson case

Is a defendant's skin color a factor in the prosecution and in sentencing in Tampa, Hillsborough County Florida? Many very concerned citizens from different cultural backgrounds were asking that exact question. Their initial reaction was that of pure shock and amazement. If you compared two very high profile criminal cases of teacher/sex, was disparity of justice a factor? A White female, Debra Lafave, declared in public to be too pretty to go to jail, received probation, while a Minority female, Ethel Anderson, was given a thirty-eight year prison sentence. Why would two similar criminal cases be prosecuted and their sentences outcome be so different? In this article I will take a critical examination of the facts, the various dimensions of prosecution, sentencing and falsehoods surrounding these criminal cases. I will also post initial comments from the public.

The Ethel Anderson case was extensively reviewed. Many facts were discovered that were unknown to the public and to me, for that matter.

Several teachers in the Hillsborough County schools system added a new course of study to the school's list of extra curricula activities. They added a course of hands on sex education with their students. These teachers were mostly White with the exception of one Minority. All those who pleaded guilty were given sentences of probation including the infamous Debra Lafave, who was said to be "too pretty to go to jail".

There was one White female teacher Stephanie Ragusa to go to prison. She was sentenced to probation and 10 years in state prison. She defiantly disobeyed the terms of her bail bond and pre-trial release.

That might have angered and influenced the judge's decision in her sentencing.

However one teacher, Ethel Anderson, a Minority teacher, rolled the dice and decided to go trial before Judge Tharpe. She was found guilty was sentenced to thirty-eight years to be served in state prison. She received more than twice the sentence of a manslaughter conviction. There is a lot more to the Ethel Anderson story than a Minority female being found guilty of a child sex crime.

The community was quick to compare White Debra Lafave with Minority Ethel Anderson. On the surface, it is quite understandable. The community is still trying to come to grips with the Jennifer Porter's incident.

Jennifer Porter, a White female teacher, in her car one evening mowed down and killed two young Black children. She fled the scene, hid out for a few days and was given probation. Many have suggested that in her leaving the scene for few days gave her ample time to dry out and to wash away any evidence from the vehicle.

In trying to figure out the bottom line of these cases, you really have to look really very far beyond skin color. You must take into account the hard non emotional facts and the various dimensions of each case. A lot has to do with the defendant's financial resources, being innocent 'til broke, the defendants past criminal record, the nature of the defense, their attorney, whether it is a Defense Attorney or Criminal lawyer, the dynamics of plea bargaining, the victims and their families' zeal for prosecution, the evidence in the case and public opinion.



## Public Comments

(Without knowing all the facts about Ethel Anderson)

Debra Lafave, a White female, walked herself away from the court house and into society after receiving probation, while Ethel Anderson, a Minority female, walked from the court house but to an awaiting county sheriff transport bus after receiving 38 years in state prison for a similar criminal offense of teacher/student sex. She is currently locked up in Orlando at the State prison's classification center. She will be shipped to a State prison to start serving her 38 years after processing. Debra Lafave is going about her life as though her entire case of raping minors were simple interruptions of her privileged life style.

On the surface, there seems to be something sinisterly wrong about the Ethel Anderson case, especially the sentencing. While I take it seriously the crime of any adult, especially those in a trust position, raping a child of less than 18 years old or anyone, 38 years seems so awfully wrong in this case. A manslaughter conviction is 15 years in state prison. Ethel and Debra both deserve some prison time.

I take serious the question of; "Is there a disparity of justice in Tampa, Florida?" The mere questionable thought that any municipality or governmental body would discriminate against any segment of its population when it comes to the administration of justice is an awful thought. Debra Lafave really cause public discussions, but the 38 years prison sentence of Ethel Anderson created deep down feelings of distrust and fear in the Minority community. The strangest thing about this sentencing, I received more calls from the White community than I did from the Minority community. That told me that this case did not sit well with a lot of people across racial lines.

The comments that I am posting are from a relative small sampling. These are the initial comments solely based on the media reporting of the cases of Debra Lafave and Ethel Anderson. These respondents did not know the rest of the story behind the sentencing of Ethel Anderson.



**Christopher Carlos Cano**

FL Deputy State Director for Young Adults  
League of United Latin American Citizens

We live in a post-racial society. That is the myth propagated since the election of President Barack Obama, yet, nowhere is the disparity among ethnic groups more prevalent than in the American justice system. Minor offenses such as simple possession of marijuana see an 11 to 1 ratio of jail vs. rehab when one compares the sentences of Latinos and African Americans to that of Caucasians. We see white Americans get lighter sentencing and minorities made examples of in our courts. Most recently, this can be seen in the sentencing of former teacher Ethel Anderson. Anderson was sentenced to 38 years in prison for having sex with an under-aged male student. In no way can one validate or condone her actions, nor do I believe she deserves leniency. However, the questions beg to be asked? Does ethnicity play a role in her sentence? Is justice truly blind?

Judge Chet Tharpe seemed to throw the book at Anderson, yet, sentenced former teacher Stephanie Ragusa to only ten years in prison and five years of probation for having sex with two under-aged students. Both defendants claimed bi-polar disorder. Both violated the sacred trust of a public official. Yet, the white teacher gets a lighter sentence than the black teacher. This relationship may seem spurious to some, and to others a clear indication the justice system does not look kindly toward minority offenders. The disparity in these type of cases is even more heinous when one examines the case of former teacher Debra LaFave. She was sentenced to three years house arrest and seven years of probation by one of

Judge Thorpe's colleagues. No prison time was given. At one point in the case, her attorney is regarded for acknowledging that because she was so beautiful that to put her in state prison would be "like throwing raw meat to the lions." Case in point: Being a pretty white woman can seem to get you some measure of leniency in the American justice system.

Whether this is a case of judicial bias is for an ethics commission to decide, but the court of public opinion is still out. Is Ethel Anderson subject to harsh penalties because she lacks the complexion for the protection? I would say she deserves every year she gets for her violation of public trust; however, there are clear disparities when there has been a white teacher in a similar situation. This is something I cannot abide. There can never be true equality in society if there is no equality in justice.

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**Pam McCoy**

Credit consultant

I am personally repulsed by these incidences of theft of these children's' innocence that is lost FOREVER!

In reading this article and the related articles on the subject of this horrendous form of child abuse, I am perplexed. It is unclear as to the core cause of the variation of penalties. It is appalling that some had virtually no real consequences for their actions. Another real concern I find is the mention of the mental health of the teachers in many of these cases. I say mentioned because it is unclear as to if it was actual and was it known and addressed 'before' the violation of these children or merely a crutch 'after' the crime came to light. If 'before', how is it that they were placed in charge of children? Why is psychological screenings not a requirement by our school board? How can such a cavalier approach to mental health be taken; especially when it comes to the care of our children?

The questions don't end there. How was a plea an option after Ragusa had sex with one of her victim's while on bail? How it is that Lafave had no prison time? What message of lack of consequences does this send to the victim and other children?

I would venture to say some victims will not come forward due to their feeling there would be no real consequence to the teacher's misuse of their authority and influence. Thus, their coming forward and being subjected to others knowing what happened to them

yields no benefit to telling. Further, without knowledge of what is going on, there would be no intervention and the affected children will go without counseling that they need to deal with what has happened to them which exacerbates the tragedy.

We as a society have much to do to protect our precious gifts - our children.

As a side note, it would be interesting to hear the response of the perpetrators to these questions: How would you feel if someone did what you did to your child/niece/nephew/grandchild? What do you think should happen to the person who did it?



**Diane Collins**

Retired Financial advisor

This is a very troubling case to read about on many levels. The abuse with a minor is disturbing on its own merit especially since the teacher admitted wrongdoing. The penalty seems way too harsh by any standards. I don't know if there is a racist element at play here, but it wouldn't surprise me at all since we all read the statistics about how many people of color are incarcerated versus white people. I'm not sure in my own mind what a proper sentence should be. Certainly not the Lafave model of only house arrest, Nor the 35 years. I could see 5 years in jail and 5 years

probation with counseling in minimum security prison with regular visits with her child and time off for good behavior.

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**Gerald Jacobs**

Jacobs Real Estate Broker

Great disparities in sentencing for very similar offences fly in the face of our constitution and our equal protection rights. This is one of the basic pillars of our government that helps insure that we are a nation of laws and not of the whimsy of man. It is disturbing to think that this difference could be based more on physical appearance or race. The unfairness of that is un-American and not a lesson that we want our children to learn.





**Carlton Lewis Jr.**

Retired government employee

I find the act this teacher appalling; however I find the judge's sentence a bit severe. This sentence is unjust and outrageous. I have seen murderers get less time. She certainly should be punished but her sentencing should reflect similar sentencing. The Lafave sentencing was ridiculous as this one is extreme.

**Part 3, A possible graph of where a disparity of justice might be, if any.**

This graph is my own interpretation observations and from public comments and comments of people in the justice system.

If law enforcement is shown with a bar score, it's because of the nature of what they do, and they come into direct contacts with the public, especially with minorities. They have a firsthand view and engagement violence. They know who they come in contact with and who is mostly like to be violent. Their score does not represent any intentional disparity of justice.

Any appearance of disparity in law enforcement is co-incidental and accidental mainly in the ranks of the uniforms street divisions. The undercover division has a less score that the uniform division.

The administrators of law enforcement have a zero tolerance of disparity or discrimination of any kind.

The Florida Highway Patrol and the Florida Department of Law Enforcement do not have an ongoing daily contact with a sufficient number of Minorities in the area to really score.

The biggest administrators of disparity of justice by far are the private criminal lawyers. They are, in my opinion, are criminals with a license to practice law. They manipulate the system and they have the most to gain financially without regards to the outcome of any criminal charge, they still make money and lots of it.

Through their scare tactics, fear factor fees policy, lies to clients and constantly dragging out proceeding to extract ever more money from clients, they have created a racket. To me, it's a criminal enterprise.

They will never serve one minute of your prison sentence.

Some of tactics of private criminal lawyers, those that are criminals with a license to practice law are:

1. At the start, they say we can beat the case at trial, knowing very well that over 92% of all cases never go to trial but are settled by a plea bargain arrangement. The catch is that they charge you for a trial and in two weeks they say; "Well Jose we found out some more about your case that you did not disclosed to us and its best we don't go to trial but try a plea bargain." These same lawyers will tell you up front not to go to the public defender's office because all they want to do is plead people guilty. They encourage fearful people to mortgage their house, cash in their retirement, borrow uncle Bubba/ family members and even cash in their insurance policies. They charge you for a trial but they do about one fifth of the work in arranging a plea bargaining. No refund on the fees. They burn up your money at a rate of \$250-350 per hour. You pay primarily for labor.

2. They say to Leroy, "I just got off the phone with the prosecutor and they want to hang you. I need another \$25,000".

If you know you are guilty and don't have \$100,000 to hire one of the top ten private law firms in town, you should consider a plea bargain. Otherwise going to trial is like going to battle against Mr. Ober is like just like having criminal lawyer with a rubber band in his hand in battling Mark Ober's prosecutors. The State's Attorney office in Hillsborough County is a very efficient prosecuting machine.

The State Attorney, Mark Ober, is very reasonable and is generally open to plea bargain discussions.

If you go to trial and lose, there is the possibility that the judge may not so understanding of you costing the tax payers when you know you were guilty. Sure there are folks found to be innocent by jury trials about 6% or less of the time.

If you have need to engage a Criminal lawyer, a criminal with a license to practice law, don't be misled or fooled about going to trial with your case. Get a price from the criminal lawyer for a plea bargain. Pay for what you will actually get. Avoid the criminal lawyer racket.

The best by far without any motive other than to provide clients with best and quality presentation in criminal matters are the Public Defender's office of the 13<sup>th</sup> Judicial Circuit headed by Julianne Holt. When it comes to a law criminal firm, they are the largest, most experience and most trusted. If you can qualify because of your income they will defend you very well. They are not just a plea bargaining agency.

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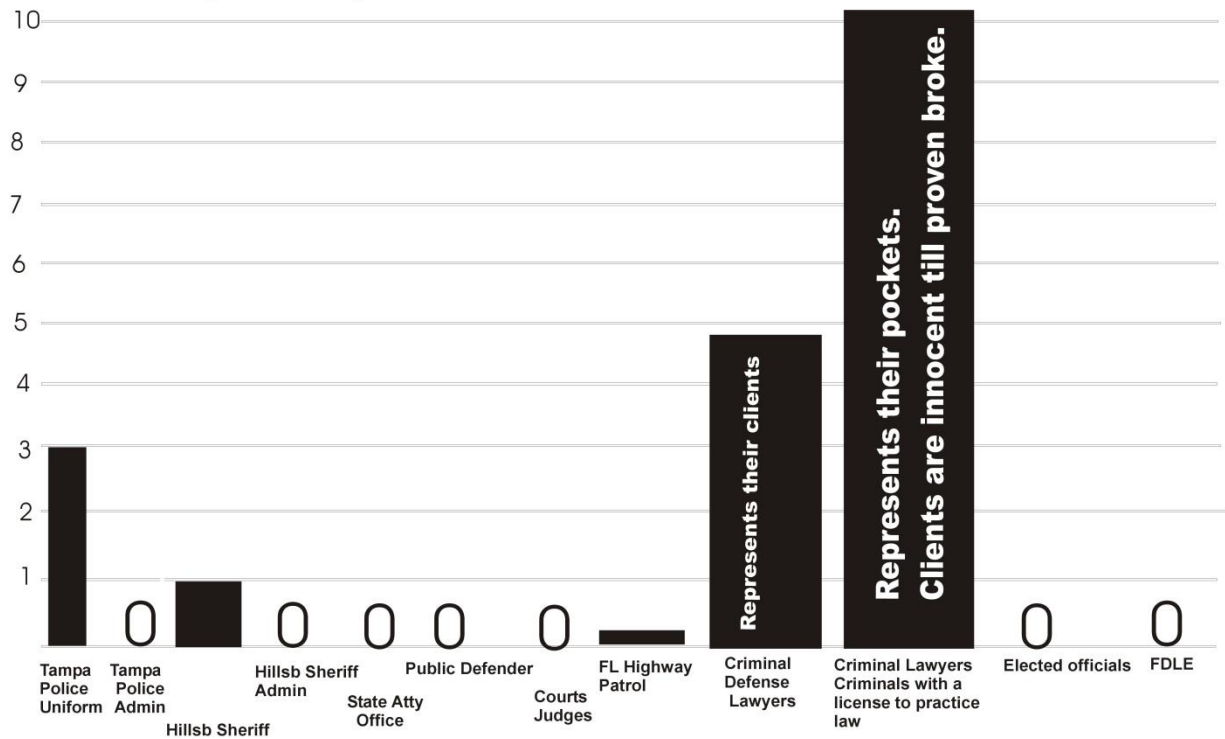
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### Who might be responsible for a disparity of justice in Tampa, Hillsborough FL?

Law enforcement scores higher because of the real death dangers of the urban patrolling environment. Officers are keenly aware that the 6-7 recent officers slayings were caused by a Minority. Its the fear factor.



Graph by Al Mccray  
www.TampaNewsAndTalk.com

### The Conclusion

Plea bargaining is win-win for the defendant and the State Attorney, but for the criminal attorneys, criminals with licenses to practice law, it's a win-win plus a big dividend for themselves.

The State Attorney gets a guilty verdict without the thousands of dollars of cost and without the hundreds of State Attorney's employee hours preparing for and the execution of a court trial.

The criminal attorneys get a big dividend because they probably charged **the scared defendant** the expensive cost of a court trial, staff, investigators and expert witnesses knowing very well that about 92% of all criminal cases are resolved through a negotiated plea bargain with the State Attorney's office. These criminal lawyers, not that I am aware, will ever give a refund for the difference between an expensive court trial and much reduce cost of a plea bargain. They operate on FFF, fear factor fees scale.

The defendant, in accepting a plea bargain, could get a lot less time in the way of incarceration ( could even get probation), less court cost/ fees and a huge bonus might be that the State Attorney might drop or not prosecute other crimes that the defendant was charged with.

In going to trial and being found guilty will cause the judge to follow the law in the way of sentencing guidelines. In going to trial you could cause a judge to react negatively towards a defendant who was found guilty of wasting the resources of the system.

However if you know that you are innocent, really, really, really innocent, then it would be to your best bet to go to trial. Please note that the verdict could depend on your bank balance in hiring legal resources. Just remember, you are innocent until proven broke.

Ethel Anderson was offered a plea deal. The initial, I hear, was a plea deal offered by State Attorney Mark Ober was; Plead Guilty and the State would recommend to the court a sentence of 15 years of incarceration, followed by 15 years of probation and to be listed as a sexual predator.

Ethel Anderson or her attorney outright rejected that deal. Ether or her lawyer's response was adamant; "We will not accept any prison time and no sexual predator classification." ... those may not have been the exact response ...



I think in my mind, that ended all plea bargaining negotiations especially the part about not accepting any jail time. Remember Stephanie Ragusa, a White teacher charged with a similar criminal offense, pleaded guilty received 10 years of prison, 10 years of probation, but not to exceed 15 years total.

Perhaps Stephanie's attorney should have kept the door open for further negotiations?

**Judge Tharpe**, who also sentenced Stephanie Ragusa, gave Ethel Anderson 38 years in prison, plus probation and she will be classified as a sexual predator when she is finally released. Judge Tharpe had no choice but to follow the State Law's guidelines for the charges the Ethel was convicted. He could have given her a lot more years far in excess of the 38 years. He gave her the lowest end of the guideline. As unfair as the sentence appeared to have been, it was within the state law statute.

Here is where I am highly confused. Ethel Anderson and her lawyer knew that the State Attorney's office had about three warehouses full of evidence and knew that the victim was going to testify. Why in the world would go to trial and roll the dice in front of a jury inside Judge Tharpe's court room?

In my mind, going to trial was a foolish decision. The case should have never ever gone to trial. I would have pressed on more the plea bargaining discussion to at least try and get the same terms as Stephanie Ragusa sentencing, since the same judge sentenced her.

There were several major differences between Ethel Anderson, a Minority, and the other White defendants. It was not about the color of their skins. First of all it was the age of the victims, 12 verses 14-17. Secondly did the other defendants adamantly stop plea bargaining negotiations? Ethel Anderson, with all the evidence did not want any prison time. Her victim was 12 years old. Thirdly, I don't know what Ethel Anderson's resources were for legal resources, but how much did she have to pay a lawyer? Lastly, in "Ms. Too pretty" to go to jail Debra Lafave case, the State Attorney's office had a great difficulty in bringing that case to a court trial and wining. The teenage

victims were not going to testify. That is a major road block for a criminal prosecution.

**Inclosing,** I do believe that the sentence given to Ethel Anderson was very harsh as compared to the actual crime, other sentences for similar crimes, and a manslaughter conviction is less prison time than 38 years. Yeah, yeah, yeah, I understand that judge's hands were tied and lenient based on the state's statute. The crime she was convicted of was indeed serious.

I hope an appellate judge finds a reason to retry this case.

I don't believe that disparity of justice was a factor in the criminal prosecution of Ethel Anderson or any other Minorities arrested in any criminal justice case in Tampa, Hillsborough County Florida. Only in the urban police patrol environment did I find that law enforcement officers exercise a supreme degree of caution when dealing with Minorities. This isn't exactly disparity of justice (but could be mislabeled), but it's out of fear and extra caution because the past six or seven recent police killings were done by Minorities.

If I had to look for a disparity of justice outside of the courts and state attorney's office I would look at the way criminal lawyers, criminals with licenses to practice law, operate. They represent their firm's pockets and not the criminal defendants.

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