

Reference the recent Naples Daily News article pertaining to the tragic death of Mr. Felix Beltran

As I stated in my news release, my condolences go to the family and friends of Mr. Beltran. His death was tragic, unnecessary and a confluence of a number of factors that cost a life. During the news conference, I had a responsibility to mention all known factors resulting in the fatal collision.

I faithfully reported that the Florida Highway Patrol crash report cites Mr. Beltran as at fault for the crash due to violating the deputies' right of way while they were performing a lawful duty. I properly reported the Medical Examiner's report of Mr. Beltran's condition at the time of his death. I accurately reported that the deputies had both legal authority, a safety imperative and duty to respond without lights and sirens to the alleged robbery that they were responding to for their own safety and that of the alleged victim. The location of the alleged robbery was only approximately 2 miles from the crash site on a straight roadway giving ample opportunity for a person or persons involved in a robbery to view or hear a deputy's approach if emergency lights and siren were used.

I purposefully reported that there had been 24 armed robberies in the deputies' district during the 2006 calendar year and early 2007 providing the deputies with prior experience in the severity and danger of these calls. Finally, I reported that the difference in speed calculations, though scientific at a rudimentary level, involves some art in assessing crush damage and angle of impact and departure. I consider all of the reports from the four experts and two deputies to be the most accurate renderings that the individuals could provide. The fact that five of the renderings relate a lower speed for the deputies in the 70 to 80 mph range and the lone higher estimate is published from our state partner agency, the FHP, deserved some treatment at the news conference. I am persuaded that the difference is explainable by estimates of angles of impact and departure and that the lower speed estimate is more accurate.

I did state that Mr. Beltran had apparently safely navigated his way back to the area of Broward Street where he lived without causing any other vehicle collisions or damage. Clearly he would have encountered other traffic on the roadways of the area with only their headlights on. Traffic speed in this area of roadway, though posted at 55 MPH is not uncommonly found to be well above the speed limit as demonstrated by the tickets we write in this area. Mr. Beltran had lived long enough in this area to know the traffic patterns and speed differentials to expect.

Given the foregoing, I am left with the conclusion that but for Mr. Beltran's impaired condition he would have been better able to discern the approaching vehicles on the flat, well lit, dry roadway with complete visibility on the morning of the collision.

I cannot find fault against deputies who employ discretion permitted by policy and law to avoid detection of their response to emergencies that demand such consideration. In fact to do so would violate their right to fair and just treatment by the Agency. I find that the

deputies were also imperiled by Mr. Beltran's decision to enter the intersection improperly. It was not Mr. Beltran alone who suffered the risk from his decision. Mr. Beltran's decision does not relieve us of due care in our response; however, it is understood from the file that the deputies had no expectation that Mr. Beltran would enter the roadway just as the deputies entered the intersection. They neither knew nor should have known that Mr. Beltran would behave in this manner.

I again offer my regrets and condolences in the death of Mr. Beltran.

Don Hunter, Sheriff
Collier County