

Indian River judges toss videos in sex spa cases

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VERO BEACH — Two Indian River County judges granted motions Thursday tossing video evidence recorded during investigations into alleged area sex spas.

The investigations were part of a crackdown earlier this year on suspected human trafficking and sex-for-pay schemes at massage parlors across the Treasure Coast, Jupiter and Orlando.

In separate court cases, Judges Nicole Menz and David Morgan ruled the evidence was inadmissible after Vero Beach and Indian River County detectives failed to minimize invasion of privacy during secret video surveillance, conducted between November and January.

Specifically, Menz and Morgan wrote, detectives failed to abide court orders when they surreptitiously recorded clients getting legitimate massages alongside those paying for sex.

The decisions mirrored recent rulings

in cases in Martin and Palm Beach counties, including the prostitution case against New England Patriots owner Robert Kraft.

“We’re very happy. Obviously it’s a well thought-out order,” said defense attorney Andrew Metcalf, who filed the motions on behalf of 30 or so Indian River clients. “You cannot invade privacy like that.”

The rulings will affect other defendants who participated in or piggy-backed on the motions, Metcalf said. Others who choose to file on their own will likely see a similar outcome.

“The facts are not going to differ,” he said. “Whether they’re participating in the motion or not, they’ll be protected by this order.”

State prosecutors said they intended to appeal the rulings.

‘Critical errors of judgment’

In her eight-page decision, Menz said Vero Beach investigators made “no effort at all ... to comply with the extremely

broad minimization guidelines” imposed in court orders granting the installation of cameras at East Spa on 14th Avenue.

“There is no doubt this ... is anything other than a violation which requires the suppression of all video evidence,” she concluded.

In a similar ruling, Morgan chided sheriff’s deputies for “critical errors in judgment” in their investigation at East Sea Spa in Sebastian.

“Based on the testimony received ... this court has strong doubts as to whether any of the investigating detectives understood the constitutional issues inherent in this type of warrant,” he wrote.

Among the judges’ findings:

■ Cameras at East Spa recorded around the clock for 60 days, the entire duration of the surveillance period, whether investigators were present or not.

■ At least three innocent East Spa cli-

ents were secretly recorded, but there could be more, Menz said. Investigators had only monitored half the videos, which were still stored on Vero Beach police hard drives.

■ Multiple women at East Sea Spa were recorded getting massages in various states of undress.

■ Indian River detectives admitted never reading a case they cited in support of their warrant applications to the court.

■ Female customers in one massage room were recorded alongside men in another massage room, despite detectives’ ability to independently turn off the cameras.

■ In one case, a video of an innocent female client receiving a massage was given by the Sheriff’s Office to a defense attorney in discovery.

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Migrants

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agent who told him U.S. Immigration and Customs is expecting an unknown number of migrants from the southern border could come to Indiantown because they have family in the area.

The border patrol agent told Snyder about 1,000 people are expected to come to Palm Beach International Airport “in the near future” and disperse from there.

The main message Snyder wants to send to immigrants who [otentially could be headed to Indiantown and other parts of the county is that law enforcement is not their enemy.

“We have a community patrol policing unit that is very well-versed in policing the different special interest groups in Martin County and the minorities and we will make some kind of effort to check in with these people, maybe provide some information to them on law enforcement and what law enforcement in America means,” he said.

St. Lucie County Sheriff’s Office offi-

cials said they have not heard of anything changing as a result of the migrants coming to nearby counties and as of Thursday afternoon, they are not doing anything differently.


Maj. Eric Flowers, a spokesman for Indian River County Sheriff’s Office, said the agency was in contact with border patrol but did not expect any of the transports to reach the area.

“If there was some indication they were coming here, obviously at that point we’d make plans,” Flowers said. “Until we hear otherwise, we’ll be standing by.”

Thursday morning, Florida Sen. Marco Rubio tweeted the Palm Beach County Sheriff’s office is expected to see about 500 migrants a month coming into the two counties beginning next week.


Broward Mayor Mark Bogen told The South Florida Sun Sentinel about 135 people each week will be brought in by plane in about two weeks. One half of the migrants are expected to go to Palm Beach County and the other half are expected to go to Broward County.

Staff reporter Eric Rogers contributed to this story.






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NOTICE OF PUBLIC HEARINGS

The Martin County Local Planning Agency and the Board of County Commissioners will conduct public hearings on the following item:

Application CPA 19-03 Martin County Fairgrounds Utilities Extension. and 19-14. Chapter 10. Sanitary Sewer Services Element. The combined text amendment proposes a text amendment to Chapter 4. Future Land Use Element; Chapter 10. Sanitary Sewer Services Element; and Chapter 11. Potable Water Service Element/10 Year Water Supply Facilities Work Plan to allow for the provision of water and sewer services to the future location of the Martin County Fairgrounds. It also proposes amended policies to improve consistency between Chapter 10. Sanitary Sewer Services Element and Chapter 11. Potable Water Service Element/10 Year Water Supply Facilities Work Plan. Lastly, other modifications include removing references to Indiantown.

Public Hearing: Local Planning Agency

Date: Thursday, June 6, 2019
Time: 7 PM or as soon there after as the item may be heard

Public Hearing: Board of County Commissioners

Date: Tuesday, June 18, 2019
Time: 9 AM or as soon there after as the item may be heard

All interested persons are invited to attend and be heard. The meetings will be held in the Commission Chambers on the first floor of the Martin County Administrative Center, 2401 S.E. Monterey Road, Stuart, Florida. Written comments may be sent to: Nicki van Vonne, Director, Martin County Growth Management Department, 2401 S.E. Monterey Road, Stuart, Florida 34996. Copies of the item will be available from the Growth Management Department. For more information, contact Samantha Lovelady, Principal Planner, Growth Management Department at (772) 288-5664.

Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the hearing date. Persons using a TTY device, please call 711 Florida Relay Services.

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council, or advisory group, that person will need a record of the proceedings and, for such purpose, may need to insure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

TR-2281570

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