

# One Of The Best Defenders Lives In Dade City

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Tampa Tribune  
May 25, 2003

**DADE CITY** - With apologies to Charles Dickens, for modern defense attorneys, these are the best of times, and the worst of times. Thanks to cable news and the insatiable news cycle, defense lawyers have never had (rejected verb: enjoyed) so much notoriety. As a result, their often deplorable tactics have never been subjected to so much scrutiny.

Consider Mark Geragos, representing suspected double-murderer Scott Peterson, slinging alternative scenarios, dangling the ``mysterious woman" angle, and vowing to find the ``real killers" while arguing in court to keep sealed Peterson's arrest and search warrant records.

This is the same Geragos who, defending actress and accused shoplifter Winona Ryder, failed to produce the receipts he had vowed, pretrial, would exonerate his client. Happily, he never promised to find the ``real thieves."

Consider, also, the defense team of David Westerfield, convicted last year of 7-year-old Danielle Van Dam's murder. Getting more face time than Ruben and Clay, Steven Feldman and Robert Boyce were negotiating a pretrial plea agreement linked to their client leading police to Danielle's body when investigators found it themselves, killing the deal.

At trial, knowing full well their client was guilty, Feldman and Boyce nonetheless stooped to attribute the Van Dams' unflattering and unconventional swingers' lifestyle to Danielle's disappearance and death. Any of a number of people had the opportunity and the disposition, they argued. Constitutionally prohibited from revealing the plea negotiations to the jury, prosecutors had to sit and take it.

What Feldman and Boyce did was both legal and, arguably, ethical under American Bar Association rules. But there was little about it that felt right.

Small wonder that among the phrases most often heard by defense attorneys is, ``How do you sleep at night?"

## **Worst Fear Realized, Welcomed**

Far from cable news' unblinking eye, Thomas John Hanlon slumbers undisturbed most nights, on 550 peaceful north Pasco acres, west of Bellamy Brothers Road. As a Senior Assistant Public Defender for the Pinellas-Pasco Circuit, Hanlon not

only runs the Dade City office, but also he often represents the east county's least desirable defendants. The miscreants, the paramercium, the shower scum.

And, by all accounts, he is expert at his job, as the extreme cases of Dale Morris - more about which in a moment - and Jack O. York suggest. And yet, it is scarcely the goal he set out for himself fresh from law school. After all, public defenders are easy to spot: scuffed shoes, suit that appears to have been slept in, hair in need of a cut and a comb.

As a rookie private defense lawyer, "My worst fear is that I would go broke, and have to take a job as a public defender." Sixteen years later - in 1997 - he embraced his worst fear, agreeing to become Public Defender Bob Dillinger's right hand in east Pasco.

Now, polished, pressed and neatly shorn, Hanlon cuts the righteous figure of a successful Southern barrister (even if he, wife Connie and 12-year-old son T.J. do have to run cattle to make ends meet). And he does so without even a twinge from his conscience, buoyed by ego, an obligation to justice and spirituality.

For openers, "Anytime I want, I can jump into a fray and make it a fair fight," he says. "That is power."

Hanlon is also largely untroubled because he believes in God and the Constitution, which are entwined in ways revolting to modern secularists. His role in the system, provided for in Amendment VI to the Constitution (listing rights of the criminally accused, including counsel), reflects the the Old Testament, Psalm 82: "Defend the cause of the weak and fatherless; maintain the rights of the poor and oppressed. Rescue the weak and needy; deliver them from the hand of the wicked."

In that light, Hanlon's charge is clear: "I try not to judge. I try just to defend them," he says. "That's their constitutional right."

Like it or not, the Constitution extends even to the slam- dunks, including Westerfield (writing now from his prison cell that he was framed) and Jack York, the Land O' Lakes dad recently convicted on three counts of criminal sexual battery involving three elementary-school aged girls.

Hanlon scrambled on that one, allowing York to testify and then portraying him as "a partial man" and "a wimp who can be led around with reckless abandon," hoping the jury would see him as someone who needed help, not incarceration. The panel disagreed, but Hanlon was so persuasive it took most of four hours to arrive at a conviction, despite York's serial confessions.

**A Gift, And Guidance, From Above**

Although Hanlon grew up in homogenized suburbia - Temple Terrace - his voice is a slide guitar played by a hacksaw, raspy and resonating with an east Texas twang. (He was, after all, a Houston deputy for three years while he attended law school at night.) As a result, there are few pastimes more pleasurable than Hanlon with time on his hands and a story on his tongue.

There was the time in the late 1980s he was part of a federal extortion and bribery defense involving nearly two dozen defendants, including a couple of former Hillsborough County commissioners. As the decisions were revealed, alphabetically - a cascade of "not guilty's" - Hanlon rested his forehead in his palms and wept in anticipation; his client's name, Rossiter, was deep down the list. "And the whole time," Hanlon says, "he patted me on the back, saying, 'It's gonna be OK. It's gonna be OK.' The client's consoling me!"

Roughly 10 years later, a newly appointed civil servant, Hanlon was interviewing a desperate Dale Morris, the Blanton safe technician accused - hastily, it turned out - in the brutal stabbing death of 9-year-old Sharra Ferger. Morris had an alibi, and the prosecution had bite-mark evidence that didn't bear scrutiny. It took months, but, ultimately, defense evidence tipped the scales. The whole time, Hanlon's insides felt like the mess hall birth scene from "Alien."

Hanlon describes Morris as "a gift from God," and more: "A gift, and a directive: Do not judge. If I judge, and misjudge them, I've done a horrendous thing."

Imagine, he says, if he had bought the self-assurance of investigators and prosecutors. "If I had thought he did it, and just went through the motions, it'd have turned out different," Hanlon says. Instead, his office spent nearly \$100,000 on experts and, literally, space-age forensics (a NASA photo-enhancer was pivotal) to persuade the state attorney to drop the case.

It is not for nothing that law enforcement breathes easier knowing Hanlon is around to keep them honest. As lead investigator Allen Proctor told him, "I used to think an innocent man didn't need a lawyer, until Dale Morris."

Thomas John Hanlon, 49, gray, weathered and prone to tears, is the lucky man who is happy in his work. In a world of Geragos and Feldmans and Boyces, Hanlon is guided by worthy principle: Dignity in, dignity out. Defend your client, but be as kind as possible to the victim, and the victim's family.

It's worth remembering, this Memorial Day weekend, that Hanlon represents much of the ideal for which American fighting forces have risked, and spent, their lives for more than 2 1/4 centuries. Our justice system is lucky to have him.

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