

**ANDREWS, CRABTREE, KNOX & ANDREWS**A LIMITED LIABILITY PARTNERSHIP  
ATTORNEYS AT LAWJEANNETTE M. ANDREWS  
ROBERT C. CRABTREE  
J. CRAIG KNOX  
BEN A. ANDREWS\*  
JOE LONGFELLOW, IIIOF COUNSEL  
WILLIAM R. MABILE, III

\*ALSO ADMITTED IN GEORGIA

1558 VILLAGE SQUARE BLVD.  
SUITE 1  
TALLAHASSEE, FL 32309TELEPHONE:  
850-297-0090  
FACSIMILE:  
850-297-0219MEMBER OF CLM  
(CLAIMS & LITIGATION MANAGEMENT ALLIANCE)

December 4, 2014

***Via U.S. Mail***Ms. Barbara A. Petersen, President  
First Amendment Foundation  
336 East College Ave., Ste. 101  
Tallahassee, FL 32301***Re: October 16, 2014 Incident***

Dear Ms. Petersen

This letter is in response to your correspondence of November 18, 2014, and the incident of October 16, 2014, when Mr. Hugh Taylor attempted to intimidate an employee of Tallahassee Community College's Wakulla Center. Apparently, Mr. Taylor was not entirely candid with your office.

On October 16, 2014, an individual identified as Hugh Taylor telephoned Kathleen Mackie at the Wakulla Center. After requesting Ms. Mackie to identify herself, he proceeded to coerce and intimidate Ms. Mackie on the phone because, as he said, she had to give him a TCC purchase order that included her signature. Ms. Mackie advised him that he should go through the main campus to obtain the purchase order. Ms. Mackie offered the phone number and email address of Alice Maxwell of the TCC Communications Office. Mr. Taylor responded by stating that he already had the relevant telephone numbers and email addresses. Ms. Mackie then concluded the telephone conversation. Mr. Taylor called her back and told her he was going to proceed to the Wakulla Center to videotape her. Based on his intimidating manner on the telephone call Ms. Mackie was frightened.

Mr. Taylor arrived at the Wakulla Center and again Ms. Mackie referred him to the main campus' Communications Office, including the name of Alice Maxwell, a Communications Office employee. Mr. Taylor proceeded to videotape Ms. Mackie. He then threw a piece of paper at her while he was videotaping and demanded to know if it was her signature on the paper. Ms. Mackie advised it was not her signature although the document looked like an invoice for approval to pay for a purchase order. At no time did Ms. Mackie give Mr. Taylor permission to videotape her. Ms. Mackie was so frightened that she advised a student who was present to be prepared to call 911. Ms. Mackie found it necessary to utilize her desk to create a safe barrier

Ms. Barbara A. Petersen

December 4, 2014

Page 2

between herself and Mr. Taylor. Mr. Taylor reached over the desk many times coming within inches of Ms. Mackie as he tried to prove his point. Mr. Taylor ultimately concluded his intimidating behavior and left the Wakulla Center. Someone had called the Wakulla County Sheriff's Office and a Deputy responded. The Deputy scanned the area and determined that Mr. Taylor was no longer on the premises (statement of Kathleen Mackie).

Based on the above described incident, it is clear that Mr. Taylor was not seeking a public record; rather, he wanted Ms. Mackie to admit that the signature on a document already in his possession was hers. It was not.

There was no violation of Chapter 119. First of all, by his own admission, Mr. Taylor knew who to contact to obtain any TCC public record. Pursuant to the College's procedure, a request for public records may be made in any manner, including in-person, by telephone, by regular mail, or email. This was known to Mr. Taylor. Ms. Mackie provided the appropriate contact information to Mr. Taylor and she could have accepted his request and forwarded same to the Communication Office but for Mr. Taylor's intimidating behavior. Mr. Taylor was never advised that he must make his request 22 miles north on the College's main campus.

Your correspondence references the October 29, 2014, letter to Mr. Taylor. The primary purpose of the letter was to request that Mr. Taylor not return to the Wakulla Center and to further request that he maintain courteous behavior in dealing with TCC employees.

As can be seen by TCC's public records procedure, the College is committed to appropriately responding to all public record requests as would have been done in this case had Mr. Taylor chosen to behave in a respectable manner.

Very truly yours,  
ANDREWS, CRABTREE, KNOX & ANDREWS, LLP



William R. Mabile, III  
For the firm

cc: Mr. Jim Murdaugh, President  
Mr. Al Moran, Vice President for Communications and Marketing

# Procedures

## Step 1

After receiving a written or oral public records request, the Office of Communications and Marketing will log the request into the public records request system online. The Office of Communications and Marketing will reply to the individual who made the public records request to confirm that the request was received. If the request is sent through email, the Office of Communications and Marketing will send the requestor a standard receipt of request from [publicrecords@tcc.fl.edu](mailto:publicrecords@tcc.fl.edu).

## Step 2

The Office of Communications and Marketing will send the request to the College's legal representative for review and approval to proceed with fulfilling the request. The attorney's feedback will be sent to the Office of Communications and Marketing.

## Step 3

The Office of Communications and Marketing will review the legal representative's comments and then forward the request to the TCC Executive Team member and department that will gather the needed information. The Office of Communications and Marketing will ask for an approximate time needed to gather the information. The time estimate will be sent to the Office of Communications and Marketing. Charges are permissible for supervisory time that exceeds 30 minutes in addition to labor and materials.

## Step 4

The Office of Communications and Marketing will send the time estimate(s) to Human Resources. Human Resources will provide the Office of Communications and Marketing with the current hourly rate(s) for the employee(s) compiling the records (including benefits). If the request takes more than one half-hour (30 minutes) to fulfill, Human Resources will apply the current hourly rate (including benefits) of the employee who is processing the request to the estimated time he or she spent fulfilling the request.

## Step 5

The Office of Communications and Marketing will take the time estimate(s) and hourly rate(s) and send an estimate to the requestor. The requestor must notify TCC if he or she accepts the estimated cost and wants to proceed with the request.

## Step 6

If the requestor wants to proceed with the request, the Office of Communications and Marketing will send the estimate to the Business Office. The Business Office will generate an official invoice for the estimated amount due and send it to the Office of

Communications and Marketing. The invoice will also include any applicable material costs.

### **Step 7**

The Office of Communications and Marketing will send the invoice to the individual who made the public records request. The requestor must either mail payment or pay the estimated funds in-person to the Cashier's Office located on the second floor of the Student Union.

### **Step 8**

Upon documented confirmation and payment from the requestor, the Office of Communications and Marketing will advise the appropriate individual(s) or department(s) to proceed with fulfillment of the request.

### **Step 9**

Upon fulfillment of the request, the Office of Communications and Marketing will compile the actual time and cost of materials. Adjustments for increased or decreased costs will be considered; if necessary, the requestor may be charged extra funds or returned funds.

Upon additional *confirmed* payment from the Cashier's Office (if necessary), the requestor will receive the requested records in due time. If the requestor pays by check, documents will not be available for five (5) business days.

If the requestor chooses to pick up the records in person, the records will be available for pick-up at the information desk downstairs in the TCC Hinson Administration building.

# How to Respond to Public Records Requests

## What is a public records request?

A public records request is a request to inspect or copy records that were sent or received in connection with the transaction of official business at Tallahassee Community College. The request may be made either orally or in writing.

The Office of Communications and Marketing is responsible for coordinating public records requests made to TCC. The Office will work with the College's legal representative as appropriate in fulfilling the public records requests.

## What to do if you receive a public records request

If you receive a public records request, please immediately forward the request to the Office of Communications and Marketing at [publicrecords@tcc.fl.edu](mailto:publicrecords@tcc.fl.edu).

Any walk-in requests should be directed to the information desk on the first floor of the TCC Hinson Administration Building. The information desk will then contact the Office of Communications and Marketing. A representative from the Office of Communications and Marketing will come downstairs and receive the request.

When someone comes to TCC to pay for requested public records, please immediately notify the Office of Communications and Marketing so that they may immediately release the records. There could be financial consequences for not acting in a timely manner.

## Explanation of Charges

The Florida Public Records Act allows agencies to recover their actual costs in fulfilling a public records request. If the request will take longer than half an hour to process, the Office of Communications and Marketing will provide the requestor with notice of the estimated amount of the fee.

### **The College will invoice the requestor for fees in certain cases:**

If the requestor requires hard copies or other physical materials, the requestor will be billed the cost of those materials. Some common parameters: Paper copies will cost \$0.15 per single-sided page and/or \$0.20 per double-sided page; certified copies cost \$1.00 per page. CD-ROMS will cost \$0.85 each and DVDs will cost \$1.15 each.

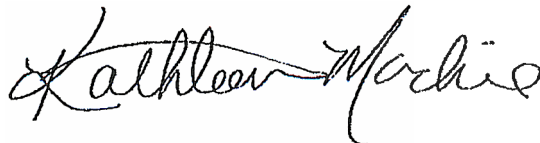
If the request takes more than one half-hour (30 minutes) to fulfill, Human Resources will apply the current hourly rate (including benefits) of the employee who is processing the request to the estimated time he or she spent fulfilling the request.

Kathleen Mackie, Sr. Staff Assistant

TCC Wakulla Center/Wakulla Environmental Institute

Incident 10/16/14 yesterday approximately between 2:30 and 3 p.m.

I received a call yesterday from a man named Hugh Taylor. He asked if I was Kathie (that is my nickname and the name I go by most) Mackie, I said yes. He proceeded to coerce and intimidate me on the phone because he said "by law" I had to give him a TCC purchase order that had my signature on it. I told him numerous times he had to go through the main campus and Ms. Alice Maxwell. I offered her phone number and email address; he said he already had them. I finally just hung up on him. He called me back. "He said you didn't just hang up me did you?" He then proceeded to tell me he was coming to videotape me. I was already getting frightened that he was going show up, and I had two students in the building at the time. The student I still had in the building at the time of his arrival was Cindylee Calalucca. Yolanda Timmons left right before he arrived. I referred him to the main campus and Alice Maxwell. While he was videotaping me he demanded the document again. He threw a piece of paper at me while he was videotaping me demanding to know if it was my signature on the paper. He videotaped everything on my desk. It was not my signature, it was my name. First I am left-handed, second I always sign documents Kathleen Mackie. What he threw in front of me looked like an invoice with the name Kathie Mackie and the accounts payable symbol on it for approval to pay from a purchase order. By time he arrived, I still had one student in the building, the older handicapped lady, Cindylee; I told her the situation ahead of time and the man's name. I told her to please be prepared to call 911 if he came here. She stayed in the back while he was here. I gave him no documents. He left. Quite some time later one of the Sheriff's Deputies arrived; he asked me a few questions, but took no statements from me. He did make sure that Mr. Taylor wasn't still in the parking lot. The deputy said he did know Mr. Taylor. I did not give him permission to video or record me.

A handwritten signature in cursive script that reads "Kathleen Mackie". The signature is written in dark ink and is positioned centrally below the main body of text.