

IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT IN
AND FOR LEON COUNTY, FLORIDA
GRAND JURY, FALL TERM 1997

IN RE: Video Movie Shown at Leon High School
in Melvin Caswell's Class on April 3, 1998

DAVE LANG
CLERK CIRCUIT COURT
LEON COUNTY, FLORIDA

98 MAY 26 PM 4:12

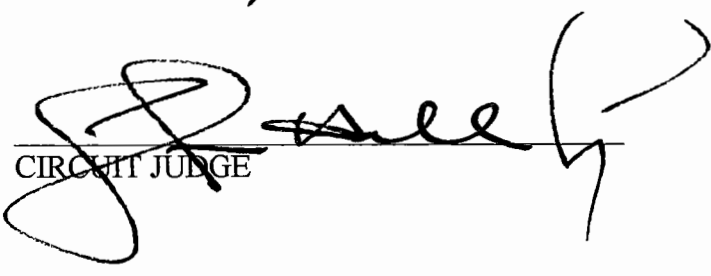
FILED

ORDER

This matter coming before the Court on the issue of the sealing of this Grand Jury Presentment on behalf of the subject of the Presentment, Mr. Melvin Caswell, the Court finds that Mr. Caswell is not contesting the release of the Presentment (see attached memo from his attorney), it is

Therefore, Ordered that the Presentment is unsealed and is now a public record.

DONE AND ORDERED this the 26 day of May, 1998.


CIRCUIT JUDGE

IN THE CIRCUIT COURT OF THE
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GRAND JURY, FALL TERM 1997

IN RE: Video Movie Shown at Leon High School
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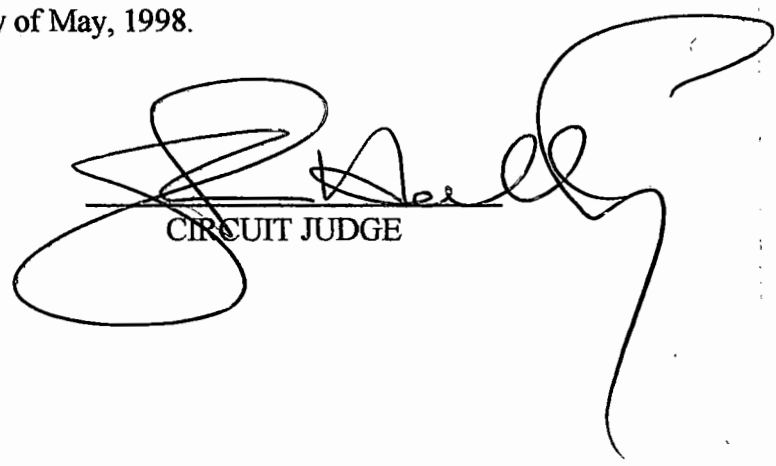
FILED
98 MAY 14 AM 11:05
JAMES L. ANDERSON
CLERK OF CIRCUIT COURT
LEON COUNTY, FLORIDA

ORDER SEALING PRESENTMENT

THIS CAUSE came before the Court upon a Presentment filed by the Leon County Grand Jury relating to an individual which is not accompanied by an indictment as described in Section 905.28, Florida Statutes; therefore,

IT IS HEREBY ORDERED that the Presentment shall not be made public or be published until Melvin Caswell has been furnished a copy thereof or through his attorney, David Kundin, and given 15 days to file with the circuit court a motion to repress or expunge the report or that portion he may deem to be improper and unlawful, on or before June 1, 1998.

DONE AND ORDERED this 14th day of May, 1998.


CIRCUIT JUDGE

IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT IN AND
FOR LEON COUNTY, FLORIDA
GRAND JURY, FALL TERM 1997

IN RE: Video Movie Shown at Leon High School
in Melvin Caswell's Class on April 3, 1998

FILED
98 MAY 16 11:11:03
CLERK OF CIRCUIT COURT
LEON COUNTY, FLORIDA

PRESENTMENT

IN THE NAME OF AND BY THE AUTHORITY OF THE STATE OF FLORIDA:

THIS CAUSE came before the Grand Jury to review as a matter of public concern regarding the movie *I Spit On Your Grave* being shown by Leon High School teacher Melvin Caswell to his honors class in American history on April 3, 1998 during the first period. We have heard the sworn testimony of Leon County Sheriff's Detective Leilani Marsh, Leon High School Principal Jim Nettles, Leon County Superintendent of Schools Bill Montford, and Melvin Caswell. While we do not recommend criminal prosecution, we make the following observations within our authority to look into the proper administration of public institutions and the competence or laxness of public officials.

FACTUAL FINDINGS

Eighteen students state that on Thursday, April 2, 1998 teacher Melvin Caswell told them that as a reward for doing well on a test he would show them an X rated movie, or words to that effect, on Friday, April 3. Students reported that they assumed he was joking as he had made similar comments in the past regarding an upcoming movie. On Friday, April 3, 1998 during the first period class the movie *I Spit On Your Grave*, a 1978 film which was not rated, was shown

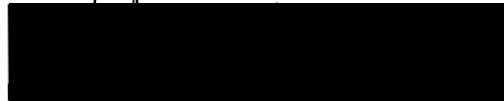
for approximately 50 minutes. Sworn statements of a number of students described the portion of the video seen as pornographic, obscene, bad, disturbing, or shocking. Some students indicated that the portion viewed of this video was totally inappropriate for any classroom with absolutely no relevance to that class. Four female students left the classroom, one was crying. At least three students report Mr. Caswell had made comments that they should not tell their parents, not tell anyone, or not tell their rabbi about this movie. Various students report that during the video Mr. Caswell was in the rear of the classroom. They state he was aware that four students left, and when asked why he was showing such a video, he replied that it was based on a true story or hard to watch but about real life.

In a statement to the Grand Jury, Mr. Caswell stated his intent was to reward the students with an "enrichment period" and that the movie he intended to rent was not available. He stated that he viewed about 20 minutes of it the afternoon of April 2, 1998 and saw nothing inappropriate, that the video was not rated, and that he was completely unaware of the objectionable content of the video. He stated that he made an "error in judgement" and that he regrets it deeply. The following Monday, accompanied by other professional staff, he apologized to the class and was transferred to a non-teaching position.

We have viewed the portion of the video shown to the students in the class and are in agreement as to the following:

1. It is inappropriate for showing at any school.
2. It is not relevant to the curriculum in violation of school board policy.
3. Mr. Melvin Caswell exhibited extremely poor judgement by showing this video.
4. The Leon County School system has been remiss in the implementation, dissemination, and application of school board policy regarding the use of materials supplementing the curriculum and we suggest that the next Grand Jury request an update.
5. If a January 20, 1997 letter sent to Leon High School from the mother of a student in Melvin Caswell's class expressing resentment over R rated movies being shown her child without her permission had been followed up on more vigorously, this present controversy may not have required our review.

THEREFORE, as there are administrative procedures within the Leon County School system or the Professional Practices Services of the State Department of Education to evaluate Mr. Caswell's admitted error in judgement, we say nothing further in these premises this 14th day of May, 1998.

A solid black rectangular redaction box covering the signature of the Foreperson.

Foreperson

ATTEST: *CW Gordon*
Assistant State Attorney