

THOUGHTS THAT STICK

LAW, LIFE & EVERYTHING IN BETWEEN

THIS MONTH

NEWSLETTER

Insights from the courtroom to the coastline

Who Holds the Conch?

Seventy years after William Golding wrote it, *Lord of the Flies* finally has its first television adaptation, a four-part series on Netflix from Jack Thorne, the writer behind *Adolescence*. Watching it now, as a defense lawyer, I kept fixating on one object: the conch.

A group of boys is stranded on an island with no adults and no rules. Early on they find a conch shell and agree on a simple system. Whoever holds it has the floor... everyone else listens. It is the closest thing they have to law, and it works, because it gives the least powerful boy a way to be heard in a group that would otherwise shout him down. Then, slowly, it stops working. The louder, more frightening boys decide the rules are for other people. By the end the shell is shattered, and so is everything it represented.

That is also a pretty good description of why courtroom procedure exists. People treat legal rules as technicalities in the way of the obvious answer: he's clearly guilty, so why does any of this matter? It matters for the same reason the conch matters. The procedures are not there to protect the strong. They protect the person everyone has already decided is the problem, by forcing a room full of people who think they know the answer to slow down and prove it.

The frightening part is how reasonable each step feels. Nobody votes to abandon civilization. They just decide, this once, that the rule does not apply to this kid, because everyone can see what he is. My job, most days, is to be the person insisting on the conch anyway. The shell only works if everyone agrees to honor it. So does everything we built on top of it.

EVENT HIGHLIGHTS

St. Pete Pride (all month; Parade June 27) - Florida's largest Pride celebration runs the entire month, with Family Day on the Pier on June 7 and the main parade stepping off from Albert Whitted Park at 6 p.m. on June 27, traveling along Bayshore Drive to Vinoy Park. Expect tens of thousands downtown, so plan your parking, and your ride home, accordingly.



Father's Day (June 21) - However you spend it, the day is really just an excuse to call the people who shaped you, or to be present for the people you're shaping. My late father and mother taught me that showing up matters more than getting it perfect. That holds up in a courtroom, and just about everywhere else.



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Top Gun at 40: A Need for Speed

Top Gun hit theaters on May 16, 1986. Forty years later, people still quote it without thinking, which is its own kind of achievement. You probably have a line in your head right now.

The one I think about most in my work is the obvious one. "I feel the need... the need for speed."

Almost every client who walks through my door feels some version of that. They want this over with. They want the charge gone, the court dates behind them, their license back, and their life returned to normal by next week. I understand it. Few things are as exhausting as a legal matter hanging over your head while the rest of your life waits.

Here is the uncomfortable truth. The wheels of justice do not move at the speed of a fighter jet. They move at the speed of a court calendar, which is to say slowly, and often for reasons that have nothing to do with your case.

Sometimes that is maddening. Sometimes it is the best thing that can happen to you.

A case that moves too fast is a case where nobody has had time to find the detail that changes everything. The deposition that produces a concession. The lab record that doesn't add up. The body-camera footage that tells a different story than the report. The expert who can't answer the question that matters. Speed feels like progress, but in a criminal case, speed usually favors the side that already has its story written, and that side is not the defense.



So part of my job is managing the need for speed. Knowing when to push the State and when to let the clock work for us. A prosecutor's offer can improve after a key deposition. A weak case can get weaker as witnesses become harder to locate and memories fade. Patience is not passivity. It is timing.

There is another line from the film worth sitting with. "You can be my wingman any day."

The story is built on rivalry, but it turns on the moment a rival becomes a wingman. I think about that more than I expected to in this profession. The prosecutor across the aisle today is someone I will be negotiating with next month and the month after that. The officers, the experts, the judges, the other defense attorneys, we are all flying in the same crowded airspace for years. The lawyers who treat every interaction as a dogfight tend to win the argument and lose the war. The ones who build real relationships, who are tough but credible, who keep their word, get better outcomes for their clients...

precisely because the other side trusts them enough to deal.

That is not weakness. It is how the work actually gets done. The most valuable thing I own in this practice is not a clever argument. It is the fact that when I tell a prosecutor something, they believe me.

And then there is Maverick himself, the guy everyone said was too reckless, too young, and too much. The franchise came back decades later and made the case that the people written off early are sometimes the ones still flying when it counts. I have a soft spot for that idea, for reasons that will be obvious to anyone who has heard the "too young to run a firm" speech.

Forty years on, the jacket and the aviators are nostalgia. But the actual lessons hold up. Speed is seductive and frequently a trap. The rival you respect is worth more than the rival you crush. And the people counted out early have a way of surprising everyone who stopped paying attention.

Not bad for a movie about jets.

The Champ's Longest Fight

Ten years ago this month, on June 3, 2016, Muhammad Ali died. A decade later he is remembered mostly for the things that fit on a poster. The fastest hands anyone had ever seen. The trash talk. "Float like a butterfly, sting like a bee." The Rumble in the Jungle.

What gets flattened over time is the part of his story that has nothing to do with boxing, and everything to do with the work I do.

In 1967, at the absolute peak of his career, Ali refused to be drafted into the Vietnam War. He was stripped of his heavyweight title, banned from the sport, and convicted of draft evasion. He lost nearly four years of his prime, the years an athlete never gets back, because he would not do something he believed was wrong. He could have taken the quieter path. Plenty of people advised him to. He chose the harder one and paid for it in the currency an athlete values most: time.

The Supreme Court eventually overturned his conviction. But he did not know that was coming when he made the choice. He stood on principle with no guarantee it would work out.

I think about that more than I probably should, because I watch people make a smaller version of that decision in my work all the time.

Ali once said, "He who is not courageous enough to take risks will accomplish nothing in life." In criminal defense, the risky-looking option and the safe-looking option are often the reverse of what they appear. The safe move feels like taking the quick plea, getting it over with, making the discomfort stop. The risky move feels like saying no and fighting. But for the right client with the right facts, the quick plea is the thing that quietly costs them the next ten years, and the fight is the thing that gives them their life back.



When I was a public defender, I represented a woman arrested on a questionable trespassing charge. Her bond was five hundred dollars she did not have, so she sat in a cell waiting for her day in court. The fast path was to plead to something she didn't do and walk out sooner. She refused. We challenged the arrest, the motion was granted, and the case was dismissed. She chose principle over speed, and she was right to.

Not every case is built for that. Part of my job is being honest about which ones are and which ones aren't, and helping people take the risk with their eyes open instead of out of fear or bravado. But I have a deep respect for the client who decides their story is bigger than the worst night of it.

There is one more Ali line I keep close. "Service to others is the rent you pay for your room here on Earth." He spent the back half of his life giving the fame away, on humanitarian work, on showing up for people who had nothing to offer him in return. It reframes the whole thing. The titles were never the point. The point was what he did with the platform.

I am not going to compare a small St. Pete law firm to one of the most famous men who ever lived. But the principle scales down just fine. This work, at its best, is service. Standing next to someone on the worst day of their life so they don't have to face it alone. Judging a high school moot court so a kid sees what's possible. Writing something honest enough to be worth somebody's ten minutes.

Ten years gone, and the lesson that lasts isn't about boxing at all. It's that the chapter you're in does not have to be the chapter that defines you, and that standing on principle, even when it costs you, is sometimes the only fight worth having.



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**A MONTHLY NEWSLETTER TO
INFORM AND ENTERTAIN**

A Charge Most Boaters Have Never Heard Of

Summer in Tampa Bay means the water, and the water means boats. Here is something most people never think about until it is too late: you can absolutely get a DUI on a boat. In Florida (and everywhere else) it has its own name, BUI, Boating Under the Influence. The limit is the same 0.08 as in your car.

The enforcement is very very real. On a busy weekend, FWC officers and marine units are out in force, and they do not need a traffic violation to approach you the way an officer does on the road. A safety inspection, a registration check, or a report of erratic operation can all turn into a BUI investigation.

And the conditions make it messier...

Sun, heat, dehydration, the motion of the water, and the inner-ear fatigue boaters call "sea legs" can make a perfectly sober person look impaired the moment they step onto the dock. Inventing new field sobriety exercises do not account for any of that. I have watched sober people stumble through them for reasons that have nothing to do with what they drank.

You can be charged whether you're on a center console, a pontoon, a jet ski, or a kayak, and the open-container culture on the water is exactly what makes these cases so common.

None of this is a reason to stay off the water. It is a reason to plan the way you would for a night out:

line up a sober operator, pace yourself, and know that "I was just heading back to the dock" is not a defense. Same rules as Central Avenue. Same real consequences.

EVENT HIGHLIGHTS

Surreal Summer Nights at The Dalí (June 18) - The Dalí Museum opens its first floor from 5 to 8 p.m. for a free evening of music, drinks, and dancing, with DJ Darluz setting the mood among the masters. One of the more relaxed ways to spend a summer evening downtown, and you can't beat the setting.

