

'Stand your ground' hearing begins for Port St. John man accused of shooting deputy

By Tyler Vazquez

Published August 27, 2018

Featured on <https://www.floridatoday.com/>

Whether or not John DeRossett, 68, knew the men on his doorstep were Brevard County deputies when he fired at them is the crux of a pre-trial immunity hearing taking place this week at the Vassar B. Carlton Historic Titusville Courthouse.

The hearing began Monday with DeRossett's defense attorneys arguing their client could not have known the plainclothes agents arresting his niece in a prostitution sting were law enforcement in the dark night of Aug. 20, 2015. Prosecutors disagreed and contended there was enough light and that two of the agents present were wearing clothing marked with sheriff's office insignia.

During the chaos that followed the attempted arrest of his niece, DeRossett exchanged gunfire with the three Brevard County Sheriff's Office special investigations agents. DeRossett and Agent John "Casey" Smith were injured, with Smith's injuries leaving him seriously wounded and putting him in the hospital for several weeks.

The sheriff's office initially described the incident as an "ambush-style" attack on the arresting agents. DeRossett's defense attorneys insist he was only defending his family from men he didn't know were law enforcement who were on his property without a warrant.

The investigation into DeRossett's niece, Mary Ellis DeRossett, began when a Brevard County deputy living across from them reported that she may be involved in prostitution. A sting originally set up at a motel moved to Mary and John DeRossett's Covina Street home in Port St. John.

Mary Ellis was also known as "The Cougar" on the prostitution website Backpage.

Prosecutors argued that DeRossett, now 60, knew that his niece was working out of his home as a prostitute and engaged in illegal drug activity. They said DeRossett had previously bailed Mary out of jail and driven her to get money from a "john."

That, according to the state, meant that DeRossett could have reasonably known the men at his door grabbing his niece were law enforcement.

The defense Monday also pointed to dark crime scene photos from outside DeRossett's home, peppering crime scene investigators with questions about how visible the yard really was. If DeRossett could not reasonably see the men grabbing his niece were deputies, he was then also allowed to use force to defend her, they argue.

Prosecutors pointed out that crime scene photos could be much darker than what would appear to the naked eye depending on the type of cameras used and the settings.

"I'm not even convinced my client did shoot the deputies that night," said defense attorney Michael Panella with Panella Law Firm.

Back in 2015, two other Brevard County deputies, Larry Blair and Raymond Sutherland, resigned after the initial shooting after inappropriate text messages were found between them and Marry DeRossett.

Sutherland was found to have been texting her arranging to meet with her later in the hour before the shooting while on patrol in the Port St. John area.

The hearing will continue through Thursday, court officials said.