



STATE OF FLORIDA

JAMES UTHMEIER ATTORNEY GENERAL

March 31, 2026

The Honorable Daniel Perez
Speaker of the House
Florida House of Representatives
420 The Capitol
402 South Monroe Street
Tallahassee, Florida 32399-1300

Dear Speaker Perez:

This morning, I joined Governor DeSantis, members of the Florida House and Senate, and the family of Melissa “Missy” Mogle for the signing of Missy’s Law. This legislation vastly improves Florida criminal procedure to prevent judges from putting social justice over criminal justice. But the people of Florida demand accountability for judges—like the judge responsible for letting Missy’s killer remain free—who grossly abuse their discretion by inexplicably refusing to take custody of convicted child sex predators, allowing them to continue preying on our children. Accountability must begin in the Florida House of Representatives. I therefore call for the impeachment of Judge Baker-Carper.

On April 15, 2025, Daniel Spencer was convicted of traveling to engage in unlawful sexual conduct with a child. Against the recommendation of the State Attorney, Tallahassee-based Circuit Court Judge Tiffany Baker-Carper allowed Spencer to remain on bond while his sentencing was pending.¹ A month later, while out on bond, Spencer violently murdered 5-year-old Missy Mogle by hitting her, binding her feet and hands together, and covering her with pillows and comforters.² Judge Baker-Carper’s decision that allowed Spencer, a convicted child predator, to remain on bond is why Missy is dead today. This decision wasn’t just disgraceful, reckless, and unthinkable; it rises to the level of a “misdemeanor in office.”

Under Article III, section 17 of the Florida Constitution, “judges of circuit courts ... shall be liable to impeachment for misdemeanor in office.” The Florida Constitution also provides: “The speaker of the house of representatives shall have power at any time to appoint a committee to investigate charges against any officer subject to impeachment.”³ Furthermore,

¹ Jamiya Coleman et al., *Judge Orders Stepdad Charged in Death of 5-year-old Tallahassee Girl to be Held Without Bond*, WCTV (June 6, 2025), <https://www.wctv.tv/2025/06/06/judge-orders-stepdad-charged-death-5-year-old-tallahassee-girl-be-held-without-bond/>.

² *Id.*

³ Art. III, § 17(a), Fla. Const.

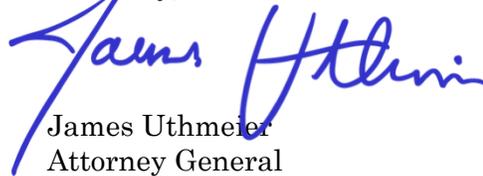
“[t]he house of representatives by two-thirds vote shall have the power to impeach an officer.”⁴

The Florida Supreme Court confirmed that “misdemeanor in office,” as a ground for impeachment, “may include any act involving moral turpitude which is contrary to justice, honesty, principles or good morals” when committed by virtue of judicial authority. *In Re Investigation of Circuit Judge*, 93 So. 2d 601, 605-606 (Fla. 1957). Judge Baker-Carper’s decision to allow Spencer to return to a household with multiple children meets this standard; he was a convicted child predator who no longer had the presumption of innocence. Justice required the protection of Missy and her siblings.

Judge Baker-Carper’s actions brought disrepute upon the judiciary. The State Attorney’s office warned the judge that someone with Spencer’s conviction should be behind bars—not free to prey on children.⁵ But despite the obvious danger and warnings, Judge Baker-Carper let Spencer remain free, causing the untimely, violent murder of Missy.

Floridians expect judges to apply the law as written and to use their discretion properly and in the interest of justice to keep Floridians and their families safe from predators like Spencer. Government exists to protect the lives, liberty, and property of the people, and the first duty of all public officials is to ensure public safety. Judge Baker-Carper failed in her most fundamental duty and should no longer be a judge in this State. I ask that the Florida House of Representatives begin impeachment proceedings against Judge Baker-Carper immediately. My office is ready to assist you and the Florida House of Representatives to ensure that Judge Baker-Carper never hears another case again.

Sincerely,



James Uthmeier
Attorney General

⁴ *Id.*

⁵ Jamiya Coleman et al., *Judge Orders Stepdad Charged in Death of 5-year-old Tallahassee Girl to be Held Without Bond*, WCTV (June 6, 2025), <https://www.wctv.tv/2025/06/06/judge-orders-stepdad-charged-death-5-year-old-tallahassee-girl-be-held-without-bond/> (explaining that the State Attorney said, “if he [Daniel Spencer] had been in jail today, he would not have had access to these children”).