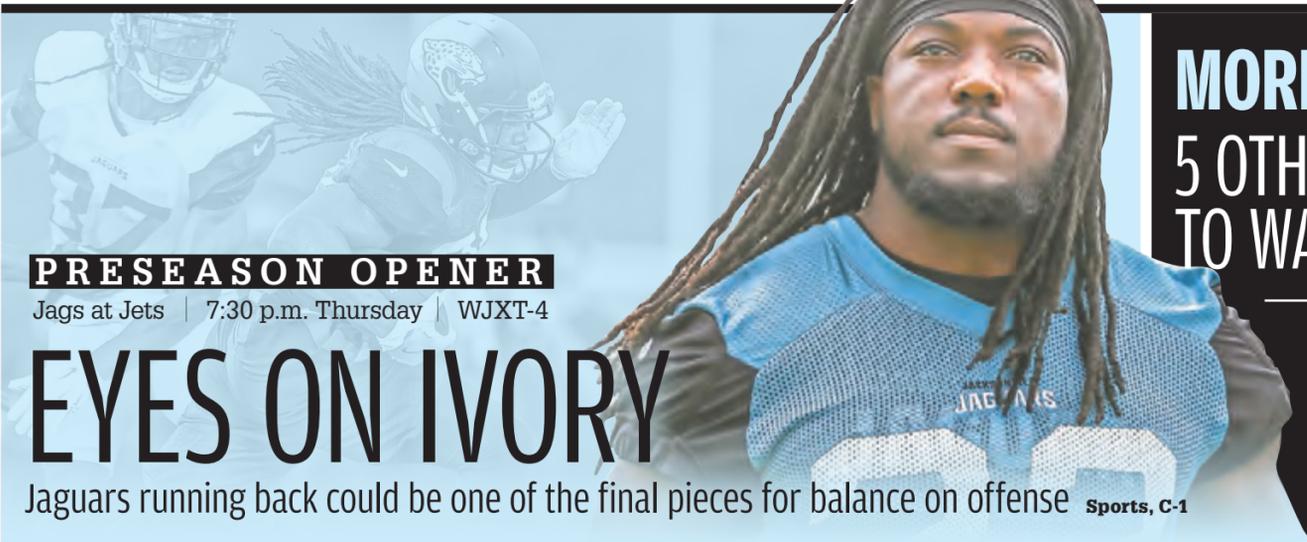


The Florida Times-Union

Thursday
AUGUST 11, 2016
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PRESEASON OPENER
Jags at Jets | 7:30 p.m. Thursday | WJXT-4

EYES ON IVORY

Jaguars running back could be one of the final pieces for balance on offense **Sports, C-1**

MORE INSIDE
5 OTHER JAGUARS TO WATCH TONIGHT

FULL TEAM ROSTER

INJURY REPORT
Sports, C-3

Ex-council leaders oppose Curry tax plan

Proposal to pay down pension debt 'kicks can down road,' Joost, Bishop say

By Nate Monroe
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Two former Jacksonville City Council presidents say Mayor Lenny Curry's plan to use a sales tax to pay down the city's \$2.85 billion pension debt amounts to "taxation without representation" for future generations and is a mistaken way to resolve the high-profile problem, a rare rebuke of a plan that has otherwise enjoyed virtually unanimous support from Jacksonville's political

establishment. Stephen Joost and Bill Bishop, who both served eight years as council members, are so far the most prominent citizens to speak out against Curry's plan, which the two said in an interview Wednesday they did only reluctantly after witnessing a paucity of skepticism emerge. "Every generation is supposed to make the next generation better off," Joost said. "This plan falls short of that." The two men were often on op-

posite sides during debates that took place during former Mayor Alvin Brown's term in office, but they now both agree that Curry's pension plan would "kick the can down the road" by delaying the bulk of city debt payments for 15 years. Curry wants to enact a half-cent sales tax that would begin after the Better Jacksonville half-cent sales tax expires in 2030. The new tax, by state law, could only be dedicated to paying off the city's \$2.85 billion pension debt.

Voters will decide the issue on the Aug. 30 ballot. Joost and Bishop said the plan is flawed because the city needs revenue now, and deferring debt payments until a future tax kicks in comes with a hefty price tag that will fall to future generations to pay. Bishop said enacting a tax increase now would pass muster with voters if they understood the full story about the pension



PENSION continues on A-4

A \$5.8 MILLION GIFT OF ART



Jonathan Duck of MOCA Jacksonville works on a condition report on the painted metal sculpture "Two Dancing Figures" by Keith Haring, one of 50 new pieces donated to the museum.

Artwork by Joan Mitchell, Philip Guston, Joel Shapiro, Keith Haring and more included in donation to MOCA from trustee Maria Cox

By David Crumpler
david.crumpler@jacksonville.com

A gift of about \$5.8 million in artwork to the Museum of Contemporary Art Jacksonville from trustee Maria Cox is transformative to the museum in a number of ways, said acting director Ben Thompson. "It will greatly strengthen and increase the value of the permanent collection," he said. "There is a scholarly and educational value that comes from having direct access to original artworks. And of course, it gives the community access to works that they wouldn't previously have had access to." The gift from Cox, a 12-year-trustee, includes works by Joan Mitchell, Philip Guston, Joel Shapiro,

Frank Stella, Keith Haring, Malcolm Morley, Jasper Johns and more. The museum announced the donation of The Donald and Maria Cox Collection late Tuesday. Cox, who lives in Ponte Vedra Beach, collected modern and contemporary art with her late husband throughout their marriage. Highlights of the collection include Mitchell's 1986 painting "Chord III," two paintings by Guston, a bronze sculpture by Shapiro and Haring's "Two Dancing Figures" sculpture. The gift represents an acceleration of a planned bequest set in motion with the Coxes' 2004 gift of 48 works. It includes another



Maria Cox is pictured at her home with Joan Mitchell's "Chord III," one of the 50 pieces donated to MOCA Jacksonville.

"It's a high-caliber, top-tier collection of art that any institution would have welcomed."
Ben Thompson, acting director for MOCA Jacksonville

MOCA continues on A-4

Rank-and-file police lend Corey election support

Attorney has maintained close relationships with area departments

By Dana Treen
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At a recent briefing inside the downtown headquarters of the Jacksonville Sheriff's Office, State Attorney Angela Corey gripped the hand of Raelyn Rowe after police announced an arrest in the homicide of Rowe's son, Daniel, outside a restaurant where he worked. A year ago, Corey said she promised the Rowe family the case would be solved and detectives had done just that. "It's like every case they handle," she said, with the grieving mother at her side. "They work tirelessly. I can't tell you the number of phone calls, the number of leads they follow up." No clue was passed over by the investigators, Corey said. "JSO has just been amazing," she said.

The praise, as well-deserved as it might be, is also a hallmark of Corey's relationship with police. She is, and has unabashedly been, a law enforcement champion. In return, law enforcement in Northeast Florida has backed Corey, endorsing her for a third term as state attorney and promising to work to make that happen. Sheriffs in all three counties in the 4th Judicial Circuit have endorsed her, as have police and fire unions. The Jacksonville police union, which has endorsed Corey in the past, cited her "demonstrated effectiveness to vigorously prosecute violent felons," in a statement. The ties represent a too-close relationship for some who say that clouds Corey's judgment.



COREY continues on A-4

Year after unsolved brutal rape of girl, 8, police hold out hope

Investigators say they have evidence as reward for arrest increased

By Dan Scanlan
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Last summer's attack on an 8-year-old girl in woods off the 3000 block of University Boulevard North was brutal, forcing her through hours of surgery to repair injuries to her lower body, eyes and face. Exactly one year after the sexual assault within walking distance of her former home in the Eagle Pointe Apartments, the investigation into the girl's attack Aug. 10, 2015, has turned up little. After the Times-Union made requests for inter-

views and updates on the case, the Sheriff's Office would only say it's an ongoing investigation and then announced it was having a news briefing Wednesday. So police and family gathered just steps from the assault site to plead for help in finding what Jacksonville Sheriff's Office Director Tom Hackney called a "soulless cretin" who could look his victim in the eye and "do what he did to her." "It hasn't worked like it could, so today being the 1-year anniversary, I wanted to assemble this team of everybody who was here working with us then to ask for more help. Perhaps this person who did this has

ASSAULT continues on A-4

Weather
T-storms from the south
Forecast on A-2

91 Today's high
75 Friday morning's low

DAILY DEAL! Get in gear with a Bicycle Clinic tuneup
Details, A-2

Classified D-3 Legals C-7
Comics E-3 Money D
Crosswords D-5, E-3 Obituaries B-4
Editorials A-6 Taste E

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151ST YEAR
5 SECTIONS
34 PAGES

6 65486 00100 4

COREY

Continued from A-1

DEFENSIVE ABOUT LAW ENFORCEMENT

Even a decade ago, Corey's former boss wrote in an evaluation that while she was a stellar courtroom advocate, the prosecutor at times, "continues to be too defensive about law enforcement."

That sentiment is strongly felt in other parts of the community, where Corey is criticized for never finding criminal fault with police in officer-involved shootings.

To be fair, other state attorneys, including Harry Shorstein, who preceded Corey and was the one who wrote the critique, have records of ruling consistently in favor of police in those cases.

In the race, Corey repeatedly has said her record is proof she does not pass over police when it comes to prosecution.

"Unfortunately on my watch we've had to arrest close to 30 police officers for everything from child sexual abuse to DUI to domestic violence to many other things, and we have treated them the same way we treated everybody else," she said.

Bob Dekle, the director of the Criminal Prosecution Clinic at the University of Florida's Levin College of Law and the prosecutor in the case of notorious serial killer Ted Bundy, has known Corey for 30 years.

He said an appropriate level of tension should exist between police and prosecutors.

Both branches of law enforcement have the same objectives, but have different roles.

Police are charged with making an arrest, Dekle said, while the state attorney must be sure they are prosecuting the right person and doing it properly.

There are pitfalls to building a court case without adequately questioning the investigator's evidence and reasoning, and equal drawbacks in demanding an unreasonable amount of proof to go forward, Dekle said.

"Sometimes there can be conflict between state attorneys and sheriffs over that issue," he said. "Sometimes that is a flash point."

Prosecutors should strike a middle balance, he said.

"That's where the best prosecutors are," he said. "It is difficult for this reason: When you are looking at any one case, there is not only one answer. It's not like a math problem where there is one answer."

RACE VERY CONTENTIOUS

The state attorney's race so far has been the most contentious of any election contest in Northeast Florida this year. It will be decided Aug. 30 in the Republican primary when voters choose among Corey and challengers Melissa Nelson and Wesley White.

"What you should do as a prosecutor is [ask], 'What is a just disposition of this case?'" Dekle said. "'What charges are going to get me what? What charges are going to address criminality?'"

Consistently throw the book at defendants and judges begin to not take you seriously, he said.

Another argument for simplicity is the charges should be clear so as not to confuse a jury, he said.

White, who worked for Corey as her chief prosecutor in Nassau County until quitting in a dispute over how the office in Nassau was treated, said his philosophy would be to set a desired outcome and offer that as a plea and make clear it would be the sentence he would request at a conviction.

The defendant then has the option to take the deal or a chance at trial, where losing could mean a harsher penalty from a judge.

"If I believe someone deserves 'X' number of years, that is what I would ask," he said. Stacking charges is a strong-arm tactic to force a plea agreement, he said.

Corey, accused of overcharging in cases such as that of Cristian Fernandez, a 12-year-old she charged as an adult for the death of his 2-year-old half brother, and George Zimmerman, charged in the death of 17-year-old Trayvon Martin in Sanford, defends her decisions as reflecting a deliberative process that results in those being the right moves.

REPUTATION OF BEING TOUGH

It also projects a beneficial tough-on-crime image, she said. "I do think that we have developed a reputation that we are tough in this town," she said, describing an audio recording of a suspect's opinion of Corey's office.

"They don't play in Jacksonville, they don't play," the defendant said. "I think there is a little bit of deterrence out there."

It is a reputation built over time, she said.

"We are leading the state, I believe, in death-penalty cases and in sending more violent and repeat offenders to prison," she said. "That's one of the things I committed to do."

In an often-repeated phrase, she said there is an effect on crime rates.

"That violent criminal is not getting out and re-offending," she said. "You protect the community one case at a time."

White said a record of excessive charging also hurts credibility with judges and the community and taints Corey's image.

"I don't know if the sentences are per se bad, but what makes them suspect is there is an issue of distrust between the state attorney and the public," he said.

White said he favors a citizens panel to review and offer opinions on high-profile cases. "I think in some cases we need to open up the process and be more transparent," he said.

Jacksonville Sheriff Mike Williams endorsed Corey and appears in political advertising for her campaign.

"I think what is important is she prosecutes the people that need to be prosecuted," he said. "If somebody needs to be charged, she charges them."

TOUGH APPROACH, SAFER STREETS?

In an ad, Williams calls Corey "tough, conservative and real" while other officers praise her for taking on school violence as a "personal crusade" and for her concern for victims.

Williams also agrees with the theory that streets are safer when prosecutions are tough and sentences substantial. "She deserves some of the credit for getting some of the crime down," he said.

Violent crime rates tracked by the Florida Department of Law Enforcement for 1995 through 2015 showed an overall decline in the three counties in the 4th Judicial Circuit. Corey was first elected to office in 2008. The downward trend has continued in the years she has been in office.

There were upticks in murder in clusters of years, but the state's violent crime index that also includes forcible sex attacks, aggravated assault and robbery has seen the number of crimes per 100,000 people halved in Duval and Clay counties compared to the earliest years, and by about 80 percent in Nassau.

Corey's ties to the Sheriff's Office are also strengthened due to her work as an instructor at the police academy and with officers to pull cases together, Williams said.

"I think a good working relationship is healthy," he said.

Corey said she also beefed up her homicide unit to strengthen work on those cases.

Though crime rates are dropping, homicide rates still rank Duval County as one of the most violent in the state and for more than a decade the murder capital of Florida.

That label still hangs over Jacksonville, Nelson said.

Nelson, a 12-year prosecutor with the State Attorney's Office who left in the first part of Corey's first term, said more could be done to connect with the community in an effort to drive crime rates down.

Nelson said the state attorney's role does not lend itself to having a direct impact on violent crime from a prevention standpoint, but can work to build relationships that do.

Though she was not endorsed by Williams or Jacksonville Mayor Lenny Curry, Nelson said she could work with them and pointed to their efforts at community outreach.

"They are starting a dialogue the State Attorney's Office has not taken a lead in in the past eight years," she said.

She said she also would like to establish what she described as a geographic element to the way prosecutors work, giving attorneys responsibilities for cases emerging from particular neighborhoods or sections of the city. She said it would help build trust between the office and the community.

"If people don't trust the State Attorney's Office, if people don't trust the criminal justice system, they are not going to tell you who is selling the guns or who is selling the drugs and how they are coming in," she said.

Where Corey's support is deep with law enforcement agencies as well as former mayors John Delaney and John Peyton, Nelson has been backed by attorneys and prominent Republican donors who were once Corey backers.

In campaign contributions through July 29, Corey's campaign has raised nearly \$382,000. Citizens For Justice, a political action committee, has said it is independent of any candidate, but it has run ads in support of Corey, and it has raised \$71,356, according to the latest report.

Nelson's campaign has raised slightly more than \$382,500, while a political action committee supporting her, First Coast Values, has raised \$630,800, according to filings.

The two have raise more than White, whose latest campaign contribution report said he has generated nearly \$57,000 as of the July 29 reporting date.

Dana Treen: (904) 359-4091

PENSION

Continued from A-1

problem.

"If you tell them straight what's going on, they get it," Bishop said. "Twenty years from now, people will thank us for that."

They did not express a preference for what kind of tax the city should levy, but they insisted that the city is in dire need of more money now so it can begin paying off the unfunded pension liability as quickly as possible.

"Any tax. Just pick one, for the love of God," Joost said. "Pick one and do it now. It's our responsibility to pay for it."

Curry's tax, which would begin in 2031, would not by itself offer the city any financial relief. Deferring much of the debt payment until later years when the tax begins — as an outside analysis conducted at the Curry administration's behest suggests — could offer the city financial relief ranging from \$40 million to \$68 million per year.

That comes with a cost. Deferring payments would add about \$1.5 billion more in pension payments through 2049.

Joost and Bishop called that plan "short-term gain for long-term pain." They also questioned the wisdom of relying on a revenue stream that begins more than a decade from now, saying it's impossible to make reliable economic projections so far out.

Curry's office did not respond to a request for comment.

"Please let me know of any assistance we can offer to put you in contact with existing Council members who unanimously approved the mayor's plan," mayoral spokeswoman Marsha Oliver said in an email.

All 19 members of the council supported putting Curry's plan on the ballot.

Yes for Jacksonville, a political committee backing the plan and chaired by the mayor, slammed the two former council members in a statement.

"Regular and consistent opponents of Mayor Curry, desperate to seem relevant, are opposing something that is good for the city," said Brian Hughes, a spokesman for the group.

MOCA

Continued from A-1

50 works of art, the museum said. The 98 objects in the entire collection include 16 paintings, 27 sculptures, 52 works on paper, one photograph and two pieces of ephemera. Cox has also created The Donald and Maria Cox Fund supporting the museum.

"It's a high-caliber, top-tier collection of art that any institution would have welcomed," Thompson said. "In addition, it works for us because the art is perfectly aligned with our recent strategy for growing our collection."

"Mrs. Cox and her husband were collectors of contemporary art, primarily from the 1960s to the present, which is our focus and very specific to our mission."

The collection may also help to make Jacksonville more of draw for contemporary art, Thompson said.

MOCA Jacksonville is a cultural institute of the University of North Florida, and the university is looking forward to educational opportunities presented by the Cox collection, said P. Scott Brown, an associate professor of art history at UNF, in a museum news release. This includes researching the art and cataloging the collection.

Thompson said the Cox collection was "definitely the most significant gift" to the museum

ASSAULT

Continued from A-1

talked to somebody," Hackney said. "... There's a special place for this guy. I would like to be able to put him in jail until he has to reach that special place."

Disappointed in the lack of a suspect, the girl's father said she was still recovering when he talked to her by telephone in her new home in North Carolina. The Times-Union is not naming him because it could identify the victim of sexual assault.

"She seemed distant. She didn't seem like she was herself," he said. "... I feel devastated. I love my children. It's a whole family suffering."

Police swarmed the wooded area behind St. Luke's Episcopal Church a year ago, after the neighbor who lived next to her family at the time said he saw her stagger out of the woods naked and bleeding. She had been playing with friends, he said.

"She wandered off with her bike unbeknownst to her mother, searching for her kitten. What she encountered was the monster," Lawrence Laganelli said a year ago. "... What I saw was horrible."

FACEBOOK LIVE CHAT

Join Times-Union reporters David Bauerlein and Nate Monroe on our Facebook page at 1 p.m. Thursday for a live chat about Mayor Lenny Curry's proposed half-cent sales tax to pay down the city's \$2.85 billion pension debt. Go to Facebook.com/FlTimesUnion to listen and to join in the discussion. Send questions in advance to phillip.heilman@jacksonville.com.

"While they criticize the only real solution, one that doesn't raise taxes, they advocate for higher taxes on the families of Jacksonville and no permanent solution. These two have been part of the problem for years, and voters will reject their call for tax increases."

Neither Joost nor Bishop, who are both Republicans, supported Curry, also a Republican, in last year's mayoral campaign.

Joost backed Brown, a Democrat, and Bishop was a candidate for mayor. He came in third in the spring first election.

Bishop has expressed interest in running for mayor in the future, but he said that did not factor into his decision to come out against Curry's plan. He chalked his comments up as "loyal opposition."

"I want Lenny to succeed as mayor," Bishop said.

Bishop ran for mayor arguing that a new sales tax was necessary to pay off the pension debt.

He supported Curry's decision earlier this summer to cut the retirement payouts for John Keane, the former and controversial executive director of the Police and Fire Pension Fund, telling the mayor in a text message the move would help with his sales tax initiative. But Bishop said Wednesday he does not support Curry's specific plan because the money doesn't come soon enough.

Joost said he was hesitant to make any public comments about Curry's plan — "who wants to come out against the machinery?" — but he said it has become a "matter of conscience."

He said he agrees with Curry's approach that a new tax is necessary to solve the debt problem but disagrees about when to

levy it and who should carry the most burden.

Curry has rejected the characterization that his plan amounts to a "new" tax, insisting that it is a tax "extension" because residents would continue paying the same half-cent tax in the future they pay now.

Amid debate in 2013 over a pension reform bill that ultimately failed, Bishop and Joost were among 14 other council members who supported a 14 percent property tax hike to prevent deep cuts to police, fire, library, parks and other city services. They said that tax increase was met with relatively little resistance because residents understood what was at stake.

The two noted that Jacksonville is a low-tax city relative to many of its peers in Florida and across the country, a fact echoed by civic and advocacy groups for several years, and that there are several taxes and fees to consider beyond property taxes that could chip away at the debt.

Joost said that fact makes it clear that one of Curry's oft-repeated talking points — Jacksonville is in danger of heading down the same road as Detroit if his plan doesn't pass — is not valid.

"It's a fallacy of logic to say it's an either-or," Joost said.

Opposition to Curry's plan has so far come from John Winker, the president of the Concerned Taxpayers of Duval County, and a smattering of residents who have shown up to voice concerns at City Council meetings. Most of the city's business, civic and political establishment has lined up firmly behind Curry's plan.

Brown rarely enjoyed such consensus in his efforts to reform the city's pensions, though he did sign a bill in the twilight of his term that made public-safety pensions less costly and committed to more quickly paying down the city's debt.

Joost observed that the Curry plan would have been met with a different reception if it had been proposed by his Democratic predecessor.

"It would have never seen the light of day," Joost said.

Nate Monroe: (904) 359-4289



This work by Joel Shapiro is one of 50 new works donated to the Museum of Contemporary Art Jacksonville in the Donald and Maria Cox Collection.

Provided by MOCA Jacksonville

since longtime art patron Preston Haskell gave \$5 million to the museum's endowment fund in January 2015.

"It builds on the Haskell gift, but it's a gift that builds in a different way, in tandem," he said. "Hers as educational and content support, his as operational support."

"The Cox gift will greatly strengthen MOCA's permanent collection, considerably enhancing the museum's outreach and educational efforts," said Haskell, a former chairman of the MOCA Jacksonville Board of Trustees, in a news release.

"They are giving of themselves," Thompson said of Cox and Haskell. "I hope that others with the wherewithal would consider a similar commitment, whether it's to MOCA or another organization. The way that we and many other organizations sustain themselves and

grow to be greater than they are is through gifts such as these."

The Coxes began collecting art in the 1970s. "We saw an enormous amount of art — galleries, museums, studios in New York and traveling," Cox said in a news release. "Don and I mostly agreed on selections. If we didn't agree, we didn't buy it." The Coxes moved to Ponte Vedra Beach in the late 1990s. Maria Cox is a former interior designer. Her husband, an executive with Exxon for many years, died in 2006.

To celebrate the gift, the museum plans to exhibit a selection of the new objects in "Breaking Ground: The Donald and Maria Cox Collection," Sept. 24 through Jan. 8. About 35 works of art will be included in the upcoming exhibit, said curator Jaime DeSimone

David Crumpler: (904) 359-4164

Wednesday, First Coast Crime Stoppers also announced its reward for information leading to an arrest has increased from \$3,000 to \$9,000 after Impact Church on Lone Star Road donated the difference. But Crime Stoppers has received only nine tips in the case, and they were right after the assault.

"I promise you that this is not the first or the last victim of this individual," Crime Stoppers Executive Director Wyllie Hodges said. "We need people to step up."

Hackney said "time stopped" for that victim that day, and the only description she could give of her attacker was a younger black male. He said they gathered 25 pieces of evidence but wouldn't say if any of what went to the Florida Department of Law Enforcement for testing offered potential suspect DNA.

"I have results that will become helpful when a named suspect is identified," he said. "However, to go into it, he may be watching. I'm not giving my case away."

The girl's father spoke out at the briefing. He said he was angry that a hole in the fence between the apartments and attack site was still there a year after she apparently crawled through

it. He also took Hackney to task on his comment that the police investigation was continuing, saying an investigator told him in May that it was suspended.

"I understand that for a parent involved there are a lot of questions," Hackney responded. "The purpose of us standing here is not to debate this case with the parent in front of the media. ... The purpose of this is to gain some information."

The two spoke in private, where the father later said he felt appreciative.

"He told me some really private things, sensitive information, that I will not let out because I don't want to cause any scrutiny as far as catching this guy," he said. "... I want to be updated. When they know something, I should know something."

Anyone with information about the 2015 attack on the girl can contact the Sheriff's Office at (904) 630-0500 or email JSOCrimeTips@jaxsheriff.org. To remain anonymous and be eligible for a reward, contact Crime Stoppers at (866) 845-8477 (TIPS).

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