

The Florida Times-Union

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FIRST COAST OLYMPIANS HOW THEY FARED IN RIO

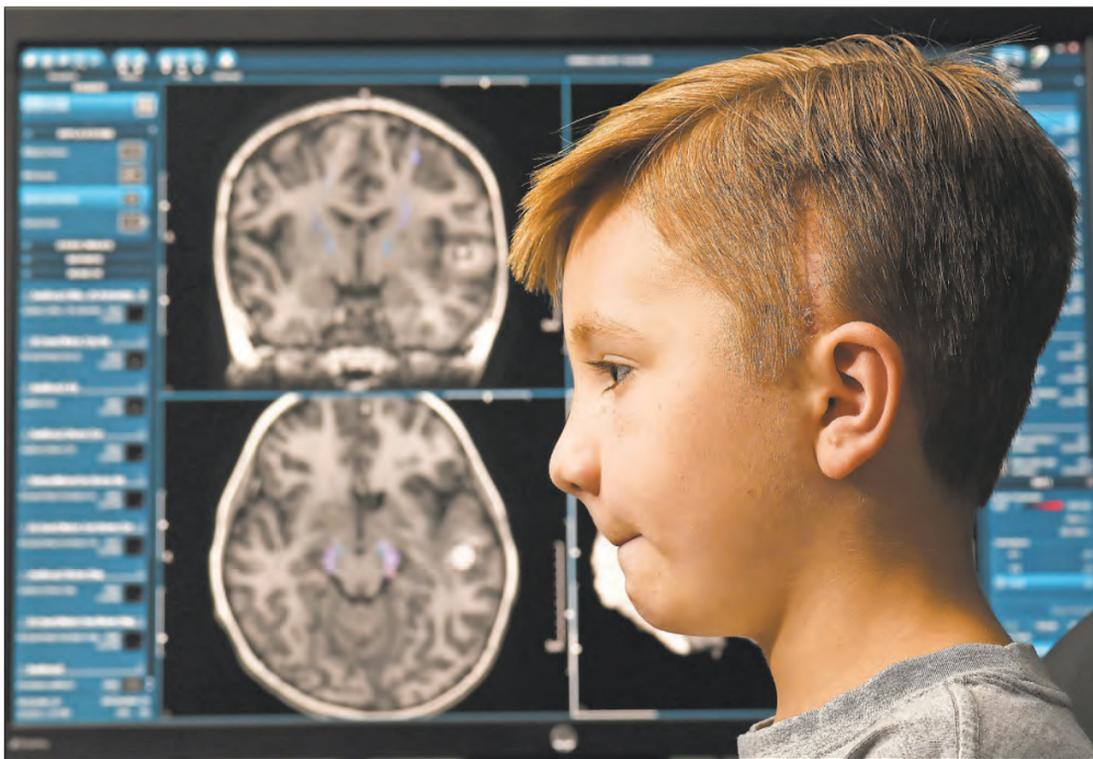
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AT WOLFSON, A NEW TOOL FOR CHILDREN'S HEALTH



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Only a small scar remains from the brain surgery Evan Robbins underwent with the new MRI capabilities at Wolfson Children's Hospital. Evan had a mass removed from his brain.

High-tech imaging software a safe, noninvasive method to identify trouble spots in the brain

By Beth Reese Cravey
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Evan Robbins, 11, was not the least bit impressed by the new high-tech imaging software that guided the hands of two Wolfson Children's Hospital neurosurgeons who recently removed a mass from his brain.

The Yulee Primary School second-grader was still more enamored by his favorite character, Indiana Jones, than something called "functional magnetic resonance imaging."

"I don't care how they did it. I only care that I'm alive," he said.

For about a year, Wolfson has been using the technology that maps an individual's brain and pinpoints the areas that control vital functions like speech and movement.

The resulting images surgically target an exact trouble spot without disturbing surrounding tissues or affecting vital functions.

"We have a general idea which areas of the brain these functions reside in anatomically, but the actual places can vary in exact location from person to person," said University of Florida College of Medicine-Jacksonville pediatric neurosurgeon Philipp Aldana, co-medical director of the Walter and Michelle Stys Neuroscience Institute at Wolfson Children's Hospital and medical director of the Lucy Gooding Neurosurgery Center.

Wolfson is the only Northeast Florida hospital that uses the technology on children, according to the hospital.

"Having the ability to map out those areas in relation to

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Election 2016
Public Defender

Shirk won't let scandal stop his campaign

His answer to troubles in his office:
Admit fault, apologize and move on

By Andrew Pantazi
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Matt Shirk bounced out of a white luxury car and marched up to a red truck.

With a stack of fliers and a list of voters, Shirk and his friend scoured Nassau County, hoping to retrace his 2008 march to victory. He guessed he'd hit 2,000 homes already, and by the weekend, he wanted to have visited every likely voter's home in Clay and Nassau and at the Beaches and Mandarin. Almost every encounter was the same: Hi, I'm Public Defender Matt Shirk, and I'd really like your vote, he'd say. Sure thing, they'd say. But the man in the red truck was different.



Shirk

"I'm Public Defender Matt Shirk, and I'm running for re-election," Shirk announced. "Did you get that stripper thing sorted out?" the voter replied.

"Uh, yessir."

"What were you thinking?"

"To be honest, sir, I wasn't. But I'm leaving that behind me, and I'm moving forward."

The voter then said he'd once been arrested, and though he escaped a guilty verdict, he was upset with his assigned public defender. Shirk took his number and promised to call him.

"I didn't mean to come off sideways with you," the man told Shirk. "But it still sticks in my craw."

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MORE ONLINE

The Times-Union profiled public defender candidate Charlie Cofer on Monday. Read the profile and additional election coverage online at jacksonville.com/election2016

Coalition of supporters stands with Curry

Leaders gather at City Hall as mayor continues hard sell for pension tax

By Nate Monroe
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In a show of force as the clock winds down to a high-stakes voter referendum Aug. 30, Mayor Lenny Curry and dozens of political and community leaders Monday gave a home-stretch pitch for voters to approve a plan they say will forever solve Jacksonville's runaway pension debt.

Curry — calling the who's-who gamut of people around him an "unprecedented coalition" — contrasted his Monday news conference in City Hall with the smattering of people who showed up to a Northside rally last week where local Democratic Party officials ripped into the mayor's pension plan. Indeed, Curry's pension-



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tax plan enjoys support from high-profile public officials of both parties and from civic leaders from across town.

Yet to be seen, however, is whether backing from the highest echelons of Jacksonville translates into support among rank-and-file voters.

The mayor contends it will.

"I wouldn't say it's the political class. I think what you saw is a coalition of different political parties, different races, different ages, different organizations which represents a commitment to solving this problem," Curry said. "It's really about a cross-section of folks from all walks of

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Above: Former Jacksonville sheriff Nat Glover, who is co-chairman of Yes for Jacksonville, speaks at the podium Monday at City Hall with other supporters of a half-cent sales tax for paying down the city's pension debt.

Millennials defy easy generalizations as pivotal election nears

One commonality is how tough the job market has been for group

By Gillian Flaccus, Tamara Lush & Martha Irvine
Associated Press

America's oldest millennials — nearing 20 when the World Trade Center — can remember the economic prosperity of the 1990s, and when a different Clinton ran for president. The younger end of the generation — now nearing 20 — can't recall a time without terrorism or economic worry. Now millennials have edged out baby boomers as the largest living gen-

eration in U.S. history, and more than 75 million have come of age. With less than three months to Election Day, the values of young Americans are an unpredictable grab bag. What they share is a palpable sense of disillusionment.

As part of its Divided America series, The Associated Press interviewed seven millennial voters in five states where the generation could have an outsized influence this fall. They are a mosaic, from a black Nevada teen voting for the first time to a Florida-born son of Latino immigrants to a white Christian couple in Ohio. These voters illustrate

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TAX

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life who are in support of this, and those who have come out recently in opposition is an incredibly small group for I would argue political purposes.”

Curry also contends that the media have given outsize attention to the relatively small opposition.

“For a small group, it got a lot of coverage by certain members of the media as if though it were a big story. The big story is all of the people who have come together to support this plan,” he said.

The group on hand during last week’s Democratic Party news conference was smaller than Curry’s event Monday, but among the

politicians who came out in opposition to the pension-tax plan included state Sen. Audrey Gibson and former state Sen. Tony Hill, significant figures in the city’s black neighborhoods.

Curry and the campaign apparatus he organized around his pension-tax plan has long emphasized the bipartisan nature of support it receives.

That messaging was clear Monday. The two speakers other than Curry were well-known local Democrats, former Jacksonville sheriff and Edward Waters College President Nat Glover and former mayor and current City Councilman Tommy Hazouri.

“I want to thank this mayor for stepping up,” said Glover, who is also a former board member of the Police and Fire Pension Fund. He commended Curry for show-

ing political courage by tackling a thankless issue in his first term.

Curry’s allies at the news conference also included former Mayor John Peyton; the heads of Jacksonville’s independent authorities; black pastors who are well known in Northside neighborhoods, where Curry’s plan has been met with mixed reaction; and beaches officials, another constituency where Curry’s plan might be a tough sell.

Curry acknowledged that many undecided voters remain.

So far, 17,375 voters have cast early ballots, and another 28,256 turned in mail ballots. More Republicans — 23,311 — have voted than Democrats, 18,188.

Political observers have said it is particularly difficult to gauge support or opposition for Curry’s pension-tax plan because of its

complicated nature.

Curry has been breathless, running across the city and pitching his plan at churches and to civic and community groups for months. He will continue doing that through Aug. 30 — his first speaking engagement that day begins at 6 a.m.

Curry would not discuss any polling he’s seen on the referendum but said he feels confident in the trajectory so far.

A University of North Florida survey of 596 likely voters released last month showed support for Curry’s plan at 41 percent, with 26 percent undecided. Republicans were slightly more inclined to support the plan than Democrats.

Curry wants to enact a half-cent sales tax that would begin after the Better Jacksonville sales

tax expires in 2030. The new tax, by state law, can only be dedicated to paying off the city’s \$2.85 billion pension debt.

Curry has insisted that this arrangement means his plan amounts to a tax “extension,” rather than a new tax, because residents would see no change in what they pay now. He has also emphasized that state law would require the closure of a pension plan to new hires before it could be eligible to receive money from the pension tax.

The pension-tax plan appears on the ballot as “County Referendum No. 1.” Early voting runs through Sunday.

Times-Union writer David Bauerlein contributed to this report.

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SHIRK

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Shirk didn’t decide to run for re-election until more than two years passed after scandals that sparked a grand jury and an extensive state ethics investigation. He decided only then, he said, to run because he believed he had improved the office in eight years and that he could keep improving it.

When he addressed audiences, that’s what he said.

When he walked door to door, he usually just said his name and that he wanted their vote. When he came on the scene in 2008, he had no name recognition, one-fifth the fundraising power of the incumbent, and little experience. He gambled he didn’t need money because he could go to enough homes to win. Can he do that again?

A RARE POLITICIAN

Though Shirk has faced criticism through two terms in office, he is a rare politician. Where others would blame the media or say their sides weren’t being told, Shirk has done something almost never seen in a political figure: admitted fault, apologized and asked to move on. When questioned about his scandals earlier this year at a forum, he said he understood why people might be worried about his judgment. He then launched into an apology, his Christian testimony, and the good work he thinks his office has done.

In college, Shirk wanted to be a CIA agent, but then he decided to go to Florida Coastal School of Law to become a prosecutor. He interned under Angela Corey, then the head of the major-crimes unit. But his dad, a 12-year public defender in Illinois, urged him to reconsider.

His dad, a rural Republican party chairman, emphasized the constitutional need for public defenders, for attorneys who protect the liberties of the poor, for someone who keeps the justice system honest.

Shirk became an assistant public defender in 2000 and then left months after the office’s long-time chief assistant, Bill White, won election in 2004.

Shirk said he simply didn’t plan on spending his career at the Public Defender’s Office, so he struck out into private practice.

White was only the third public defender in Jacksonville’s history.

■ Former Mayor Ed Austin started out as public defender when the position was created in 1963.

■ Lou Frost took over in 1968, when Austin left to run for state attorney. Frost served 36 years and was considered the dean of Florida’s public defenders.

■ Bill White had been chief assistant from 1976 until he took over in 2005.

All were Democrats, and none had ever been challenged. Shirk planned to change that.

Though White had what seemed almost unanimous support from lawyers, he’d never campaigned. Shirk had been helping Republicans get elected since he was 12.

In 2008, he went to the rural suburbs of Nassau and Clay counties, where more often than not, the only question people asked was whether he was a Republican.

He promised to investigate whether clients were really poor. If clients couldn’t afford a lawyer, he said, he’d make them pay later when they could. He promised to cut spending.

But one promise got the most attention: He told the local police union he’d never question a cop’s integrity on the stand. The police union endorsed him.

Shirk, who this year released a video of an officer slamming a handcuffed kid into a wall, now says he never made that promise, even though it was well known at the time. Jacksonville Sheriff’s Office Lt. Clarence James, who nominated Shirk for that endorsement, said Shirk did specifically promise “to never question the integrity of a police officer on the stand.” James said Shirk had disappointed him.



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Public defender candidate Charlie Cofer (left), a former county judge, listens during a debate with opponent Matt Shirk, the sitting public defender, during a debate at a June 17 meeting of the Tiger Bay Club. A grand jury has said Shirk should resign or be removed.

THE PUBLIC DEFENDER GOP CANDIDATES

The 4th Judicial Circuit includes Duval, Nassau and Clay counties.

Charlie Cofer

Experience: 18 years at Public Defender’s Office, including as head of homicide division; 17 years as judge handling misdemeanors, lawsuits and felonies.

Website: votecofer.com.



Cofer

Matt Shirk

Experience: Five years as assistant public defender; four years in private practice; last eight years as elected public defender.

Website: mattshirk.net/.



Shirk

White, a Democrat, was surprised when he went out campaigning in Nassau and Clay. Despite his four decades of service, voters there didn’t know anything about him. He was asked constantly whether he was voting for then-Sen. Barack Obama. Yes, he told them, but it shouldn’t matter. He said his party affiliation shouldn’t have anything to do with whether he should be public defender or not.

Though Shirk lost Duval County, he threaded his way to victory with two-to-one margins in Clay and Nassau.

A ROUGH TRANSITION

Years later, when a grand jury would call on Shirk to resign or be removed, it would note he faced a “problematic transition.”

Immediately, he met with White and told him that top lawyers who had been highly critical of Shirk’s inexperience would not be kept. Shirk’s team emailed White a list of 10 lawyers, misspelling two names.

A month into his term, an attorney was accused of sexually harassing three women. Shirk cut the attorney’s pay and demoted him, saying then that “he was probably old enough to be their father.”

In 2011, Shirk’s friend and former law partner, Will Durden III, was charged with stealing from poor clients. Durden resigned and had his law license suspended, but once it was restored, Shirk re-hired him, explaining, “We are an office of second chances.”

That year, the office was given perhaps its most high-profile case under Shirk. Cristian Fernandez, a 12-year-old facing life if convicted of murdering his 2-year-old brother, was being held in solitary confinement. Shirk, who had never handled a homicide, took the case himself.

The idea of charging a 12-year-old as an adult in a first-degree murder case sparked outrage, and a team of the city’s top attorneys volunteered to help.

Shirk worked out a plea deal with the State Attorney’s Office that would’ve labeled Fernandez a convicted felon and a sex offender. The volunteering attorneys told Shirk to reject the deal.

Meanwhile, Shirk was participating in a documentary, and he shared details Fernandez told him. A judge issued a gag order, and the volunteer attorneys took over, eventually getting Fernandez a much better plea deal that treated him as a juvenile, dropped the sex charge and avoided a felony.

Later, a grand jury found Shirk violated Fernandez’s attorney-client privilege. A Florida Ethics Commission investigation would follow.

GRAND JURY: RESIGN OR BE REMOVED

In 2013, Shirk’s personal and professional lives threatened to unravel as the Times-Union reported how he hired women, sent them sexual messages and then fired them to save his marriage.

The year before, Shirk hired, then promoted Tiffany Ice, the girlfriend of police union boss Nelson Cuba. Though he told the ethics commission he didn’t know she was Cuba’s girlfriend until later, Shirk’s chief of staff claimed hiring her was a favor. (Cuba denied to the commission that he and Ice were dating.)

Then in May 2013, Shirk became infatuated with a picture he found on Facebook of a bartender at a restaurant called Whiskey River. Shirk hired the woman, Kaylee Chester, as a legal assistant, and later admitted he hired her at least in part because of her appearance. However, he insisted her paralegal certificate and month of experience at a law firm qualified her.

Shirk hired another Whiskey River employee and began flirting with the women. He sent Ice an e-greeting that told her, “I think if we had sex there would be very minimal awkwardness afterwards.” He took Chester

out for coffee and lunch, and he brought her on out-of-town work trips.

Shirk admitted Ice and Chester once drank alcohol in his office, though he said he didn’t have any. Ice and Shirk’s investigative director, A.L. Kelly, said he did drink. Kelly said Shirk joked about showering with the women. Afterward, Kelly said, Shirk appeared too drunk to drive, but Shirk disputed that.

Shirk and the women have maintained they didn’t have sex. Shirk and Chester denied he invited her to shower.

A month after hiring Chester, Shirk’s wife, Michelle, found his messages to Ice and Chester. She gave Shirk an ultimatum, according to the grand jury report: Fire the women or she’d end the marriage.

Shirk fired them, but he later said he fired them because they “should not have been hired the way they were hired,” and firing them “was the best decision for the office.”

After the Times-Union’s stories published, Gainesville’s state attorney began the grand jury investigation that led to a recommendation that Shirk resign or Gov. Rick Scott remove him from office. Both Shirk and Scott said it was for the voters to decide.

The Florida Ethics Commission found probable cause that Shirk violated the law, but the case is still ongoing. He can settle with the state ethics commission or a hearing will determine his guilt and punishment. Violations aren’t criminal, but the commission could fine him \$10,000 per violation, and it could recommend his removal.

TO RUN OR NOT TO RUN

When County Judge Charlie Cofer resigned from the bench and announced in December he was running for public defender, Shirk still hadn’t said whether he was running for re-election. He’d talked with his chief assistant, Refik Eler, about Eler running in his stead.

Shirk knew running against Cofer would be more difficult than White. Cofer had served 18 years in the office, including as a division chief under White.

When Shirk ran against White, it was a Republican versus Democrat in a strongly Republican circuit. He got voters excited about the idea of a rising Republican star, and he benefited from prosecutor Corey, his one-time mentor, who bragged about him at her own campaign stops.

By 2016, he and Corey were bitterly disputing. He had scandal over his head, and he didn’t know if he wanted to put his family through a draining campaign.

But despite the downsides, he would later tell audiences, he decided to run because he believed he made the office better.

He proudly talked about saving taxpayers millions by returning money to the state. He quoted Ronald Reagan and vowed not to waste.

He touted a literacy-intervention nonprofit. His lawyers, he said, test all clients to see if they can read. If they can’t, they are referred to mentors who can teach them.

He recounted his role in creating Veterans Treatment Court, a role often held by prosecutors not public defenders. Former Chief Judge Donald Moran, who oversaw the courts from 1993 to 2014, said Shirk battled with the State Attorney’s Office to get Vets Court started. And even his opponent, Cofer, said Shirk deserved credit. The court allows vets with addictions and mental health issues to go through a rigorous rehab process for at least a year, with twice-a-week drug tests, hundreds of counseling hours and daily check-ins. Out of its first 113 clients, prosecutors opposed about half. Only one graduate has committed a felony, and two have committed misdemeanors, an extremely low recidivism rate, though it has only been around since 2012, so time will tell if it remains successful.

Shirk’s main campaigning was still door-to-door handshaking. He knew Nassau and Clay counties, and he used any tools he had — an employee’s spouse also running for office, friends, his avid support of Donald Trump — to connect with voters. He was bitten by a dog, but he kept going. He learned volunteers who bring kids are less likely to get comments like the ones from the man in the red truck. “This,” he said while walking from a house, “is the part of politics I really like.”

Many voters seemed thrilled to just meet a candidate.

He saw a man with his family over by signs for a Nassau candidate. That, he said, meant they were going to vote in the primary.

“My name’s Matt Shirk, I smelled the Bud Light. That’s what brought me over,” he said pointing at the man’s can with a laugh. “I wanted to personally ask you for your vote.”

“Right on,” the man said. “Right on. Public defender, huh?”

“You’re a public defender?” his young son asked.

“That’s your constitutional right, boy,” his dad said.

“I’m going to vote for you,” the son said, “when I turn 18.”

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