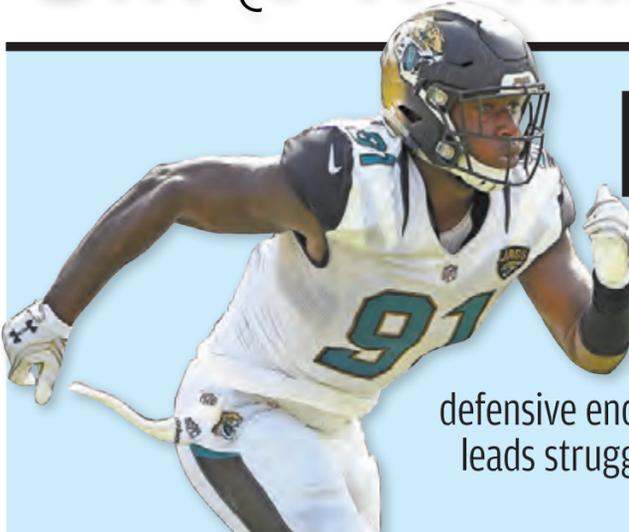


The Florida Times-Union

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\$2



BRIGHT SPOT

Jaguars rookie defensive end Yannick Ngakoue leads struggling team in sacks

Sports, C-1



WHAT TO EXPECT FOR HOLIDAY TRAVEL

Metro, B-1

Outpouring of grief in deputy's death

Nassau County officer running across highway after man who fled U.S. Border Patrol agents is struck by SUV, killed



Nassau County Sheriff's Office Deputy Eric James Oliver, 32, is survived by his 6-year-old daughter.



Investigators walk past the damaged 2013 Kia SUV that hit and killed Deputy Eric Oliver on Tuesday as he chased a man wanted for questioning by the border patrol across Florida 200 in Yulee. (Photos by Dan Scanlan/Florida Times-Union)

By Dan Scanlan
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Eric James Oliver's Facebook page shows a smiling man in his Nassau County Sheriff's Office uniform, a little girl hugging him in a photo taken just days before Hurricane Matthew hit Northeast Florida.

Below it, a wish from a friend advising the 32-year-old deputy to "Stay safe brother."

Just before 7:30 a.m. Tuesday, as the 7-year deputy chased a man who ran from U.S. Border Patrol agents at a Gate gas station in Yulee, Oliver's life ended when he was hit by a passing sport utility vehicle on Florida 200.

Visibly emotional, Nassau County Sheriff Bill Leeper paused before talking about how he had just met with

DEPUTY continues on A-4



Yellow evidence tape marks where Nassau County Sheriff's Office Deputy Eric Oliver was hit and killed early Tuesday.

"It's a tragic day in the Nassau County Sheriff's Office. We were thankful he was doing his job, and we were blessed to have him for the last seven years."

Bill Leeper, Nassau County Sheriff

Firefighters, city sharply divided on pensions

Firefighters shocked by proposal, union says; mayor says it's responsible

By Nate Monroe
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A wide schism emerged Tuesday between city officials and firefighter union leaders over Mayor Lenny Curry's proposal to place all future Jacksonville City Hall employees in 401(k)-style investment accounts.

That proposal, unprecedented among major cities, shocked firefighters, union officials said.

Union president Randy Wyse said Curry's proposal falls far short of recognizing the risk inherent in public-safety jobs, while the mayor, in remarks after the meeting, said the package of pay raises and investment accounts he put forward are competitive and responsible to taxpayers.

Wyse laid out a counter-proposal that would place future hires into the Florida Retirement System, which offers employees a pension or a voluntary investment account.

City negotiators flatly rejected that request, a quick dismissal that Wyse said was "almost insulting" and left him "very disappointed."

The meeting ended without consensus on any issues of substance.

Both sides noted, however, that talks had only just begun and expressed confidence they reach an accord.

Wyse said the lack of a pension plan would make Jacksonville almost uniquely uncompetitive in Florida for public-safety jobs, and it would make the retention of talented employees nearly impossible. City negotiators said Curry was firmly committed to his defined-contribution

PENSION continues on A-4



Curry



Wyse

Despite terrible injuries, Middleburg cyclist gradually getting better

Four months ago, bicyclist was run over while he slept; now leaving rehab center

By Teresa Stepzinski
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James "Jim" Foley was in deep sleep inside his tent at an Iowa campground where he and the other members of his Foley Boys bicycle riding team bedded down for the night.

It had been a long, sad day that



Foley

started early in the morning on Sunday, July 24 when one of their friends — a fellow rider died after being hit by a pickup truck.

As Foley slept, a Ford F-250 heavy duty pickup truck rumbled out of the darkness,

suddenly careened off the campground driveway and slammed into his tent. The pickup dragged Foley — entangled in the shredding fabric and screaming — about 50 feet through gravel and over grass before the driver lurched to a stop at his own campsite, an Iowa State Patrol investigation later showed.

"I was screaming my guts out

at this guy to stop the truck," said Foley as he lay in his hospital bed last week. "Part of the tent ripped right away and I could see the bottom of that pickup truck. Then he stops. He drove up the road 40 to 50 feet then he backed up and drug me back down the road. He made a turn

FOLEY continues on A-4

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Thursday morning's low

DAILY DEAL!

Two Jacksonville Giants Club Seats for home opener for \$45 Details, A-2

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PENSION

Continued from A-1

als — a position the mayor reiterated later in the day.

“We need to get out of the pension business,” Curry said.

Police union officials meet with city negotiators Wednesday. They have also sounded skeptical of the 401(k)-style plans (also called defined-contribution plans) that Curry wants for future city hires.

The outcome of collective bargaining with the fire and police unions, as well as seven other city unions, will determine the retirement packages for future employees and the fate of Curry's efforts to pay off the city's \$2.85 billion pension debt. Voters approved a referendum over the summer, which Curry backed, that gives the city the option of using a sales tax to pay down pension debt.

Before any sales tax money can be applied to a pension plan's debt, however, that plan must be closed to new hires.

The mayor sees that as an opportunity to overhaul how the city has traditionally provided retirement benefits for its employees. Instead of using pensions — which place the risk of market downturn and poor investment performance

on taxpayers — the 401(k)-style plans Curry wants would shift that risk entirely to employees.

No other major city has converted its entire workforce, including public-safety workers, to such plans.

Wyse was critical of the city's desire to zero out its risk while firefighters can't get out of the risk inherent in their jobs. He quipped: “If the city's not willing to take risk, maybe we're not willing to take risk.”

The Florida Retirement System is considered to be a well-managed pension fund. It also offers a voluntary 401(k) plan, but the vast majority of employees enroll in the pension fund.

Curry said turning employees over to the state system would abdicate the city's ability to control its own destiny. Union officials said FRS is a desirable plan that would put the city on par with much of the rest of the state.

In addition to the investment accounts, city officials proposed a series of pay raises that equates to 14 percent over the next three years and a one-time, 2 percent lump sum payout.

Firefighters proposed higher payments, arguing that a past pay cut from 2010, combined with higher contributions to their retirements, should be taken into account. The sides did



Members of Mayor Curry's pension staff, meet with Randy Wyse (center), president of the Jacksonville Association of Fire Fighters, and members of the IAFF local 122 International Association of Fire Fighters at their meeting hall on Tuesday. The local firefighters union presented its counter-offer to Mayor Lenny Curry's administration on pension reform. (Dede Smith/Florida Times-Union)

not come to an agreement on that front.

The union has also proposed a series of other changes that would effect the department's existing employees. The union

wants to claw back a few benefit cuts current employees took under a 2015 pension-reform agreement. At the time, because of a byzantine legal issue, the Police and Fire Pension

Fund — rather than the unions — was negotiating benefits for police and firefighters. Apparently the pension fund agreed to steeper benefit cuts than the firefighters' union was

comfortable with.

City officials are weighing whether they to accept those changes, which would raise the cost of retirements for existing employees.

DEPUTY

Continued from A-1

the deputy's family, including 6-year-old daughter Shelby Lynn Oliver.

“It is very tragic and very sad, but we told them he died doing what he loved to do and he was a good police officer,” Leeper said after growing quiet at the mention of the little girl. “He worked hard ... protecting the community. He will certainly be missed.”

Facebook was awash with sorrow upon news of his death.

Friends of the deputy posted a Nassau County Sheriff's Office badge with a black and blue ribbon across its face that read “In memory of: Deputy Eric Oliver, #945.” Another friend, Philip Williams, posted that he had “lost one my greatest friends this morning doing his job. Going to miss u Brother. Let's please send some prayers out for him and his family.”

St. Johns County Sheriff David Shoar posted “heartfelt condolences” to the Nassau County Sheriff's Office. “Our sympathies are with you, and we are



Nassau County deputies were backing up the U.S. Border Patrol as they questioned six men in a pickup truck Tuesday at this Gate gas station in Yulee when one of them ran across nearby Florida 200. Deputy Eric James Oliver was hit by an SUV and killed as he pursued the man. (Dan Scanlan/Florida Times-Union)

here for whatever help you need,” he wrote.

Oliver died just before 7:30 a.m. while pursuing a man across Florida 200 in Yulee, Leeper said. Some deputies were at the gas station to back up the Border Patrol, who had pulled over a pickup truck with six people inside, he said.

As agents questioned the six, one ran, Leeper said. Two deputies sprinted across the westbound lanes in pursuit, according to the

sheriff.

“One just got across into the median. The second failed to get across and was struck by another vehicle that was traveling westbound,” Leeper said. “He sustained fatal injuries and died at the scene.”

Jennifer Joshua Simmons was driving by when the accident occurred. She said the gas station has been a spot in the past where the Border Patrol has checked out possible illegal im-

migrants in vehicles. On Tuesday, she said she got to the gas station as it was happening.

“He was chasing a guy that ran across Florida A1A when he was hit by a lady in an SUV,” Simmons said. “People were on the scene very quickly and started CPR once the traffic was stopped and it was safe, but I think it may have been too late at that point. They never got a pulse, but the guy who was doing

the CPR never gave up and kept trying until paramedics showed up.”

The Florida Highway Patrol, investigating the accident, indicated a 45-year-old Yulee woman was driving a 2013 Kia that hit Oliver. Later pulled onto a wrecker, the silver SUV showed front end damage as its driver spoke to investigators. She then was escorted to another vehicle to leave the scene just before noon.

The Jacksonville Sheriff's Office helped the Nassau County Sheriff's Office in the search for the man the deputies were chasing, with a helicopter and K-9 units joining the Highway Patrol initially around the North Hampton subdivision off of Florida 200.

Sheriff Leeper said the man, 25-year-old Francisco Obbidio Portillo-Fuentes, was taken into custody in Jacksonville Tuesday evening. The twice-deported Guatemala native is being held by border agents on a charge of felony reentry into the U.S.

Oliver was in the U.S. Navy from 2004 to 2009. Hired July 1, 2009, as a Nassau County detention offi-

cer, he transferred to patrol on March 17, 2014, the Sheriff's Office said.

“It's a tragic day in the Nassau County Sheriff's Office. We were thankful he was doing his job, and we were blessed to have him for the last seven years,” Leeper said.

Oliver's body was removed from the scene Tuesday morning in a procession led by a Highway Patrol trooper on motorcycle, two fellow deputies and a fire engine. Tuesday afternoon, many people lined Florida 200 as he was brought back to a Fernandina Beach funeral home from the Duval County Medical Examiner's Office with police escort. The U.S. flag in front of the Sheriff's Office was lowered to half-staff Tuesday morning.

Oliver becomes the seventh Nassau County deputy to die in the line of duty since the department was founded in 1827. Leeper said his name will be added to a memorial for fallen officers when the new sheriff's office headquarters officially opens in a month or so.

Dan Scanlan: (904) 359-4549

FOLEY

Continued from A-1

and left me laying there ...”

Foley also remembers vividly rolling around beneath the truck as the tent fabric disintegrated.

“I tried to figure out in my mind, what the hell's going on here. And when I finally hit the dirt, I was gone, I was out. I can't remember anything after that,” Foley said.

Four months later, Foley refuses to surrender to his injuries.

Foley, 68, of Middleburg, suffered a crushed pelvis and numerous other injuries during the Des Moines Register's annual Great Bicycle Ride Across Iowa, the world's oldest, largest and longest bicycle touring event. He was participating in his 16th Ride Across Iowa — an annual affair that this year hurtled from fellowship, fun and friends into pain, anguish and dark-of-night terror.

Nine surgeries later and facing more, Foley will celebrate Thanksgiving at home with his family.

He will be discharged Wednesday from Brooks Rehabilitation Hospital in Jacksonville — almost four months to the day since he nearly died, and began the long road to recovery with his wife, Terry, at his side.

“The important part is, there was no spinal cord injury and no head injuries. Everything I have that's broke, is fixable. But it's that God-awful word, ‘time,’” said Foley, who faces the prospect of more hip surgery after the first of the year along with countless more hours of physical therapy.

“Every doctor has told us, ‘thank God, he was in good shape or he would

never have made it’. Because the night they took him in, he coded several times,” Terry Foley said of how her husband went into cardiac arrest while being flown from the campground to an Omaha, Neb., trauma center roughly 60 miles away.

It was 11:30 p.m. Foley was run over 17 hours after another pickup truck driver struck and killed Jacksonville bicyclist Wayne Ezell, a retired Times-Union



Ezell

editorial writer, in an unrelated collision investigation by the Iowa State Patrol. Foley and Ezell were friends as well as avid bicyclists.

“Wayne was just the nicest guy. ... I feel so bad for him and his family,” Foley said.

At the campground, Foley's riding team rushed to help him. A doctor on the team provided emergency first aid to Foley who lay broken and bleeding in the dirt. Paramedics stationed nearby because of the bicycle ride arrived within about three minutes, the couple said.

Foley was flown to Creighton University Medical Center in Omaha where he was hospitalized roughly two months in its Intensive Care Unit. Often sedated and hooked up to a ventilator, he underwent eight painstaking surgeries to piece together his fractured and fragmented pelvis, replace his shattered right hip, drain an abscess on his colon and repair his other wounds.

Foley was awake and talking when he arrived at the trauma center. He recalls the doctors giv-

ing him cardiopulmonary resuscitation when he got there, and “they brought me back and I started talking again.” He then woke up about two months later after being sedated all that time, he said.

“I've had the best doctors and nurses every where I've been. I can't say enough good things about them all,” he said.

The State Patrol said the driver, Danny T. Cardin, 55, of Homer, La., had a blood alcohol level of 0.161 after Foley was run over, which is twice the limit for it to be illegal to drive in Iowa. It was Cardin's second drunken driving case in a little more than two months, Iowa court records show.

Cardin initially denied all wrongdoing but ultimately acknowledged drinking and driving the pickup. He smelled of alcohol, his speech was slurred, his eyes bloodshot and watery and he swayed on his feet having a hard time standing up as he talked to investigators, according to the State Patrol.

The State Patrol charged Cardin with operating a vehicle while intoxicated, serious injury by vehicle and leaving the scene of a serious injury accident, Fremont County, Iowa court records showed.

In early May, Cardin was charged with operating a vehicle while intoxicated by Glenwood, Iowa police, according to Mills County, Iowa court records. Details about the circumstances of that charge weren't available immediately.

Cardin, free on \$50,000 bail, has pleaded not guilty and faces a tentative trial date of Dec. 6 in the Foley case. He is scheduled to be sentenced Nov. 28 after previously pleading guilty



Cardin

in the first case, court records show.

On Sept. 6, an air ambulance flew Foley home to Northeast Florida. For all but a brief time since then, Foley has been hospitalized either at St. Vincent's Clay County Medical Center in Middleburg, UF Health Shands Hospital in Gainesville or Brooks Rehabilitation Hospital in Jacksonville.

He's also had another surgery to repair his hip — bringing the total to nine procedures — and has been undergoing physical rehabilitation therapy to rebuild his core body strength and in his arms, improve his stamina and relearn how to walk.

Foley lost 50 pounds during his first two months in the hospital. But his sense of humor remains intact.

“I think the big guy flipped a coin whether I was worth it or not because I was pretty busted up.” Nonetheless, he acknowledged it's very hard not to get frustrated because there still are many things he can't do for himself such as turn to pick up a glass of water at table beside his hospital bed.

“I'm not complaining. You can go upstairs and find people in a lot worse shape than I'm in. I'm lucky as hell I didn't get hurt worse. That's the best part. I could have died that day,” Foley said from his hospital bed at Brooks Rehabilitation Hospital last Wednesday.

Terry Foley said her husband will be able to walk on his own again but it will take awhile. He's made good progress as a result of the physical and

occupational therapy at Brooks. When he first arrived at the hospital, Foley said he couldn't even raise his hand up off the bed and needed help just moving, period.

Now, he can pretty much maneuver himself and has regained enough strength to propel his wheelchair, Terry Foley said.

The couple from the same Iowa hometown have been married 45 years. Terry Foley has been by her husband's hospital bed ever since he was injured. Their three grown children also have been with there with him, and currently check in with their Dad daily by telephone to keep up with his recovery.

Together, the couple owned and operated a small lawn care business in Middleburg, and he also had a hurricane shutter business. Together they built the business from the ground up. But they had to shut it down when Foley was hurt.

“There was no way we could do it ... But we'll find something else down the road hopefully,” Terry Foley said.

It will be months, possibly years, before the U.S. Army veteran who served as a combat engineer during the Vietnam War, is well enough to work again.

Meanwhile, the medical bills are mounting — already well into seven figures. They have some insurance but it's not going to cover everything. However, their focus is on Foley's recovery.

“If we can just come out of this without being so far in the hole that there is no way to climb out. But it's not the priority,” Terry Foley said.

Foley said money is not his main concern.

HOW TO HELP

People can contribute to a GoFundMeAccount for James “Jim” Foley and the family at <https://www.gofundme.com/JamesAFoley>.

“My primary concern is pushing all this extra work on Terry. She got a call at 3 o'clock in the morning about me and flew to Omaha the next day. And she hasn't missed a day sitting in that chair since,” said Foley as he pointed to a chair beside his hospital bed.

A GoFundMe account established for Foley and the family had \$31,607 as of Nov. 20 — still a ways from its \$100,000 goal. People can contribute to the account at <https://www.gofundme.com/JamesAFoley>.

“We've had people come out of the walls to help. Friends of ours, and strangers too. I wasn't even awake yet and one of our friends built a wheelchair ramp at the front and back door of our house,” Foley said.

After he's discharged, Foley's doctors want him to come back to Brooks Rehabilitation Hospital three days a week for outpatient therapy.

“My plan is to ride a bike next summer,” said Foley who wants to return to RAGBRAI as soon as possible. But more importantly, he wants to be around to see their two granddaughters grow up and to go with many more weekend bicycle trips with them.

“Everything I have is fixable, it's just that dirty word, ‘time.’ My next goal is relearn to walk, then walk better, walk better, walk better then ride the bike,” Foley said.

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