

The Florida Times-Union

Wednesday
FEBRUARY 1, 2017
\$2



PARK REOPENS

Huguenot had been shut by hurricane
Metro, B-1



TRADER JOE'S TO OPEN 2ND LOCATION

Money, D-1

JAGS TALKED TO 2 SUPER BOWL COORDINATORS

Sports, C-1

Ex-pension panelists question Curry math

They want mayor to share analysis he's using for retirement revamp

By David Bauerlein
david.bauerlein@jacksonville.com

Eight former members of a Jacksonville pension-reform task force say Mayor Lenny Curry's proposals for revamping the city's retirement benefits "do not appear to be fiscally sustainable" and he should make public the financial analysis he is using.

The eight members jointly signed a letter to the editor published in the Tuesday edition of The Florida Times-Union. The letter marks the first time a large number of them have weighed in collectively in the ongoing debate since the task force disbanded in 2014.

But Curry's office isn't budging. Spokeswoman Marsha Oliver said the administration "will disclose applicable financial information" when the results of collective bargaining sessions come up for a vote by City Council, but that won't happen until later this year.

In a statement, Curry said his budgets and policies have been built on fiscal responsibility.

PENSION continues on A-3

Trump nominates Gorsuch

Fight expected over conservative pick for Supreme Court

By Julie Pace & Mark Sherman
Associated Press

WASHINGTON | President Donald Trump nominated Neil Gorsuch, a fast-rising conservative judge with a writer's flair, to the Supreme Court on Tuesday, a selection expected to spark a fierce fight with Democrats over a jurist who could shape America's legal landscape for decades to come.

At 49, Gorsuch is the youngest Supreme Court nominee in a quarter century. He's distinguished himself on the Denver-based 10th Circuit Court of Ap-

INSIDE
Nominee called conservative, humble, hardworking. **A-3**

peals with his clear, colloquial writing, advocacy for court review of government regulations, defense of religious freedom and skepticism toward law enforcement.

"Judge Gorsuch has outstanding legal skills, a brilliant mind, tremendous discipline and has earned bipartisan support," Trump said, announcing the nomination in his first televised address from the

GORSUCH continues on A-3



Supreme Court nominee Judge Neil M. Gorsuch, 49, thanked President Trump for giving him a "most solemn assignment." (Olivier Douliery/Abaca Press)

Jacksonville protesters march against president's refugee ban



Protesters against President Trump's executive order restricting immigration hold signs and chant slogans Tuesday at the Duval County Courthouse in Jacksonville. The event was organized by the Jacksonville Progressive Coalition. (Photos by Will Dickey/Florida Times-Union)

Organizers say rally shows solidarity with Muslims and oppressed groups

By Amanda Williamson
amanda.williamson@jacksonville.com

Thirteen-year-old Munira, dressed in a red headscarf and navy blue dress, held her protest sign high above her head as she merged into the crowd of hundreds gathered in front of the Duval County Courthouse.

"Islamophobia is not freedom," her white poster board declared.

This was Munira's first protest, a crowd of all different ages and religions driven by a singular cause: to oppose the recent policies imposed by President Donald Trump temporarily banning travelers from seven predominantly Muslim countries.

Organized by the Jacksonville Progressive Coal-

ition, the "No Human is Illegal" rally came together last-minute, but its intent, organizers said, was to stand in solidarity with Muslims and other oppressed groups. Tuesday's rally still drew more than 200 people to the small green lawn near the courthouse. A handful of police officers kept the crowd organized.

"At multiple airports around the country, there have been protests," said coalition member Mike Todd. "We are just here to stand with everyone."

But, bordering hundreds of protesters, Trump campaign signs lined the grass. A megaphone amplified a baby's cry in attempt to drown out the anti-travel

PROTEST continues on A-3



Protesters against President Trump's executive order restricting immigration (left) exchange views with supporters of the president outside the courthouse.

MORE INSIDE
Legal fight: Washington, Massachusetts, Virginia and New York the first states to sue the Trump administration over refugee order. **A-6**

Mark Woods: Family that fled civil war in Syria builds a new life in Jacksonville. **B-1**

MORE ONLINE
Check out more photos from the "No Human is Illegal" rally downtown with this story on jacksonville.com

Weather Smoky start Forecast on A-2 **75** Today's high **50** Thursday morning's low **50** Follow us on Facebook facebook.com/FLTimesUnion/ Twitter @jaxdotcom Classified D-4 Health+Fitness E Comics E-2 Legals C-5 Crosswords D-6, E-2 Money D Editorials A-4 Obituaries B-4 COPYRIGHT 2017 NO. 32 152ND YEAR 5 SECTIONS 30 PAGES 6 65486 00100 4

FEB 3 AT 8PM On Sale NOW

An Evening with PAT METHENY

with Antonio Sanchez, Linda Oh & Gwilym Simcock

Join our E-Club | Text the word "Shows" to 228-28

Florida Theatre Ticket Office
355.2787 | floridatheatre.com
128 Forsyth St | Downtown Jax

Smart, skeptical of regulations

Nominee described as straightforward thoughtful, hard-working

By Nicholas Riccardi
Associated Press

Neil Gorsuch, named Tuesday as President Donald Trump's nominee for the U.S. Supreme Court, is known for his clear, colloquial writing, advocacy for court review of government regulations, defense of religious freedom and skepticism toward law enforcement.

Gorsuch is a Colorado native who earned his bachelor's degree from Columbia University in three years, then earned a law degree from Harvard.

He clerked for Supreme Court Justices Byron White, a fellow Coloradan, and Anthony Kennedy before earning a philosophy degree at Oxford University and working for a prominent Washington, D.C., law firm.

He served for two years in President George W. Bush's Justice Department before Bush appointed him to a seat on the Denver-based 10th Circuit Court of Appeals in 2006.

He is the son of Anne Gorsuch, who served as EPA administrator during the Reagan administration.

Gorsuch has contended that courts give too much deference to government agencies' interpretations of statutes, a deference that stems from a Supreme Court ruling in a 1984 case.

He sided with two groups that successfully challenged the Obama administration's requirements that employers pro-



Judge Neil Gorsuch gives his wife, Lousie, a kiss while President Donald Trump announces his nomination to the U.S. Supreme Court on Tuesday night at the White House. (Carolyn Kaster/Associated Press)

vide health insurance that includes contraception.

David Lane, a prominent Denver plaintiff's attorney who frequently clashes with law enforcement, praised Gorsuch as fair and open-minded. Lane won a \$1.8 million jury verdict against the Denver Police Department in a brutality and wrongful arrest case.

The city appealed and the case ended up before Gorsuch. Lane said the judge tore into the city's lawyers and urged them to go to mediation rather than drag out appeals for years to deny the plaintiffs their reward.

The mediation led the case to be settled for \$1.6 million.

"He is a very, very smart man. His leanings are very conservative, but he's qualified to be on the Su-

preme Court," Lane said. "I don't know that Judge Gorsuch has a political agenda and he is sincere and honest and believes what he writes."

Rebecca Love Kourlis, a former Colorado Supreme Court justice, said Gorsuch has written 175 majority opinions and 65 concurrences or dissents in his decade on the 10th Circuit.

"He's really earned his stripes," she said.

Kourlis said Gorsuch is also a notable advocate for simplifying the justice system to make it more accessible. "Legal services in this country are so expensive that the United States ranks near the bottom of developed nations when it comes to access to counsel in civil cases," Gorsuch wrote in an article in a journal for judges last

year. "The real question is what to do about it."

The article is written in Gorsuch's characteristic, straightforward style.

"He thinks it's really important for people other than lawyers to understand what he's writing," Kourlis said.

Gorsuch is also an avid skier, fly fisherman and horseback rider, Kourlis said. He teaches at the University of Colorado's law school in Boulder.

"He is humble, he is extremely articulate and he is extraordinarily hard-working," Kourlis said.

In his financial disclosure report for 2015, he reported assets ranging from \$3.1 million to \$7.25 million.

He earned \$26,000 for his law school duties and another \$5,300 in book royalties that year.

GORSUCH

Continued from A-1

White House.

Gorsuch's nomination was cheered by conservatives wary of Trump's own fluid ideology. If confirmed by the Senate, he will fill the seat left vacant by the death last year of Antonin Scalia, long the right's most powerful voice on the high court.

Some Democrats, still smarting over Trump's unexpected victory in the presidential election, have vowed to mount a vigorous challenge to nearly any nominee to what they view as the court's "stolen seat." President Barack Obama nominated U.S. Circuit Court Judge Merrick Garland for the vacancy after Scalia's death, but Senate Republicans refused to consider the pick, saying the seat should be filled only after the November election.

Trump's choice of Gorsuch marks perhaps the most significant decision of his young presidency, one with ramifications that could last long after he leaves office. After an uneven start to his presidency, including the chaotic rollout of a controversial refugee ban, Trump's selection of Gorsuch appeared to proceed with little drama.

For some Republicans, the prospect of filling one or more Supreme Court seats over the next four years has helped ease their concerns about Trump's experience and temperament. Three justices are in their late 70s and early 80s, and a retirement would offer Trump the opportunity to cement conservative dominance of the court for many years.

If confirmed, Gorsuch will restore the court to the conservative tilt it held with Scalia on the bench. But he is not expected to

call into question high-profile rulings on abortion, gay marriage and other issues in which the court has been divided 5-4 in recent years.

Gorsuch was among the 21 possible choices for the court Trump released during the campaign.

Gorsuch is expected to face intense scrutiny from Democrats. Some liberals have demanded that Democrats block any Trump choice, underscoring the deep partisan discord surging through Washington.

Gorsuch is a Coloradan native who earned his bachelor's degree from Columbia University in three years, then a law degree from Harvard. He clerked for Supreme Court Justices Byron White, a fellow Coloradan, and Anthony Kennedy before earning a philosophy degree at Oxford University and working for a prominent Washington, D.C., law firm.

He served for two years in President George W. Bush's Department of Justice before the president nominated him to the appeals court.

Gorsuch has contended that courts give too much deference to government agencies' interpretations of statutes, a deference that stems from a Supreme Court ruling in a 1984 case. He sided with two groups that successfully challenged the Obama administration's requirements that employers provide health insurance that includes contraception.

If Democrats decide to filibuster Gorsuch's nomination, his fate could rest in the hands of Senate Majority Leader Mitch McConnell.

Trump has encouraged McConnell to change the rules of the Senate and make it impossible to filibuster a Supreme Court nominee — a change known in the Senate as the "nuclear option."

PROTEST

Continued from A-1

ban chants rising from a growing crowd. Five people stood on the opposite side of the lawn, including Gary Snow.

Snow, clutching his large mug labeled "Liberal Tears," strolled in front of the audience. At 6-foot-4 and 250-pounds, his leather vest embroidered with a Blue Lives Matter patch, Snow said part of the reason he came out to the protest was to protect fellow Trump supporters. He urged the crowd to resist the influence of liberalism.

"I'm out here supporting my president because yes, I want a safer America," Snow said. "I'm tired of being politically correct, we need to end that right now."

Nearby, fellow Trump supporter Roger Cable yelled out: "There's a new sheriff in town."

At times, confrontations wavered on the verge of violence — even as groups marched toward Hemming Park after roughly two hours staked out in front of the courthouse. Several times police officers stepped in to stop a heated argument between the pro- and anti-Trump protesters, but overall, the event remained peaceful.

Tom and Pat Maddox attempted to keep it that way. The couple, 68 and 67, encouraged those there for the rally not to engage Trump supporters.

"I represent the old white guys from small town USA — and we won't tolerate this kind of intolerance," Tom Maddox, dressed in a brown houndstooth jacket



More than 200 protesters march against President Trump's executive order restricting immigration Tuesday at the Duval County Courthouse. The protest was organized by the Jacksonville Progressive Coalition. (Photos by Will Dickey/Florida Times-Union)

and cap, said. "I have opposed other Republican presidents in my lifetime, but always considered them relatively decent human beings.

"Trump is an empty shell," he said. "It seems we've elected the first 14-year-old Russian president."

Pat Maddox, a retired teacher, felt strongly the ban would not make America safer.

Instead, she felt it undermined the basic values upon which the country was founded. To her, the gathering of protesters on the courthouse lawn was just the beginning of a much larger movement.

What came across strongly among the crowd was the disappointment of local elected officials and their support of Trump's recent executive order.

On the outskirts of the huddled protesters, Ericka Curran, director of Florida Coastal School of Law's Immigrant and Human Rights Clinic, stood with her children. Curran and the children each held a red heart-shaped balloon scribbled with the words, "Refugees are welcome."

"I was absolutely appalled the mayor was in support of this given the number of refugees that live in Jacksonville," Curran said. "I just want my

children to live in a welcoming city."

Jacksonville had the sixth-largest Syrian and 17th-largest Arabic populations in the country, according to the U.S. Census Bureau's 2015 American Community Survey.

University of North Florida professor Parvez Ahmed felt the same as Curran: a strong disappointment for Mayor Lenny Curry and Rep. John Rutherford's support of Trump's executive order.

"Trump is trying to fundamentally alter America, and people are rejecting it," Ahmed said. "We should not be silent in the face of such chaos."



Ericka Curran, director of Florida Coastal School of Law's Immigrant and Human Rights Clinic, held a red heart-shaped balloon at the protest scribbled with the words, "Refugees are welcome."

PENSION

Continued from A-1

"I will continue to demonstrate strong financial stewardship," Curry said. "That financial stewardship is reflected in the offers I've made in collective bargaining. A general response to these critics is they continue to take the easy road of talking while I'm proud to be taking the hard road of action and getting things done for taxpayers."

Jacksonville attorney Tad Delegal, who sat on the pension reform task force and signed the Tuesday letter, said he didn't expect Curry would respond to the letter by providing the financial

information. He said Curry "doesn't seem to work in a very open fashion."

"There have been many decisions made over the years with regard to pension benefits that frankly were not in the public's best interests," Delegal said. "My concern is that looking objectively at what the mayor is proposing, he is proposing a much more expensive (retirement) plan than what is currently in effect."

State law will require the Curry administration to give City Council a financial statement about the impact on the city's pension plans before council votes on the any changes in benefits. Curry wants the

city to stop offering pensions to future hires.

Curry's negotiating team has said it crunched the numbers on its proposals and they are sustainable for the city. But the administration has invoked a provision in Florida law that lets the administration keep confidential its financial analysis during collective bargaining.

Duval County voters approved a half-cent sales tax to help pay down the city's massive pension debt, but that tax won't start until 2031. A key part of any long-range financial outlook is the assumption for how much money the sales tax will generate. Curry's office did not respond to

a Times-Union question about what assumptions it's using for sales-tax growth.

When the Times-Union sent questions by email to the mayor's press office about the letter and the sales tax, the city's director of financial services, Mike Weinstein, accidentally sent an email to the newspaper that was meant for the mayor's team as it decided how to respond.

"I suggest not answering it shows our hand," said an email from an account belonging to Weinstein.

The pension-reform task force had 16 members when it submitted a report to then-mayor Alvin Brown. Delegal said the group behind the Tuesday

letter did not ask two of the task force members to sign because one now works for the city and another is City Councilman Greg Anderson.

Anderson said Tuesday that Curry has a skilled negotiating team and he isn't going to second-guess its strategy. Anderson said when City Council gets its turn to vote, he expects there will be an independent financial analysis for council members to assess.

"At the end of the day, each council member is going to make up his or her own mind based on what they believe is best for the future of the community," Anderson said. "For my part, I'm laser-focused on

making sure the financial package is one that generates stability for our community."

Charles Appleby, one of the task force members who signed the letter to the editor, said it would be better to get that financial information out in the open now. He said there are many civic leaders who have expertise and could identify issues and questions now that might slip through the cracks.

"That full, transparent process to me is the best way to ensure that all the facts and nuances of a proposal are considered," Appleby said.

David Bauerlein: (904) 359-4581