

COLIN BAENZIGER  ASSOCIATES

EXECUTIVE RECRUITING

Gary M. Glassman

*Fort Pierce City Attorney
Candidate Report*

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Cover Letter and Resume

Gary M. Glassman, Esq.
7119 Sand Lake Reserve Drive
Apt. 1202
Orlando, Florida 32819
407-721-2248

December 28, 2015

Colin Baenziger, M.P.A.
Colin Baenziger & Associates
2055 South Atlantic Avenue, Suite 504
Daytona Beach Shores, Florida 32118

Email address: Recruit37@cb-asso.com

Re: City Attorney, City of Ft. Pierce, Florida

Dear Mr. Baenziger:

Please accept this cover letter and enclosed resume as my application for the position of city attorney for the City of Ft. Pierce, Florida.

As you can see from my resume, I have represented municipalities, counties, and school districts for the last fifteen years. My approach has always been to provide the best the legal services to my client while being mindful of the costs and time associated with the work. I enjoy working with elected officials and government employees and supporting them in the work they do for their community. As legal counsel, I view my role as providing direct and clear answers to questions and issues before the commission or board, and acting as a team player with my client. While my goal is to prevent litigation, when it becomes necessary, I am a zealous and professional advocate on behalf my client.

In addition to practicing law, since 2009, I have been an adjunct instructor at the University of Central Florida teaching law courses to code enforcement officers, board members, and police officers. This experience has afforded me a unique opportunity to interact with some very dedicated employees, and to better understand the practical side of code enforcement.

With this background, I am certain I would be an excellent city attorney for Ft. Pierce. Attached to this letter are the names and contact information for several references. Should you need any additional information, please contact me at the above address or phone number. I look forward to hearing from you.

Sincerely,



GARY M. GLASSMAN, ESQ.

Gary M. Glassman, Esq.

7119 Sand Lake Reserve Drive, #1202
Orlando, Florida 32819

(407) 721-2248 – Cell
gglassman@orlandolaw.net

SUMMARY

More than fifteen years of experience representing local governments and school districts. Provided legal advice to commissions, boards, departments and employees of municipalities and school districts. Litigated over 200 cases in areas of law involving local governments.

EDUCATION

B.A., University of Rochester, Rochester, New York

J.D., Syracuse University College of Law, Syracuse, New York

RELEVANT LOCAL GOVERNMENT EXPERIENCE

Of Counsel, Garganese, Weiss & D'Agresta, P.A., Orlando, Florida, 2008 - Present

- * Provide legal representation to cities, school districts, and counties in Central Florida. Attend board and commission meetings and provide advice to various departments and agencies. Draft contracts, opinion letters, agreements, and other legal documents. Conduct legal research on issues confronting clients.
- * Represent local governments and school boards in state and federal court litigation in the areas of land use and zoning, labor and employment, civil rights, sunshine law, torts, procurement, contracts, and labor arbitrations and hearings before PERC.
- * Supervise the work of associates, paralegals, and support staff. Build and lead a team of attorneys, paralegals, and staff to conduct litigation on behalf of clients.

Senior Assistant City Attorney, City of Tampa, Florida, 2006-2008

- * Provided legal representation to the mayor, city council, and other boards and departments of the city. Draft agreements, contracts, ordinances, and other legal documents on behalf of the city. Conducted legal research on issues confronting the city.
- * Represented the city in state and federal court litigation in the areas of land use and zoning, labor and employment, civil rights, eminent domain, contracts, and torts.

- * Provided legal advise to the city departments of minority business affairs, human resources, community affairs, and the human rights board.
- * Supervised several assistant city attorneys and support staff.

Assistant County Attorney, Orange County, Florida, 2001-2006

- * Represented the county in federal and state court litigation in the areas of civil rights, land use and zoning, employment, contracts, and eminent domain.
- * Represented the county before the planning and zoning board, risk management committee, and human resources department.

OTHER EXPERIENCE

Partner, Glassman & Golden Norris, Sarasota, Florida

Associate, Becker & Poliakoff, P.A., Sarasota, Florida

Associate General Counsel, Fay's Drug Company, Inc., Liverpool, New York

GOVERNMENT TEACHING

Since 2009, I have been an adjunct instructor at the University of Central Florida, Institute of Government, **teaching courses in code enforcement** to code enforcement officers, board members, and police officers. I have also been a speaker at the annual conferences for the Florida Association of Code Enforcement and the American Association of Code Enforcement.

ADMISSIONS

Member of the Bar of the States of Florida and New York
 United States Supreme Court
 Eleventh Circuit Court of Appeals
 United States District Court, Southern District of Florida
 United States District Court, Middle District of Florida

GOVERNMENT LITIGATION EXPERIENCE

In the last 15 years I have been lead counsel in over 200 cases involving local governments and school districts in the areas of civil rights, employment law, land use law, torts, eminent domain, contracts, adult entertainment, and fair housing. A few of the notable cases are:

Konikov v. Orange County, 410 F.3d 1317 (11th Cir. 2005) - A challenge to the county's zoning code based upon the First Amendment and the Religious Land Use and

Institutionalized Persons Act.

Bell v. City of Winter Park, 745 F.3d 1318 (11th Cir. 2014) - A challenge to the city's ordinance creating a "buffer zone" prohibiting targeted picketing in a residential area based upon the First Amendment.

Morgran Co., Inc. v. Orange County, 818 So.2d 640 (Fla. 5th DCA 2002) - A claim by a developer that the county had breached a developer's agreement based on contract zoning.

Atlantic Housing Partners L.L.P. v. City of Winter Springs, U.S. Dist. Ct., M.D. Fla., Case No. 6:10-CV-1905-MS - A claim by a developer that the city's decision to deny a building application violated the state and federal Fair Housing Acts.

Price v. School Board of Indian River County, U.S. Dist. Ct., S.D. Fla., Case No. 14-CV-14007-DMM (2014) - An employment discrimination case involving sexual harassment that was tried before a jury which returned a verdict in favor of the school board.

Ruello v. City of Tampa, Cir. Ct., 13th Jud. Cir., Case No. 04-CA-9125 (2004) - A claim of employment by a city employee that was tried before a jury resulting in a verdict for the city.

Beeline Entertainment Partners, Ltd. v. Orange County, 243 F.Supp.2d 1333 (M.D.Fla. 2003) - A challenge to the county's adult entertainment ordinance that was dismissed by the court.

Smith v. City of Tampa, Cir. Ct. 13th Jud. Cir., Case No. 07-CA-3388 (2007) - A claim against the city for inverse condemnation and other damages that was tried before a jury which returned a verdict mostly favorable to the city.

Lorenzo v. City of Tampa, 2007 WL 4374288 (11th Cir. 2007) - A challenge to the city's ban on distributing commercial pamphlets during certain events in Ybor City based upon the First Amendment. The ordinance was upheld by the 11th Circuit Court of Appeals.

Soliman v. City of Tampa, 2008 WL 1931320 (M.D.Fla. 2008) - A claim of religious employment discrimination against the city that was dismissed by the court on a motion for summary judgment.

Vilbrun v. School Board of Osceola County, DOAH, Case No. 10-7209 - A claim of employment discrimination against the school district that was tried before an administrative judge resulting in a verdict for the district.

Gifford v. Pam Iorio, Mayor, 2008 WL 2437540 (M.D.Fla 2008) - A claim of inverse condemnation against the city and numerous city employees including the mayor for damages. The mayor and other individuals were dismissed from the case under the defense of qualified immunity.

References of Gary M. Glassman

1. Mr. Thomas J. Wilkes, Esq.
Shareholder
Gray Robinson, PA
301 East Pine Street, Suite 1400
Orlando, Florida 32801
407-244-5693
tom.wilkes@gray-robinson.com

Mr. Wilkes was the county attorney for Orange County who hired me in 2001 as an assistant county attorney.

2. Mr. Mark A. Munas
Assistant Superintendent
The School District of Osceola County, Florida
817 Bill Beck Boulevard
Kissimmee, Florida 34744
407-518-2900
munasm@osceola.k.12.fl.us

I worked with Mr. Munas during my representation of the school district.

3. Mr. Usher "Larry" Brown, Esq.
Shareholder
Greenspoon Marder
201 East Pine Street, Suite 500
Orlando, Florida 32801
407-692-9114
larry.brown@gmlaw.com

Mr. Brown was the founding partner of my current law firm, and recently left to join another firm. I worked with Mr. Brown for seven years on numerous matters involving our government clients.

4. Ms. Vivian Cocotas, Esq.
Senior Attorney
Garaganese, Weiss & D'Agresta, PA
111 North Orange Avenue, Suite 2000
Orlando, Florida 32801
407-425-9566
vcocotas@orlandolaw.net

I have worked with Ms. Cocotas for the past seven years on numerous matters.

Candidate Introduction

GARY M. GLASSMAN

EDUCATION

Bachelor of Arts, University of Rochester, Rochester, New York
Juris Doctor, Syracuse University College of Law, Syracuse, New York

EXPERIENCE

Of Counsel, Garganese, Weiss & D'Agresta, P.A., Orlando, Florida
Senior Assistant City Attorney, City of Tampa, Florida
Assistant County Attorney, Orange County, Florida

BACKGROUND

For the past thirteen of the last fifteen years, I have worked in the Orlando/Central Florida region. The population of the region is over 1.5 million people and growing. The region is the home of Walt Disney World, Universal Studios, Sea World, the Orange County Convention Center, and many other tourist attractions that draw more than sixty million visitors each year from all over the world. In addition to its tourist attractions, the region is home to several universities and colleges, including the second largest university in the country, the University of Central Florida, Rollins College, and Valencia Community College. While tourism remains the number one factor in the region, there has been a continued growth in other industries. Tupperware, Darden Restaurants, AAA, and the Golf Channel have headquarters in the region. Martin Marietta has a large facility in Orange County. One of the newest ventures in the area is the Lake Nona Medical City, a 650 acre health and life sciences park dedicated to research, care, and education in the health field.

The region also contains state of the art recreational, cultural, and athletic facilities. The Amway Center is the home to the Orlando Magic, and men's and women's professional soccer teams have begun play in Orlando. The newly built Dr. Phillips Center for the Performing Arts, located in downtown Orlando, hosts Broadway shows and other cultural events. The region boasts several museums, and residents enjoy numerous lakes and parks throughout the area.

For the first five and a half years, I worked for the Orange County Attorney's Office. At the time, the office had approximately twenty attorneys, and ten support staff. As a member of the litigation section, I supervised two attorneys, a paralegal, and a support assistant. I was also responsible for hiring and supervising the two summer interns each year. All of the work assigned to me was performed by myself and my staff, not outside counsel. In fact, during the time I was with the county attorney's office, I brought into the office work that had been previously assigned to outside counsel (i.e. labor and employment matters). The most significant legal issues that the county faced centered around the explosive growth in population fueled by tourism and other industries, and the demand for infrastructure to meet the growth. The development of new communities and commercial developments, roads, schools, and support systems created constant legal issues for the county.

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For the past seven and a half years, I worked for a private law firm, Garganese, Weiss & D'Agresta, PA. (f/k/a Brown, Garganese, Weiss & D'Agresta, P.A.). The firm represents municipalities and school boards in Central Florida, and consisted of 15 to 20 lawyers, and 10 staff persons. I supervised two to three associates and paralegals as well as support staff. As outside counsel to the municipalities and school boards, we worked with in house counsel if such counsel existed. Most of the legal issues concerning the cities we represented involved land use, labor relations, and a variety of litigation matters including civil rights, contracts, eminent domain, torts, and employment cases.

For two years, I worked in the City of Tampa's Attorney's Office. The City of Tampa and Hillsborough County region is similar to the Orlando/Central Florida region. The office had approximately 15 full time attorneys and 5 part time attorneys. In addition, there were 10 support staff employees. I supervised two attorneys and support staff. All of my work was performed by myself and my staff, no outside counsel assisted us. Again, during my time in the office, I brought in work that had previously been performed by outside counsel. As one of the largest cities in the state, Tampa faced numerous legal challenges. Therefore, it was not unusual to be working on a variety of issues at the same time. Some of the issues were land use problems, civil rights matters, labor and employee problems, environmental concerns, housing issues, contract matters, eminent domain situations, and police and fire problems.

GENERAL MANAGEMENT STYLE AND EXPERIENCE

I am interested in the city attorney position because I enjoy being challenged in my work, and because I believe that I can meet that challenge and do an excellent job for the city. The most important attributes for a successful city attorney are first to listen to the commission or council, and understand what the commission is trying to accomplish. Once a clear understanding is reached, the city attorney should identify what issues need to be addressed. The city attorney should then insure that all the facts of the situation are discussed with the commission, and to provide a well researched and thought out response in a timely and efficient manner to the commission. I would always strive to make sure the commissioners are knowledgeable about all of these factors to enable them to resolve the issue.

When a law suit has been filed against the city, my approach is to review the case with the persons involved or those who have the most knowledge of the case. Once completed, I would then determine if the suit has merit, examine all possible defense available to the city, confer with the commission, and then decide with the commission on the short term and long term strategy for the case. Every case is unique. The city will, at times, be better served by attempting to settle the case as early as possible. Some, however, need to be litigated. An analysis of a case, with the advice of the commission, is always ongoing to insure that the interests of the city are well served.

In each of the places that I have worked, when presented with a legal issue, I have first sought to identify the issue and gather as much background information as possible. I accomplish this by talking to the persons involved in the situation, reviewing documents, conducting legal and other

GARY M. GLASSMAN

research, and generally familiarizing myself with the issue. When working with a team, I would delegate assignments to members of the team. We then work together to resolve the issue. In short, my management style has been to work together with others to solve problems as quickly as possible while achieving the best results for the city.

In communicating with elected officials, I am straight forward, and present both the legal positive and negative aspects of the issue so that the officials can make a well informed decision. I respond to each member of the commission in the same way. In working with a city manager or elected official in this way, the commission and city manager are able to achieve their goals. I maintain good working relationships with the commission and city manager as well as all department heads. My goal is always to resolve problems, not create them.

Being accessible, possessing strong communication skills, willing to work beyond usual hours, a desire for excellence, and a commitment and loyalty to my client are some of my strengths. The city attorney position would present me with a new challenge. My strengths have always been on exhibit when I am challenged. Weaknesses would include difficulty in delegating work to others, sometimes preferring to do it myself. I have also been told by co-workers and family members that I can be long winded and repetitive. As my wife has said: "Gary, land the plane already."

My greatest achievement would come in some of the cases that I have litigated for my clients. Many of the cases have become precedent setting, and I am proud of the work that I did on these cases. Having said that, I must add that I am as equally proud of the cases that I have settled without litigation or prolonged litigation. One such case involved the City of Winter Springs. The city was sued by a developer who wanted to build a low income housing project in the city. The city, at first, denied the development, and the developer sued. Rather than go through protracted litigation, another attorney for the city and I sat down with the developer and his attorneys to see if a resolution could be achieved. After several meetings, we found an excellent alternative location for the project that was acceptable to the developer and approved by the city. The developer was able to go forward with the project, and the city benefited from the development. I was happy to be a part of this successful resolution.

In addition, one of my greatest achievements has come in a class room. For the past eight years, I have been an instructor for code enforcement classes at the University of Central Florida. The achievement has come in providing educational classes for these hard working city employees, and helping them to understand code enforcement law.

My greatest failure came in working for a law firm that provided legal services in an area that I had no interest in or passion for. My tenure was short lived. I learned that no matter the circumstances, I would only be successful when the work that I am doing challenges me, interests me, and brings out the best in me. I learned that it is best not to settle, but to do the type of legal work about which you can be passionate.

GARY M. GLASSMAN

When an employee's work is not satisfactory, my approach is to confer with the employee privately to discuss the employee's work performance. I try to be positive rather than negative to determine the reasons behind the poor performance. I listen to the employee. If the performance problems can be addressed, I work with the employee to offer ways to improve. However, after a period of time, if there is no improvement, then the employee would be dismissed. If improvement is demonstrated, then I can encourage the employee to continue on that path. I have had to terminate several employees, mostly paralegals, whose work performance was unsatisfactory. In meeting with the employee, I explain the reasons for the termination, but take care not to elaborate excessively.

The city is transitioning from having a law firm represent its legal needs to an in house attorney. My first step would be to immediately meet with the former counsel and all members of the firm to transfer all legal matters to me. At the same time, I would arrange for meetings with each commissioner. These meetings would provide an opportunity to listen to the commissioner describe, in detail, their assessment of both the good and bad ways in which the prior city attorneys performed their responsibilities. We would also address their expectations of me. I would also meet with department heads to get an understanding of their relationship with the city attorney, and discuss ways to improve that relationship. By the end of the first six months on the job, I would have a firm grasp of all work being done by the city attorney's office, establish strong communications with each commissioner and department head, and begin looking forward to establishing ways to make the city attorney's office more efficient and responsive to the needs of the city.

In the few times I have dealt with the media, my practice has been to provide only information that is absolutely necessary to respond to the question. If the city has a media or communications department, I often defer to their expertise. Naturally, if the media requests something that is not privileged and is covered by the Public Records Act, I respond accordingly.

In my leisure time, my wife and I enjoy bike riding, kayaking, swimming, and travel. My own interests include cooking, and because of the cooking, working out at the gym. We have two grown children, and we enjoy spending as much time with them as they will allow.

There is nothing that I have done that would embarrass the client. I do not belong to any organizations that would cause any embarrassment to the client. There are no community activists who would have any "dirt" on me or any member of my family.

REASON FOR WANTING TO LEAVE CURRENT OR MOST RECENT JOB SECTION

My reason for leaving my most recent job is the challenge that a city attorney position would offer me. I believe that I have the experience and qualifications to do an excellent job for the City of Ft. Pierce. I look forward to assisting the commissioners and department heads in furthering the goals of the city, and making it an even greater place to live, work, and enjoy.

GARY M. GLASSMAN

SIX ADJECTIVES OR PHRASES I WOULD USE TO DESCRIBE MYSELF

Good Communicator
Diligent
Proactive
Hard Working
Committed
Experienced

CURRENT/MOST RECENT SALARY

My most recent compensation was \$150,000.

CB&A Background Checks

**Background Check Summary for
GARY M. GLASSMAN**

Criminal Records Checks:

Nationwide Criminal Records Search	No Records Found
County	
Orange County, FL	No Records Found
Hillsborough County, FL	No Records Found
State	
Florida	No Records Found

Civil Records Checks:

County	
Orange County, FL	No Records Found
Hillsborough County, FL	No Records Found
Federal	
Florida	No Records Found

Motor Vehicle

Florida	No Records Found
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Credit

Excellent

Bankruptcy

No Records Found

Education

Confirmed

Employment

[Results Pending](#)

Bar Certification/License

Member in Good Standing
Bar #825786

Background Check Summary for GARY M. GLASSMAN

Gary Mark Glassman

Member in Good Standing

Eligible to Practice Law in Florida

Bar Number: 825786

Mail Address: 7119 Sand Lake Reserve Dr # 1202
Orlando, FL 32819
United States

Office: 407-721-2248

Email: ggnlawgary@yahoo.com

Personal Bar URL: www.floridabar.org/mybarprofile/825786

vCard:  ?

County: Orange

Circuit: 9

Admitted: 10/18/1989

10-Year Discipline History: None

Law School: Syracuse University College of Law

Sections: City, County & Local Govt Law
Labor and Employment Law



**Background Check Summary for
GARY M. GLASSMAN
Personal Disclosure**

Personal Disclosure Questionnaire

Name of Applicant: Gary M. Glassman

The following questions are designed so that we will be able to make full disclosure to our client concerning your background. Please answer them honestly. Cutting corners or misrepresenting your past will result in you being eliminated from all further searches conducted by this firm. We understand that frivolous charges are sometimes made and that charges do not mean you were guilty. We also understand that you may have been wronged and needed to seek compensation. The bottom line is that we want to be certain that our client is fully informed. If you have any questions, please contact us for clarification.

Please explain any yes answers on a separate sheet of paper.

1. Have you ever been charged or convicted of a felony?
Yes No
2. Have you ever been accused of or have been involved in a domestic violence or abuse incident?
Yes No
3. Have you ever declared bankruptcy or been an owner in a business that did so?
Yes No
4. Have you ever been the subject of a civil rights violation complaint that was investigated or resulted in a lawsuit?
Yes No
5. Have you ever been the subject of a sexual harassment complaint that was investigated or resulted in a lawsuit?
Yes No
6. Have you ever been convicted of driving while intoxicated?
Yes No
7. Have you ever sued a current or former employer?
Yes No
8. Do you have a personal My Space, Face Book or other type of Web Page?
Yes No
9. Do you have a personal Twitter Account?
Yes No
10. Is there anything else in your background that, if made public, would cause you, our client or our firm embarrassment if it came to light through the press or any other mechanism?
Yes No
11. Please provide a list of any lawsuits in which you are or have been a party either as plaintiff or defendant.

1986 - Divorce case, Onondaga Cty, NY.
Case No. - unknown
Plaintiff

Attested to:

Gary M. Glassman
Signature of Applicant

Please email this form via PDF DOCUMENT to Lynelle@cb-asso.com or via fax to (888) 539-6531 **no later than 5:00 PM CST 02-02-2016.**

(Note: Please be sure to sign the form with your actual signature if you are sending Fax or PDF Document)

CB&A Reference Notes

CB&A Internet Research

Daytona Beach News-Journal (FL)
June 28, 2012

Refunds follow Palm Coast red-light lawsuit

Author: FRANK FERNANDEZ

PALM COAST - More than 13,500 motorists slapped with red-light camera citations in this city qualify for a small refund with the partial settlement of a class-action lawsuit. Only motorists cited prior to July 1, 2010, qualify for the settlement reached with American Traffic Solutions, which provides the video systems used in Palm Coast. The settlement does not include the city of Palm Coast, which was also sued but is continuing to fight. The refund comes to 30 percent of ATS's portion of the fine, said Jason D. Weisser, an attorney with Schuler, Halvorson and Weisser, who represents William Mayfield, the driver who filed the lawsuit. Prior to July 2010, ATS's portion of the fine was \$45, so 30 percent of that comes to \$13.50. But attorneys' fees and legal costs would come out of the 30 percent, and Weisser said in an interview that he did not have the exact refund amount available.

Circuit Judge Dennis Craig preliminarily approved the settlement Wednesday during a hearing in circuit court, Weisser said. Craig also asked for more information on a motion from the city to dismiss the lawsuit. "This is only a small refund because it's only a settlement with ATS, not with the city," Weisser said. Motorists probably won't receive refunds for another nine months, Weisser said. More than 13,500 people who paid a red-light camera citation to Palm Coast before July 1, 2010, are part of the class-action lawsuit, according to court records. During the next six months, ATS will mail out postcard notices to people who qualify for the settlement. They must then fill out a claim form. Craig could award Mayfield a larger portion of the settlement, Weisser said. "The court can award him additional funds for all the time and effort he put into the case," Weisser said.

Before July 1, 2010, the total fine was \$125 with Palm Coast receiving \$80 and the rest going to ATS. After that date a state law took effect that strengthened cities' power to run red-light camera systems but also gave the state a cut of the money. Camera fines increased to \$158, with the state taking \$83 from each citation and leaving the city \$75 to split with the camera vendor. Palm Coast has had 10 cameras watching six intersections since 2008 when it became the first city in Volusia or Flagler counties to use the system. Since then Daytona Beach and Holly Hill have followed, with DeLand set to have its own cameras rolling later this summer. The Volusia County cities all use Gatso USA as their red-light camera company.

Mayfield sued Palm Coast and ATS in 2009 after he was slapped with a red-light camera citation. The city said video showed him illegally turning right on red at Palm Coast and Cypress Point parkways. "Obviously the city was getting a substantial amount of the revenue," Weisser said. "And they are not settling with us, so we are going to continue the litigation against them." Palm Coast filed a motion earlier this year asking Craig to throw out Mayfield's suit based on a 3rd District Court of Appeal decision in the case of Masone vs. the city of Aventura. In the motion, attorneys for Palm Coast argued that the 3rd District Court of Appeal, in ruling in

Internet – Newspaper Archives Searches
Gary M. Glassman
(Articles are in reverse chronological order)

Aventura's favor, said that "municipalities enjoy broad home rule powers, the regulation of vehicular traffic is a well-established legitimate exercise of municipal police power."

But Weisser argued Wednesday before Craig that the two cases are different and therefore Craig should not dismiss Mayfield's claim against Palm Coast. Craig did not rule on whether to dismiss the lawsuit. Instead he asked attorneys on both sides to submit legal information on the issue of whether the owner of a car can be cited but not the driver, said **Gary Glassman**, who represented the city. That information will be submitted in 20 to 30 days, **Glassman** said. "His concerns seem to rest in that area," **Glassman** said, "that when the picture is taken by the camera, it's taken of the car. But we can't identify the actual body who was driving the car, so he had some concerns about that and he wants some additional briefing."

Internet – Newspaper Archives Searches
Gary M. Glassman
(Articles are in reverse chronological order)

West Volusia Beacon, The: Web Edition Articles (FL)
February 26, 2010

It's been a long three months in Orange City

Author: Jen Horton

Orange City is in the third month of investigating its Police Department. Related to that investigation, the city and its police chief are defendants in a lawsuit filed by The Beacon over access to public records. In the meantime, City Council has fired its interim city manager, hired a new one, and is on the verge of hiring a permanent chief executive. And now the police chief has announced his retirement.

It's time to take a look at what's been going on in Orange City since November:

Nov. 29 — Twenty members of the Orange City Police Department sign a complaint against a supervising officer, Lt. Gregory Melvin. The complaint is filed with Police Chief Jeffrey Baskoff as an internal complaint.

Nov. 29 — According to City Attorney William Reischmann, Florida Statute 112, the "Police Officers' Bill of Rights," goes into effect.

Dec. 7 — Chief Baskoff sends an e-mail to all sworn officers in the department, to let them know he has reassigned Melvin to a job where he will have no contact with subordinates.

Dec. 8 — At the regular meeting of the Orange City Council, Council Member Tom Abraham asks about morale in the Police Department. Interim City Manager Chester Murray replies that issues have surfaced that need to remain as personnel issues. Attorney Reischmann comments that all complaints received about a police officer are investigated. He advises the council of the Police Officers' Bill of Rights, and urges caution in dealing with the matter, as the council could find itself "embroiled in something it doesn't necessarily need to be."

Dec. 14 — An anonymous letter is sent to Orange City Council members. The letter has the original complaint and the chief's response attached. The letter states Chief Baskoff's reassignment of Melvin was not an adequate solution, and claims the chief is not looking out for the best interests of his officers. The letter calls for the removal of Melvin and Baskoff.

Dec. 14 — The Beacon makes its first public-records request with the City of Orange City, asking to examine Lt. Melvin's personnel file.

Dec. 17 — The Beacon publishes "Police sign complaint about fellow officer."

Jan. 8 — Gilbert Chappell of Video Verification signs an agreement to perform an investigation of the Orange City Police Department.

Jan. 12 — Teamsters representative Jeff Candage addresses the City Council at its regular

Internet – Newspaper Archives Searches
Gary M. Glassman
(Articles are in reverse chronological order)

meeting, stating the union will stand by the officers. Candage also complains to the City Council about the length of time it took for the city to respond to his public-records request for contract of the person performing the Police Department investigation. Reischmann addresses the council at the end of the meeting, confirming there is an ongoing investigation, and noting that details of an ongoing investigation may not be discussed.

Jan. 12 — A letter from The Brett Law Firm is sent to at least one Orange City police officer. Derek Brett identifies himself as counsel for Melvin; his letter asserts that at least one officer has violated Statute 112, the Police Officers' Bill of Rights. The letter threatens criminal and civil suits against officers who do not retract their negative statements in the original complaint about Melvin. Brett also wants to know who has been speaking to the press. The Beacon is told a similar letter is sent to Orange City Council members.

Jan. 13 — The Beacon calls the city and asks when the newspaper will be allowed to see Melvin's personnel file. Four weeks have elapsed since the original request, and there was never a response from the city regarding the original request.

Jan. 13 — The Beacon sends its second public-records request. The Beacon asks to see: e-mails sent by and to Chief Baskoff and Orange City Police Department Records Custodian Patricia Baskoff (Chief Baskoff's wife), along with e-mails from all sworn police officers, and to all sworn police officers, sent during the first week of January.

Jan. 13 — The Beacon appears at City Hall to examine Melvin's personnel file, and is denied access. We ask, but are not given a reason in writing.

Jan. 14 — The Beacon publishes "OC Cops call in Teamsters."

Jan. 14 — The Beacon is allowed to view a redacted personnel file. A written notice explaining what information was redacted, and why it is exempt, is asked for but not provided.

Jan. 15 — Attorney Virginia Cassady signs an agreement to conduct an investigation of the Orange City Police Department, more than six weeks after the original complaint. (The Beacon doesn't learn of this until Jan. 29, when a copy of the contract with Cassady is provided to the newspaper.) The Beacon asks for, but is not provided with, documentation ending the Jan. 8 agreement with Gilbert Chappell to perform an investigation.

Jan. 15 — The Beacon appears at City Hall three times to view records from the second request — the Police Department e-mails. The Beacon is twice denied access to the records, and on the third visit is allowed to see some redacted e-mails. In writing, the city states certain public records were removed and placed in a "privilege log" that can be reviewed only upon a judge's order.

Jan. 15 — The Beacon sends its third public-records request, asking for any letter from The Brett Law Firm to any city employee. The city denies access to the letter, saying the letter is "a civil matter" and does not involve the city.

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(Articles are in reverse chronological order)

Jan. 18 — The Beacon publishes "OC reeling from PD complaint — union vote planned."

Jan. 19 — The Beacon sends its fourth public-records request for: documentation of the official start date of any investigation, a copy of the contract between the investigating attorney and the City of Orange City, notice of the break of agreement between the city and Gilbert Chappell of Video Verification, and all items that have been previously withheld from other records requests.

Jan. 21 — The Beacon sends its fifth records request, asking for: a copy of any letters from The Brett Law Firm to any members of the Orange City Council, a copy of the city ordinance governing "moonlighting," written approval from the Baskoffs' supervisors giving them permission to have outside employment, and a copy of the e-mail policy for city employees.

Jan. 21 — Someone from the city manager's office cancels the Beacon subscription that is addressed to the city manager's office.

Jan. 21 — The Beacon receives a copy of the city ordinance governing moonlighting, and a copy of a letter address to Patricio Balona of the Daytona Beach News-Journal, explaining why certain public records cannot be released at this time.

Jan. 27 — Melvin enters into a separation agreement that provides for Orange City to pay him \$25,000 in exchange for an agreement not to sue the city. The agreement will end Melvin's employment with the city. Melvin has seven days to back out of the agreement. Orange City's attorneys will confirm the existence of the agreement and the proposed \$25,000 payment, but they will not name the employee involved.

Jan. 27 — Nearly two months have passed since the original complaint, yet The Beacon has yet to view documentation of a start date of any investigation. Interim City Manager Murray says he believes the investigation began on or about Dec. 3.

Jan. 27 — The Beacon sends Murray a list of eight questions, which he forwards to the City Attorney William Reischmann.

Jan. 28 — The Beacon sends its sixth records request, asking for everything that has not been provided thus far, and also asking to view the "privilege log."

Jan. 29 — The Beacon makes its seventh records request, asking to see the Melvin separation agreement, and also requesting correspondence between Melvin and his supervisor during the past week. The request is denied. The information, including the settlement agreement, is said to be part of the active investigation, and therefore exempt.

Jan. 29 — Murray responds to the Jan. 27 list of questions, providing answers to two of eight. He also sends a copy of the city's contract with an attorney for an investigation of the Police Department. The contract was signed Jan. 15. Murray also says "The Brett Law Firm has not sent 'letters' to ORC Councilmembers."

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Jan. 29 — The Beacon, counsel for The Beacon, and city attorneys **Gary Glassman** and William Reischmann confer by phone. The city attorneys maintain all records withheld thus far are exempt from public release under the Police Officers' Bill of Rights, which exempts information "obtained pursuant to" the investigation of a police officer. The city attorneys tell The Beacon that if the separation agreement with the unnamed employee goes into effect Wednesday, Feb. 3, all records will be released, because the investigation will be over.

Feb. 1 — The Beacon publishes "OC deal calls for employee to leave."

Feb. 3 — Melvin takes the separation agreement off the table. The Beacon's request for records is again denied due to the active investigation. It has been nine weeks since the original complaint was filed. Reischmann and **Glassman** cannot speculate about how much longer the investigation might go on.

Feb. 4 — The Beacon publishes "OC officer won't quit; police probe continues."

Feb. 4 — The Beacon files suit against the City of Orange City for violating the public-records law, Florida Statute 119. The City of Orange City has 20 days to respond to the suit.

Feb. 8 — The Beacon publishes "Attorney: Melvin is a good officer."

Feb. 9 — At its regular meeting, the City Council fires Interim City Manager Chester Murray, citing a loss of confidence. Five of the council members say they had not been kept informed about things going on in the city. Mayor Harley Strickland says that he found out about The Beacon's lawsuit by reading the newspapers.

Feb. 9 — Reischmann tells council members the investigation is still ongoing, and he can't give them a date of completion.

Feb. 9 — The Beacon publishes online "Orange City fires its interim manager Chester Murray."

Feb. 10 — Gene Miller is appointed interim city manager by the Orange City Council. He will be paid \$10,000 a month to hold down the fort until a new city manager is hired. The council said it hopes to appoint a city manager by March 1.

Feb. 12 — Gene Miller starts work as interim city manager.

Feb. 19 — Miller publishes first "Friday Letter," announcing the cost of the investigation to-date is \$37,754. Miller also announces the investigation should conclude and be released by March 11.

Feb. 23 — Chief Jeffrey Baskoff verbally announces his intent to retire from the City of Orange City after nearly 26 years.

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Feb. 26 — Gene Miller confirmed Baskoff will retire March 2. Frank Ross, retired chief of police for Titusville, has been named interim police chief. Ross will have a four-month contract. From Florida Statutes Chapter 112.533:

(2)(a) A complaint filed against a law enforcement officer or correctional officer with a law enforcement agency or correctional agency and all information obtained pursuant to the investigation by the agency of the complaint is confidential and exempt from the provisions of s. 119.07(1) [the open-records law] until the investigation ceases to be active, or until the agency head or the agency head's designee provides written notice to the officer who is the subject of the complaint, either personally or by mail, that the agency has either:

1. Concluded the investigation with a finding not to proceed with disciplinary action or to file charges; or
2. Concluded the investigation with a finding to proceed with disciplinary action or to file charges.

(4) Any person who is a participant in an internal investigation, including the complainant, the subject of the investigation and the subject's legal counsel or a representative of his or her choice, the investigator conducting the investigation, and any witnesses in the investigation, who willfully discloses any information obtained pursuant to the agency's investigation, including, but not limited to, the identity of the officer under investigation, the nature of the questions asked, information revealed, or documents furnished in connection with a confidential internal investigation of an agency, before such complaint, document, action, or proceeding becomes a public record as provided in this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. However, this subsection does not limit a law enforcement or correctional officer's ability to gain access to information under paragraph (2)(a). Additionally, a sheriff, police chief, or other head of a law enforcement agency, or his or her designee, is not precluded by this section from acknowledging the existence of a complaint and the fact that an investigation is underway.

St. Petersburg Times: Web Edition Articles (FL)
August 29, 2008

Sulphur Springs homeowner has new pipeline problem

Author: Mark Holan

SULPHUR SPRINGS — Here we go again, Dennis Bell thought. Another pipeline, another battle. In November 2004 a sewer line ruptured in front of Bell's house at 7802 N 12th St., flooding his yard and the surrounding neighborhood with 21-million gallons of smelly waste. Bell and two of his neighbors are still trying to collect money for damages in a lawsuit against the city. Bell, a 55-year-old truck driver with three big dogs circling behind his fence, braced for another fight early this week over a leaking water pipeline just a few feet from the 2004 sewer break. He had noticed water trickling through the cracked wall of the storm water catch basin in front of his house early this month. About the same time, he said, he started losing water pressure inside. "I can hardly take a shower," Bell said Monday.

After three visits from water department workers, the city took measures to fix the problem this week. Many of Tampa's water and wastewater pipes are nearly 100 years old. Breaks and ruptures are common. It turns out that the tap water running into the basin came from an old service line to Bell's house. Water department spokesman Elias Franco said new service connections were installed in the neighborhood last fall, but something was awry with how the old line got plugged.

The fix was expected to be completed this week. Crews also have begun a \$19-million project to replace about 5 miles of the wastewater pipe that broke in front of Bell's house in 2004. Crews will install new pipe along 13th Street rather than dig up 12th Street again. Work is expected to be completed by next summer. That could be sooner than the lawsuit filed by Bell, John Frezza and George Anderson is resolved.

Jawdet Rubaii, the Clearwater lawyer representing the neighbors, has said the city failed to do a thorough cleanup and has dragged its feet ever since. Now he wants the city to buy the residents' homes, rather than just pay damages. A judge is expected to rule on Rubaii's amendment soon. Mediation failed to settle the case two years ago. "I get the impression the (City) Council has never heard of this, or they would be outraged," Rubaii said this week. **Gary Glassman**, an assistant city attorney, said the city has met its responsibilities to the residents. "I don't think that means we have to buy their houses," he said.

Bell's house is located along a narrow, wooded section of the Hillsborough River, about a mile east of Interstate 275. The property has a market value of \$142,366, more than double his 2005 assessment after the sewage spill. That means a bigger tax bill. Bell said he hates paying higher taxes for what he describes as poor service and indifference. "I'm fed up with the city of Tampa," he said. "I wouldn't be living here if I wasn't on the river."

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<http://www.tbo.com/news/northeast/2008/jan/02/frustration-comes-tumbling-down-ar-222767/>
January 2, 2008

Frustration Comes Tumbling Down

Author: TBO.com Staff

TAMPA PALMS - When New Tampa's only condemned house was finally demolished in April, the neighbors didn't cheer or toast with champagne. They gathered in a light rain and watched quietly as an excavator tore through eight years of frustration and headaches.

Gary Glassman

Gary Glassman, a member of the city's legal staff, stood under the shelter of a giant oak and watched, too. The case landed on his desk in late 2006, more than two years after Tampa Code Enforcement Director Curtis Lane signed a demolition order. The owner, Scott Burdge, started building the 7,500-square-foot mansion in Tampa Palms' Canterbury subdivision in 1998. After five years, it wasn't halfway done. City inspectors pulled his permits, and Lane condemned it. Burdge used every legal means at his disposal in an effort to stop the demolition. His case is scheduled to go to trial in May - postponed for the fourth time.

Glassman, the third city attorney assigned to the case, said he tried to take a different approach. "I tried to force the issue," he said. "What I tried to do was to convince the city that it had to come down, and if we were wrong, we could deal with the consequences when the case got to trial. It was a more aggressive approach." When Burdge learned the city had scheduled the demolition, his lawyer filed a motion for an emergency injunction to stop it. "I didn't mind," **Glassman** said. "I wanted to get this issue before the court. There was an opportunity there for Burdge to stop us, but the judge didn't grant the injunction."

As he stood under that oak tree in the rain, **Glassman** felt the wave of relief pass over the neighbors. "I had not lived with this for six to eight years like they did," he said. "I felt relief for them that this was finally over. I said to myself, 'Something good came out of the justice system today.'"

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<http://www.tbo.com/south-tampa/city-fights-permit-suit-219843>
October 27, 2007

City Fights Permit Suit

Author: Kathy Steele

SEMINOLE HEIGHTS - The city is seeking to dismiss a lawsuit over its approval of a day care center near an apartment complex that rents to sex offenders. The apartments' owner, Christian Stover, sued in August after the city council approved a permit for the day care center at John Calvin Presbyterian Church. Stover claims he will lose money if the day care opens and he can no longer rent to sex offenders. He is seeking more than \$15,000 in damages and revocation of the permit, the lawsuit states. Seven sex offenders, including one designated as a sex predator, were living in the apartment complex as of Wednesday, said state Department of Corrections spokeswoman Jo Ellen Rackleff. State law restricts sex offenders from living near day care centers but not churches. The city says Stover can continue to rent the apartments, just not to sex offenders. No one is taking Stover's property or his ability to make money, Assistant City Attorney **Gary Glassman** said.

Stover's attorney, Luke Lirot, said his client isn't looking to stop the day care center. 'We're hoping somehow we can come up with some kind of compromise to reach that makes everyone happy,' Lirot said this week. A court date has not been set, officials said. Lirot said he wants to discuss a solution with city and church officials. 'It's a complicated issue,' Lirot said. In his lawsuit and during council hearings, Stover said he bought the apartment complex, 6601 N. Nebraska Ave., with the belief that it met state requirements for housing sex offenders who have completed their prison sentences. He said he was not aware of the day care plans. The church is not a party to the lawsuit, but the Rev. Earl Smith said the lawsuit is being monitored. Construction is anticipated to start in about 30 days, Smith said.

During the council hearings, church officials said they did not understand how Stover could be unaware of the project. Public notices about the August hearing were posted on church property, 6501 N. Nebraska Ave. The church plans to remodel a vacant building on its campus for the day care. About 50 children would attend, most receiving church scholarships. Once the day care opens, a 1,000-foot restriction can be applied to sex offenders whose victims were younger than 16. Smith said he believes Stover would have to remove any such offenders from the complex. Rackleff said the state cannot prohibit a sex offender from living at the complex. 'Once the day care opens we will no longer approve this as a place to live,' she said.

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Orlando Sentinel
February 8, 2006

Judge: Rabbi may sue Orange for damages

Author: Rich Mckay

A federal judge in Orlando opened the legal doors last week for Rabbi Joseph Konikov to sue Orange County for damages over the county's four-year battle to keep him from conducting religious services in his home. A judge ruled Jan. 20 that the county's ordinance was vague and unfairly singled out religious services. That ended the fight between the rabbi and the county over complaints about parking, traffic and noise in his Sand Lake Hills neighborhood.

But although the ruling was a victory for the rabbi, it also, according to his attorneys, tied his hands against pursuing damages against the county. "Basically, that means that this case is over and everyone goes home," said attorney Rick Nelson, general counsel of the American Liberties Institute. "We said, 'Wait a minute, there are things here that haven't been settled yet,'" Nelson said. "There's unfinished business."

On Friday, U.S. District Judge John Antoon II amended his ruling, allowing Konikov and his attorneys to seek damages. Nelson would not say how much Konikov would pursue in a lawsuit, but he said the rabbi and his family were put under financial distress from fighting the case in court and from the \$50,000 in liens the county imposed on their home. Assistant County Attorney **Gary Glassman** could not be reached for comment, but he earlier said the case was never about religion, that the county was responding to neighborhood complaints.

Drugfree.org (<http://www.drugfree.org/join-together/fla-faith-based-treatment-program-opposed/>)
August 5, 2003

Fla. Faith-Based Treatment Program Opposed

Author: Join Together Staff

Officials in Orange County, Fla., want to shut down a faith-based addiction-treatment program because residents in the neighborhood are complaining about its growth, WFTV reported Aug. 4. For the past decade, the Open Homes Fellowship has been operating out of a Central Park Avenue location in Orange County. The program uses the principles of the Christian faith to help individuals addicted to drugs. “Our program introduces the men and helps them get a relationship with Jesus Christ,” said Wes Carlson, administrator of Open Homes Fellowship. But residents in the neighborhood said the program is growing beyond its main building and classrooms. Across the street, the Open Homes Fellowship is using several duplexes for those recovering from their addiction.

The county is supporting residents, saying the program is violating zoning laws. The neighborhood is zoned residential, which means a church or an addiction-treatment facility would have to apply for a special exception. “Zoning is the county's way of trying to keep neighborhoods as neighborhoods,” said Assistant County Attorney **Gary Glassman**. “You have to really balance both interests — the interests of those who are recovering with those who live in the neighborhood and say, 'We don't want that here.'” The Open Homes Fellowship was denied a special exception from the county. A federal judge will now decide if the facility can stay open.

The Miami Herald
April 21, 2002

ORLANDO RABBI FIGHTING FINES FOR HOLDING SERVICES IN HOME

Author: MIKE SCHNEIDER

The sparsely decorated living room of Rabbi Yoseph Konikov's house doesn't look much like a synagogue. A long table is covered with brownies and cans of soda for visitors who come to pray and study. On the wall is an oversized photo of Rabbi Menachem Schneerson, the deceased leader of the Chabad-Lubavitch movement of ultra-religious Jews who try to bring secular Jews back to ritual practice.

But code enforcement officials last month concluded that Konikov is illegally operating a synagogue in a residential area. After numerous complaints from neighbors about cars parked around Konikov's house, Orange County's Code Enforcement Board gave him 60 days to stop holding prayer services or face a \$50 a day fine. Konikov is fighting back with a federal lawsuit that accuses the county of violating his religious rights. "Do I give up my faith or just move out of town?" said the 27-year-old Konikov. After renting the house for almost two years, Konikov bought it last month and lives there with his wife and two preschool-age children. His income comes from the Chabad headquarters, which has established a worldwide network of outreach institutions.

CHABAD HOUSES

The Chabad movement began 250 years ago in Russia. Its leaders expound Jewish mysticism and preach about the all-encompassing nature of Jewish life. One of the tenets of the modern movement, which was led by Schneerson, was for followers to call their homes Chabad houses. "It's not separate from their personal lives," Konikov said. "Every room is a mini-synagogue." Konikov is reluctant to say there may be other motives behind his Sand Lake Hills neighbors' complaints, but some of his regular visitors don't hesitate. "To me, it's because we're Jews that they're picking on us. I don't see it any other way, shape or form," said Pearl Stolzer, 63, who attended a recent Wednesday night study session with her husband. "We're not hurting anybody."

IT'S THE ZONING

But residents of this middle-class neighborhood of ranch houses near the sprawling Universal Studios theme park are adamant that their opposition has nothing to do with religion and everything to do with zoning. That didn't stop an outside hate group - not neighbors - from distributing anti-Semitic literature in the neighborhood last year. "It's a misuse of land. It's not a religious issue," said Mike Campbell, who lives down the street from Konikov. "We've all invested a lot of money in our homes, but we don't want to seem like a bunch of ranting neighbors." Konikov could apply for a special exemption, but that would cost more than \$900 with no guarantee of getting approval, says his attorney, John Stemberger. "Why should any

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family ask permission from the government to gather and worship in their home?" Stemberger said.

If the problem is about parking, the county could issue citations, tow cars or draft an ordinance dealing with traffic and parking, he says. ``They don't have any business regulating the content of speech and the nature of assembly in a house," Stemberger said. ``If they were meeting for a secular purpose - say Monday Night Football - there's nothing in the county code that could stop them from meeting." Konikov's neighbors think otherwise. The Sand Lake Hills Homeowners Association newsletter last month urged neighbors to sign a petition urging the Code Enforcement Board to take action. ``If Orange County allows the nonresidential use of the property . . . a dangerous precedent will be set," the newsletter said. ``How would you like to have a high-traffic, commercial business run out of your next-door neighbor's home?"

VISITORS COUNTED

The home is used for more than just a place for people to pray, County Assistant Attorney **Gary Glassman** told the code board. Konikov's address is listed on a website as the location for the Chabad of South Orlando. The site lists times for services on Monday, Thursday, Friday and Saturday and times for study and Hebrew classes on Sunday and Wednesday. Code enforcement officers randomly selected 49 days over a seven-month period and counted 373 vehicles parked around the home. They also counted 510 visitors to the home during that period. ``We're not just talking about a simple prayer service in someone's home," **Glassman** said. ``The Internet websites, the brochures, the traffic, the people, clearly indicate that this is not just an occasional thing that occurs."

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Ledger, The (Lakeland, FL)
August 22, 2000

2 POLK DEPUTIES FILE BIAS COMPLAINTS; THEY ALLEGE LESS-QUALIFIED WHITES WERE PROMOTED OVER THEM DUE TO RACE.

Author: SAM CARDINALE

BARTOW -- Two of the highest-ranking minority deputies in the Polk County Sheriff's Office's Law Enforcement Division have filed discrimination complaints, alleging less-qualified whites were promoted over them. Capt. Ken Grant, a 27-year employee, and Lt. David Smith, a 32-year employee, filed the complaints with the Equal Employment Opportunity Commission and the Florida Commission of Human Rights on Aug. 4. "Blacks are not treated the same as whites," Smith said. "It hurts, and you feel second-hand." Sheriff's Office officials say they have not seen the complaints and declined to comment Monday, according to sheriff's spokesman Scott Wilder. The Sheriff's Office already faces complaints of sexual discrimination.

Three women deputies have filed federal discrimination lawsuits based on sex against Sheriff Lawrence W. Crow Jr. and the Sheriff's Office after the EEOC dismissed their complaints. Grant and Smith said in an interview Monday that they are not the only minorities passed over for promotion by Crow. Statistics show that few blacks are in the law enforcement division, with even fewer being promoted. Of the agency's 354 deputies, only 17, or 4.8 percent, are black. The county's black population is 15.6 percent.

Grant is the highest-ranking minority in the law enforcement division, where 17 percent of the supervisors are minorities or women. No minorities or women have been promoted above captain in that division. Crow's administrators said in previous interviews the agency has made great strides in hiring and promoting minorities and women since Crow became sheriff in 1987, and that the minority-supervisory ratio is higher agency wide at 31 percent. But Grant and Smith point to their years of service -- two of the longest-working deputies at the agency -- and the fact that white men without the same education or law enforcement experience were promoted above them. Since Smith was promoted to lieutenant in 1988, he said, 11 white men, some of whom he supervised, were promoted past him to captain and three to major. Grant, who has been a captain since 1987, is upset because Crow said in May he wouldn't promote Grant to major because Grant doesn't have a four-year college degree. Both Grant and Smith earned two-year associate's degrees years ago.

Yet Crow has promoted to the rank of major four white men with equal or less education than Grant and Smith, including one who didn't have a degree. "I was very much hurt," Grant said. "He's trying to tell me that my 27 years don't count for anything. I was loyal and a dedicated worker at the agency. I feel that they had to be prejudiced toward me some way, to minorities, because minorities are very slowly promoted in this agency."

Larry Hardaway, one of two attorneys representing the two men, said Grant should have been promoted. "He was forward in his commitment and loyalty to the sheriff as he represented the sheriff in his own (minority) community," Hardaway said. "Then to be looked over, and

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specifically for the sheriff to say that he was not promoted because he didn't have any appropriate educational credentials, really hurt."

Grant and Smith said they want to see more diversity -- to include the promotion of minorities and women to higher ranks -- and less "institutional discrimination" at the Sheriff's Office. Sarasota attorney **Gary Glassman**, the other attorney representing the two men, said neither Grant nor Smith want anything handed to them. "Nobody's asking for preferences," **Glassman** said. "What people are asking for is a level playing field. Go by the guidelines and the standards that you set, and apply them equally to everybody. Grant and Smith said they will file federal lawsuits if the EEOC dismisses their complaint. "The evidence we're seeing is that it's not a level playing field," **Glassman** said. "That's why we think a lawsuit is necessary, to encourage the Sheriff's Office to level the playing field. Don't say you need a four-year degree and apply it to African American, but not apply it to a Caucasian."

Ledger, The (Lakeland, FL)
May 28, 2000

FOUR FEMALE POLK DEPUTIES PLAN DISCRIMINATION SUITS

Author: SAM CARDINALE

BARTOW -- Four female deputies who say they are treated like "second-class citizens" by male supervisors at the Sheriff's Office say enough is enough. Their attorney, **Gary Glassman** of Sarasota, says he will file federal discrimination lawsuits against Sheriff Lawrence W. Crow Jr. on behalf of two of the deputies within the next 90 days.

Glassman said sometime this month he will send a letter, as required by law, notifying the Sheriff's Office that the other deputies plan to sue the agency within six months. **Glassman** said the deputies hired him because they think Crow and his top administrators won't promote women and that the Sheriff's Office aims improper disciplinary action toward women. "They do believe women are just second-class citizens in the department," **Glassman** said. "The general feeling is they're not getting the same chance as men. "There is a perception that there is a good-ol'-boy network," **Glassman** said. "Women have to work twice as hard to be considered half as good. It gets frustrating." Sheriff's officials deny that. "The Sheriff's Office has an outstanding record promoting quality women, men and minorities, and the facts show that," said sheriff's spokesman Scott Wilder. "His allegations are totally unsupported by the facts."

Wilder said **Glassman** was attempting to try his case in the media by talking to The Ledger. The Sheriff's Office has received one notice letter of a pending lawsuit -- that coming from Deputy Ann Cash in January, Wilder said. In addition to Cash, the other deputies planning to sue are Deanna Warren, Amy Thompson and Sgt. Mary Martin. They have filed federal complaints against the Sheriff's Office with the Equal Employment Opportunity Commission, alleging sexual discrimination, **Glassman** said. Wilder said the complaints filed by Cash and Thompson have been dismissed by EEOC. The federal agency allows people who file complaints to file a federal lawsuit within 90 days of the dismissal. EEOC officials would not comment. Cash and Warren complained to sheriff's officials last year that they transferred out of homicide investigations after being harassed by sheriff's Col. Grady Judd and Capt. W.J. Martin.

Cash and Warren say Judd threatened their jobs. His hostility stems from the investigation of the death of Haines City police Officer Christopher Horner, they say. Judd denied threatening anyone. Horner was found shot to death March 3, 1998, in a cemetery north of Haines City. Officials with the Sheriff's Office, the Florida Department of Law Enforcement and the Medical Examiner's Office say Horner was slain. But Cash, one of the detectives who thinks Horner committed suicide, said she and Warren were singled out for punishment because of their views regarding Horner's death. They were angered, **Glassman** said, because Crow and other sheriff's officials ignored their complaints alleging harassment. "We were told we were idiots, and we were told we were stupid," Cash said. "They have not treated me the same they would a male."

Cash, who had an exemplary record at the Sheriff's Office as a deputy, a detective and then a homicide investigator, was accused by Capt. Martin of mishandling cases. Sheriff's Col. Al Lang

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determined she did nothing wrong. Cash alleges three sergeants, under the direction of Capt. Martin, tried to destroy her credibility by saying she mishandled the cases. "None of the evidence and witness statements supported their allegations against me," she said. "They didn't even support each other, and some of them were actually caught lying during the interviews. "Once I was found innocent, the administration came to me and said it was a matter of perception," Cash said. "I want vindication. They refused to give it to me. I'll go as far as I have to to get it." Cash says it's that kind of treatment that has destroyed deputy morale in the Sheriff's Office. Neither Warren nor Thompson returned phone messages for this article.

Glassman said Sgt. Mary Martin, who is not related to Capt. W.J. Martin, has also been singled out for improper disciplinary action. "Mary thinks she's been targeted for disciplinary action predominantly because she's an outspoken woman," **Glassman** said. "She feels like she has a target on her back." Again, Wilder, the sheriff's spokesman, disagreed. "Nothing can be further from the truth," he said. "Mr. **Glassman** is engaging in irresponsible rhetoric." Sgt. Martin did not return phone messages.

Glassman said three male deputies have been to see him about unfair treatment by supervisors at the Sheriff's Office. But he said their complaints don't revolve around gender discrimination. Cash, who has worked on some of the highest-profile homicide cases in the county, such as the shooting of Winter Haven police Officer Johnnie N. Patterson Jr. and the shooting rampage by Haines City teen-agers in April 1998, said she was forced into patrol in December 1998 because of the treatment. "This has devastated me," Cash said. "They took a career I had been building all my adult life and took it away with a stroke of a pen. "If it wasn't for the support I got from people here, I wouldn't have been strong enough to stick with it. There are a lot of good people here. But there are just a few at the core that make it difficult for the rest of us."

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Ledger, The (Lakeland, FL)
September 22, 1995

3 POLK MEN PART OF SUIT VS. GTE

Author: Lynn N. Duke

TAMPA -- Three Polk County men are part of an age discrimination suit filed this week in federal court against GTE Florida Inc. The suit claims that the Polk County men, along with 11 other plaintiffs, were terminated last year because of their age as part of a reduction in personnel by GTE.

Gary C. Broxton, 43, Randell D. Lewis, 47, and Harry W. Miller Jr., 48, all of Lakeland, are seeking back and forward pay, restoration to their former positions and unspecified punitive damages. "GTE, like so many other companies, is going through a reduction in size," said **Gary Glassman**, a Sarasota attorney representing the 14 plaintiffs. "Nobody can tell them they can't do that, but what we are questioning is what are the criteria and what are the factors used in making that decision."

A GTE spokesman said the company has not been served with the lawsuit but traditionally does not comment on pending litigation. The suit, which was filed Sept. 20 in U.S. District Court in Tampa, claims that instead of terminating positions based on an employee's seniority, GTE arbitrarily ranked people within job categories on issues unrelated to job performance, one of which was age. All of the people in the suit, and almost all of the people who were dismissed, are over 40. Each of the 14 plaintiffs previously filed age discrimination suits with the Equal Employment Opportunity Commission. The suit also seeks damages for professional embarrassment, personal humiliation and wrongful interference with pension rights. GTE employees become eligible for their pensions once their age plus years of service equal 76 or more. The 14 plaintiffs were within three to 12 years of that eligibility when they were fired last December.

Glassman said his clients got severance packages from GTE, but that compensation did not come close to what they would have earned in pension and benefits if they had worked until they were eligible. **Glassman** would not speculate what those pension benefits would be worth but said an economist would make a projection as the case proceeds. A separate suit alleging sex and age discrimination also was filed this week against GTE in federal court by a 44-year-old Pasco County woman, Andrea D. Lee.

Other plaintiffs in the suit are: Alan D. Brooks, 44, Seminole; Michael G. Brustad, 52, Sarasota; Frank M. Corso, 47, Sarasota; Jay K. Crawford, St. Petersburg; Shelley D. Hedgepath, 43, Riverview; Arthur S. Keal, 51, Sarasota; James L. McKay, 47, Bradenton; Myron M. Milligan Jr., 47, Denver; Nelson G. Peeples, 45, Zephyrhills; Stephen E. Wild, 48, Sarasota; Harvey T. Wilton, 45, Sarasota.

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Parents group loses court bid to put teacher 'bumping' practice on hold

Author: KATHLEEN BEEMAN

Circuit Court Judge Scott Brownell on Friday denied a parent group's request to delay the Sarasota School Board policy that allows teachers whose positions have been cut to displace others with less seniority. Based on the decision, about 100 teachers whose positions have been eliminated will begin the shuffling system known as "bumping." Brownell said he could not justify stalling the bumping because the group failed to demonstrate a likelihood it eventually will win the case. But **Gary Glassman**, attorney for the grass-roots Parents for Quality Education Inc., a coalition of about 100 parents and teachers, said the bumping policy violates the intent of the Florida Constitution and disrupts education in the county. "We're disappointed with the judge's decision today," said **Glassman**, who was barred from calling eight witnesses to testify. "But today's judgment is only one part of the lawsuit. We're convinced that when the judge does receive our testimony, he will rule in our favor."

Glassman said the seniority-driven system harms students by replacing experienced teachers with others who may be unfamiliar with the material. The bumping process, negotiated between the school board and the teachers union, was used for the first time last year when state budget cuts forced the school board to cut about 70 positions. Attorneys for the school board and the Sarasota Classified/Teachers Association argued the bumping provision is a policy decision that conforms with Florida statutes. School board attorney Lamar Matthews said the parents' group would have to pay \$4 million to keep teachers in their current positions if the judge granted their motion. "There is no constitutional right to pick your teacher, like your teacher or have the best teacher," school board co-counsel Arthur Hardy said. Placing teachers throughout the school district is a decision based on teacher qualifications and seniority, he said. That should be left to the teachers and school officials, and kept out of the courts.

Glassman conceded there is no legal precedent allowing parents to ensure a teacher is adequate, but he urged the judge to set one. "The priority, judge, is very simply the students, the students, the students, and that's what this suit is about," **Glassman** said.

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