

COLIN BAENZIGER  ASSOCIATES
EXECUTIVE RECRUITING

Section 3

Iola T. Mosley

*Fort Pierce City Attorney
Candidate Report*

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Cover Letter

Jola T. Mosley, Esq., 4334 Lake Lucerne Circle West Palm Beach, Florida 33409

I introduce myself to you in the form of this cover letter. I have had an interest in Justice and in making certain that results of all matters in which I may be involved on behalf of my client conclude in a way that aligns with both the Constitution and the laws of our State and Country. I am an experienced litigator and will always seek to zealously advocate on my client's behalf. However, because of my experience, I also understand that it is important to find ways to keep my client informed about the law so that needless litigation might be avoided.

In my 28 years of practice I have worked as trial counsel on behalf of criminally accused persons for 13 of those years. In the latter part of my defense trial practice, I tried a number of jury trials in which the State was seeking the death penalty. In those cases, I sought to not only make certain that I was zealous in advocating for my client in the trial phase but also in the penalty phase of the trial. I saw my role as the attorney representing the individual is to ensure that the law was followed and to protect my client's rights. If there was a violation of my client's rights under the law or constitution my job was to protect those rights under the Federal Constitution or other applicable law or regulation. As a criminal defense attorney I estimate that I tried over 100 cases to verdict.

As a State Prosecutor it was my job to make certain that I had sufficient facts upon which to file a case and that the appropriate charge was filed. I had an obligation to make certain that the law was followed and all the rights of those whom I prosecuted were complied with. I had a responsibility to my victim and to society as a whole to ensure that any criminal act was addressed with the appropriate sanction. I wanted to restore the confidence of my victim and of society in the protection that is afforded within our great Nation. As a criminal Prosecutor I estimate that I tried at a minimum 50 trials.

In my current position with the School District it is my job to ensure that the needs of our student and employment personnel are met, and that my client is compliant with the laws and regulations governing the public entities, including laws relating to Florida's open government laws, and those relating to public records. I am also responsible for providing training and workshops to assist my client in understanding the complexities of the legal system as it applies to the needs of the public, including both the children we educate, and those persons who serve them through the school system. In this way, I feel my client is able avoid mistakes which might otherwise lead to litigation because the client is informed. I have litigated both administrative hearings as well as 2 civil jury

Iola T. Moxley, Esq., 4334 Lake Lucerne Circle West Palm Beach, Florida 33409

trials to verdict in my tenure with the Office of the General Counsel for the School Board of Palm Beach County. I have conducted many workshops and presentations to the Board and to personnel and I have made myself available to the client constituency to answer any questions that arise. In keeping my client and client constituency informed there is less likelihood of error that will lead to added costs and unnecessary litigation. I believe the needs of my client are my pleasure to preserve and it is my obligation to ensure that my client is well equipped to meet the needs of the public and that my Board acts in compliance with the laws of the State and of the United States.

Lastly, I have dedicated part of my life to public service through various organizations of which I am a part as well. One of those organization is dedicated to raising awareness within the African American community about the ravages of Cancer, and helping to raise funds on behalf of the Howard University Cancer Center, toward the eradication of Cancer. I am also affiliated with one of the Nations most distinguished Sororities, working to increase economic development, educational development, international awareness and involvement, physical and mental health and, political awareness and involvement. I have served as officers in both organizations.

If I am selected for this position I will bring my reverence for the law, the passion, creativity, professionalism and dedication that I have always displayed in every endeavor.

Section 3

Resume

*Iola Thomas Mosley, Esq.
4334 Luke Lucerne Circle
West Palm Beach, Florida 33409
(561) 909-9370
Admitted to the Florida Bar 1987
Admitted to Federal Bar Southern District of Florida 2006*

EDUCATION

*Howard University School of Law Washington D.C. Juris Doctor 1986
Howard University Washington D.C. Bachelor of Arts 1983 (Philosophy)*

EXPERIENCE

School District of Palm Beach County, Florida
March 2005 to present

Senior Counsel/Policy and Regulatory Compliance/Academic Compliance

Represents and advises the School Board of Palm Beach County in a variety of matters including Litigation involving State, Federal, State and Administrative matters, Matters effecting Government In the Sunshine; Negotiation of Charter School and limited vendor contracts, as well as Interagency Memorandum. Additional duties include; review and advise as needed updates to existing Board Policies to ensure compliance with State and Federal law. I have advised and litigated cases involving, Student Discipline; The Individuals with Disabilities Education Act (IDEA), ADA related Claims, Student Records and Privacy Issues under Family Education Rights Privacy Act (FERPA) and Health Insurance Portability and Accountability Act (HIPAA). I advise and train staff regarding Family related and Juvenile Dependency/Delinquency matters affecting student performance and attendance, and conduct continuing staff training in matters relating to student issues, Charter School issues (including some limited employment matters).

Office of the State Attorney for the 15th Judicial Circuit
September 2002- February 2005

Juvenile Division

Represented the State of Florida in criminal prosecutions of juvenile delinquency cases; including both felony and misdemeanor matters

County Court Division

In Misdemeanor prosecutions including DUI; Drug Possession; Prostitution; Theft and Simple Battery and Domestic Battery prosecutions and a variety of other misdemeanor crimes

City of West Palm Beach

July 2000-July 2001

Duties include Civil Trial Personal Injury Defense; Code Enforcement; Municipal Ordinance Violation Prosecution; Civil Forfeiture; Nuisance Abatement; Vehicle Impoundment/Forfeiture and Municipal Lien Foreclosure Litigation

Law Offices of Whitfield & Mosley

October 1996-July 2000

Partner General Practice firm Family; Criminal Defense; Capital Crimes (Death Penalty Qualified)

Public Defender 15th Judicial Circuit

Assistant Public Defender January 1987 to October 1996

Training Coordinator March 1995 to October 1996

Designed and implemented training and recruitment for incoming new Assistant Public Defenders as well as provided continuing training for staff of approximately 90 attorneys

Capital Crimes Division March 1994 to March 1996

Represented indigent individuals in Capital death penalty cases in all stages of litigation

Felony Trial Division July 1989 to March 1994

Represented indigent persons accused of felony offenses through all stages of litigation

County Court Division Supervising Attorney South Satellite Office June 1987 to July 1989

Represented indigent persons accused of misdemeanor offenses in all stages of litigation

AFFILIATIONS

Member Palm Beach County Bar Association

Florida School Board Attorneys Association

Malcolm Cunningham Bar Association

Delta Sigma Theta Sorority Inc.

The Charmettes, Incorporated

Delta Theta Phi Law Fraternity

New Bethel Missionary Baptist Church Trustee/Counselor

NAACP

Section 3

Candidate Introduction

Iola Thomas Mosley

EDUCATION

Juris Doctorate 1986 Howard University School of Law, Washington D.C.
Bachelor of Arts, Philosophy, 1983, Howard University

EXPERIENCE

2005 to Present Senior Counsel Regulatory Compliance/Litigation – School District Palm Beach County, Florida

2002-2005 Prosecutor Office of the State Attorney for the 15th Judicial Circuit Palm Beach County, Florida

2000-2001 Assistant City Attorney City of West Palm Beach, Florida

1996- 2000 Sr. Partner Whitfield Mosley

1987-1996 Assistant Public Defender Office of the Public Defender 15th Judicial Circuit Palm Beach County Florida

BACKGROUND

The Palm Beach County School District is the 11th largest School district in the Nation and the third largest in the State of Florida. It is headed by a seven-member School Board, and an appointed Superintendent. It is comprised of 173,543 student shareholders, and employs over 20,810 people. The District has 40 High Schools 33 Middle Schools, and 130 Elementary Schools, and has a current operating budget of 2.3 billion dollars. Palm Beach County itself is comprised of 1,265,293 people and the average income is \$53,500.

I am currently employed in the Office of General Counsel in the district which is comprised of 13 attorneys including the General Counsel. The department is divided into separate practice groups, including: Administrative Law/Regulatory Compliance, Litigation Risk/Labor and Employment, Academics, Real Estate, and Transaction/ Procurement. Each practice group is comprised of 2-5 attorneys, two paralegals, and a secretary. My current practice groups are Litigation Risk / Labor and Employment and Administrative/Regulatory Compliance. I have also worked in Academic, and have worked in the past with Transaction/Contracts. I continue to provide assistance and support in ongoing trial cases including trial preparation and trial strategy.

I directly supervise two paralegals and one secretary. I have day to day supervision and training opportunities with senior level district personnel and school principals. Our current caseload includes cases involving transactional employee and tort related claims. This includes cases

Iola Thomas Mosley

concerning negligence and breach of duty, violation of civil rights, ADA claims (including both student and employee shareholders), violation of the Individuals with Disabilities Education Act (IDEA), breach of contract and other contract disputes, wrongful termination-disparate employee discipline, copyright infringement, construction, and eminent domain cases. Currently there are 121 open cases and 11 are currently being handled by outside counsel.

The most significant issues we are currently facing in The Palm Beach County School District include:

- **Balancing the duty to the Client/Board with the duty to the public.** Developing protocols to ensure clarity with respect to the specific duties and rules that legitimize school board members in order to curb their desire to aid ‘pet’ constituents.
- **Crime in the schools.** There has been a recent increase in violent incidents in our public schools and at the same time instances of use of excessive force police affecting most cities. We are in the process of redrafting our use of force protocols as design training modules designed to reduce violence, and counsel students to better cope with violence within the community. We are also working in collaboration with other school police as well as community police departments to address violence and excessive force issues.
- **Increasing graduation rates in underserved immigrant populations.** The district is in the process of developing protocols in accordance with existing Federal Law regarding education rights of immigrant population.
- **Maintaining compliance with current federal and state regulations.** We are working on protocols to comply with federal and state law while making certain that qualified students are receiving services. The protocols will serve all student populations, regardless of need, orientation, religion, immigration status, and physical/intellectual ability.
- **Facility needs.** We are working in collaboration with Palm Beach County Commissioners to develop legally permissible means to increase funds for cultural education and opportunities for cultural education for the student shareholders in our district. Working in union with the commission to address issues of growth is key. Presently, we are considering joining the County Government in a referendum for a proposed half cent sales tax to cover increased costs.
- **Open government Sunshine Law.** Currently one of the most pressing issue we face is whether employees who use personal digital communication devices may be compelled to produce communications contained on the devices under the “Sunshine Law.” And then determining how much of that information the public is entitled to should the employee be compelled to submit said device for inquiry. We are currently in the process of drafting protocols regarding the use of technology by elected officials, directors, administrators, and other staff. The issue is how to achieve access without invading an employee’s privacy rights.

Iola Thomas Mosley

GENERAL, MANAGEMENT STYLE AND EXPERIENCE

I am a lifelong Florida resident. I have ‘come of age’ both emotionally and professionally here in South Florida. I returned ‘home’ after law school because I cared about the community that raised me and I wanted to be a part of preserving the way it used to be.

I am a person who believes that as a public servant/ legal professional it is my role to assist my client, and to serve the public in the most efficient way. With that said, the experiences that I have gained in my current position in defending and advising the School District of Palm Beach County in areas of Contract negotiation, Litigation, Administrative Law and Regulatory Compliance, is consistent with the role of a City Attorney, and would serve well toward accomplishing that goal.

In the past 11 years, I have worked with the Palm Beach County School District through many transitions. We have had 5 changes in General Counsels, and each had his/her particular management style. We have had four Superintendents of Schools, and with the exception of one member, we have had a complete turnover in our school board. Through all of this I have been required to ‘wear many hats’ and to assist with transitioning and merging the existing/remaining attorneys with a new team of attorneys, and in hiring new staff.

I believe that management success will come via the careful assessment of the strengths of each current member of the legal staff, and, from there, maximizing the potential of staff as a united ‘team.’ I believe that the most important attributes of a City Attorney are the ability to evaluate the strengths of his working group, and then to determine how they best work to serve the needs of the city. High morale and a clear vision is a must. Listening to both the client and the staff are of the utmost importance. Organization is also a key attribute and the ability to see the “big picture” or, considering the long-lasting import of legal advice that we give is vital. The legal office should be proactive and prepared.

A City Attorney does not need to be an expert in every area of law; however, the City Attorney must have the ability to lead and motivate the attorneys and staff to be life long legal learners. The City Attorney must be candid with the client and keep the City apprised of the status of all litigation and of potential litigation. Additionally, the City Attorney must inspire and develop the leadership potential of the attorneys and staff, and be ultimately responsible for producing superior work product for the client.

There are some key management practices that I hold in high regard. I believe in the principal of transparency as it applies to our responsibilities to the City Commission and Mayor. When new cases are filed, an advisory must be sent out immediately to the Client. I then endeavor to learn everything about the facts of any new case that is filed case both strengths and weaknesses interview staff that has information and who might be potential witnesses. I would, along with staff, complete a cost analysis to determine the best strategy to dispose of the case. I would also determine whether the case should remain in house or whether an outside firm should be recommended for retention.

Iola Thomas Mosley

Once the initial review process is complete an advisory report will be forwarded to the City Commission. In-house litigation staff will be assigned to the matter to litigate it or to manage the litigation handled by outside counsel. It is important that the Council is kept apprised regarding the status of the case and to accomplish this I would submit weekly or bi-weekly status updates to the Council members individually.

My management style is one of inspired leadership. There are generally two types of leaders: those who lead by example and who motivate staff members to reach their highest potential, and those who lead by threat and blame passing. A detached leadership style strips away at the trust that should be the glue that keeps the staff united.

It is important to listen to the concerns and ideas of staff to in order to foster a collaborative working environment. That environment also includes other shareholders. I would also schedule meetings with each individual City Commissioner to understand his/her expectations of the Office and of the attorneys. Because we are effected by counties/cities to the South and North along the Coast, I would also meet with other city, county, attorneys and foster communications with other public officers in an effort to form collaborative training and information exchange between our corresponding municipal and county and state governments.

The elected officials with whom I interact would say that I am a consummate professional and well versed in the law. I am honest and straightforward, and easy to approach, and thoughtful. They would inform you that I am polite, and spiritual.

My strengths include a broad knowledge of the law. I learn concepts and grasp issues quickly. I am thorough in completing research, and receptive to diverse points of view. I am patient and personable and I use my efforts to make certain that my client is both protected and informed.

Although I have many strengths, I will sometimes become anxious about making certain that I have not overlooked anything in my advice or preparation.

Despite the fact that there has been a great deal of transition in both the Office of General Counsel as well as within the overall District, I have mastered the challenges of learning new areas of law and I have provided excellent representation to my Client. I feel that I have achieved my greatest success in thus rising to this challenge.

My biggest failure in my career was failing to adequately plan a case I had set for trial. When I was a young attorney, I depended on my public speaking ability and on my ability to be likeable, and straight-forward. I did not understand the need to prepare thoroughly or anticipate and answer potential weaknesses in my case. I was embarrassed and disheartened because I realized that I did a great disservice to my client by not being prepared. What I learned from that was that I must always plan for contingencies in every matter that I undertake. I learned to think proactively, rather than reactively. I learned that in your preparation you must have a plan B, which I learned is the test of true character. I learned that my client was the most important part

Iola Thomas Mosley

of any matter that I undertake. Fortunately, the final outcome was positive for the client but the initial shock of potential disaster made me understand how important it is to be prepared.

I have not had to fire an employee or recommend that an employee be terminated. However, I did have a direct report staff member who was not completing work and seemed to have some issue with following direction from one of the attorneys in the office. I called the employee into my office and told her that many of the projects she completed were done well, but that there were some issues with others and I explained to her some of the examples that were shared with me. I then inquired if there were any particular issues that were causing the delay with the other attorney, and inquired if there was any way I could assist her. I learned that she felt that the attorney was being particularly condescending and that she felt she couldn't trust her. I spoke to the attorney who agreed to sit down with the secretary and we were able to resolve the conflict without any further incidents and they worked well from that point on.

In the first 6 months of my tenure as City Attorney:

- I would begin by scheduling meetings with the current interim City Attorney and staff to learn about all issues facing the city, current cases, the needs of the office and how the office is structured. I would also like to receive suggestions on how we can improve within the current structure and on internal changes that they believe would increase efficiency.
- I would study the legal department's budget and managing its finances is key to the job.
- I would learn the City's codes and departments responsible for implementation. I would also meet with each Commissioner to learn what the current goals are for the City Attorney and the direction that they would like to take in accomplishing them.
- I will also meet with departments directors and managers to learn the function of the various offices and how we can best support their offices in service to the City.
- I would like to meet with some of the constituents in a listening tour to get the feel of the City and also eventually like to reach out to county and municipal counterparts to share common issues and to learn how we can best support each other in service to our respective agencies.

I have worked with the media in the past and I have generally been gracious, but I also try to prevent needless hemorrhaging of information that is not necessary. In my current agency, we have an office of communications with whom we work closely and as attorneys we try to structure the release of information so that the public is informed but also so that we do not expose any legally impermissible information.

In my leisure time, I sing in my Church Choir, and work with the youth in my Church, I participate in civic organizations, I read, I spend time with my family, and I occasionally travel. I am not aware of anything in my background that would embarrass The City and there is no "dirt" that anyone could tell about me.

Iola Thomas Mosley

REASON FOR WANTING TO LEAVE CURRENT OR MOST RECENT JOB?

Although my job offers opportunities to proactively solve problems of my district, I would like to explore new ways in which to serve the Public interest. My current job offers very limited opportunity to work in areas of expertise that I have developed over the 29 plus years of my law practice. I welcome the opportunity to use the full spectrum of my expertise to the citizens of the City of Fort Pierce.

SIX ADJECTIVES OR PHRASES I WOULD USE TO DESCRIBE MYSELF

Adaptable	Motivating
Dedicated	Proactive
Ethical	Skilled

CURRENT / MOST RECENT SALARY

My current annual salary is \$116,071.

Section 3

CB&A Background Checks

**Background Check Summary for
IOLA THOMAS MOSLEY**

Criminal Records Checks:

Nationwide Criminal Records Search	No Record Found
County Palm Beach County, FL	No Record Found
Federal Florida Alabama	No Record Found Records maintained by county of Residence - See above

Civil Records Checks:

County Palm Beach County, FL Jefferson County, AL	No Record Found No Record Found
Federal Florida	No Record Found

Motor Vehicle

Florida	No Record Found
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Credit

Mediocre

Bankruptcy

No Record Found

Education

Confirmed

Employment

Confirmed

Bar Certification/License

Member in Good Standing
Bar #710768

**Background Check Summary for
IOLA THOMAS MOSLEY**

THE FLORIDA BAR



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Iola T Mosley

Eligible to Practice Law in Florida

Member in Good Standing	
Bar Number:	710768
Mail Address:	Palm Beach County School District 3318 Forest Hill Blvd # C-323 West Palm Beach, FL 33406-5813 United States Office: 561-969-5846 Fax: 561-434-8105
Email:	iola.mosley@palmbeachschools.org
Personal Bar URL:	www.floridabar.org/mybarprofile/710768
vCard:	
County:	Palm Beach
Circuit:	15
Admitted:	10/06/1987
10-Year Discipline History:	None
Law School:	Howard University School of Law, 1986
Sections:	Administrative Law
Federal Courts:	U.S. District Court, Southern District of Florida
Firm Size:	6 to 10
Firm Position:	Government attorney

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**Background Check Summary for
IOLA THOMAS MOSLEY
Personal Disclosure**

Personal Disclosure Questionnaire

Name of Applicant: Jola T. Mosley

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.

Attested to: 
Signature of Applicant

Please email this form via PDF DOCUMENT to Kknutson@cb-asso.com or via fax to (888) 539-6531 no later than 5:00 PM CST 02-08-2016.
(Note: Please be sure to sign the form with your actual signature if you are sending Fax or PDF Document)

**Background Check Summary for
IOLA THOMAS MOSLEY
Personal Disclosure Explanation**

ATTACHMENT TO PERSONAL DISCLOSURE QUESTIONNAIRE

Question 3; My husband and I filed for Protection in the Bankruptcy in order to save our home in 1997. We paid into the plan for ten months and the subject debt was resolved and the bankruptcy dismissed.

Questions 8-9; I have the following personal social media accounts;

Facebook

LinkedIn

Pintrest

Twitter

Question 11;

Chase Mortgage v Emmett and Iola Mosley. Case Dismissed with Prejudice 1997

Nationstar Mortgage v Emmett and Iola Mosley. Foreclosure 2014

CB&A Reference Notes

**Reference Notes
Iola Mosley**

Ike Robinson – Former Commissioner, West Palm Beach, FL 561-686-7530 561-310-2090

Because Ms. Mosley is from West Palm Beach, Mr. Robinson knows her family and watched her grow up. She comes from a great family. Mr. Robinson spent 16 years working for the City of West Palm Beach. He was on the City Commission while Ms. Mosley was the Assistant City Attorney. The City has a strong mayor form of government which means the Mayor is responsible for hiring employees. Mr. Robinson was disappointed that the Mayor did not select Ms. Mosley as the City Attorney when the position came open during her tenure.

Ms. Mosley's capabilities as an attorney are excellent. She is thoroughly aware of municipal laws in the state of Florida, both at a state and city level. She is readily available to assist the elected officials. Her recommendations are very helpful and she is very responsive.

Every assignment Ms. Mosley was given was completed in a timely manner even if she had to put in extra hours to meet the deadline. Ms. Mosley is very capable and gives recommendations that everyone can live with.

One of Ms. Mosley's strengths is negotiation. Many lawsuits were filed against the City but when she was part of the negotiation team, the City had a chance for success. All of the attorneys did well, but the other parties knew Ms. Mosley would be fair with them, which helped negotiations proceed.

Ms. Mosley tries to find the best solution, and then also creates a plan B and a plan C so that the elected officials have multiple options to choose from. She had many connections in the community which was an asset. She worked very well with everyone.

Ms. Mosley has experience in constitutional law from both a city and school district perspective. She was the legal expert for contracts and resolutions. She has experience in environmental law, land use, utilities and labor/personnel matters. She was involved in many areas because the staff was much smaller during her tenure. She came to West Palm Beach with a vast knowledge and continued to learn and grow.

When Ms. Mosley was asked about a situation she gave the best legal explanation possible. She was one of the few attorneys that gave the real 411 when something went wrong. Her recommendations can always be trusted.

In the legal realm credibility, ethics, and morality is critical. Ms. Mosley is professional and lives by those standards. She was hired by the school district in Palm Beach County which has one of the toughest background investigations in the state.

Ms. Mosley would be an excellent City or County Attorney and a credit to any employer if given the opportunity.

Reference Notes
Iola Mosley

Words or phrases used to describe Iola Mosley:

- Knowledgeable,
- Credible,
- Trustworthy,
- Honest,
- Worker bee, and
- Someone you want to have your back in a battle.

Strengths: Knowledgeable, honest, eager to learn, stays abreast of what is happening as it pertains to the state.

Weaknesses: The organization was short staffed. Ms. Mosley had numerous responsibilities and noticed other items that needed to be corrected. She spent many hours at City Hall to get everything done. Over time she has learned that she cannot do it all and needs to delegate. Also, some Commissioners felt that she was young and did not have enough experience, but Mr. Robinson did not agree.

**Steven Lake – Former Senior Attorney, Palm Beach County School District, FL
352-867-2176**

Mr. Lake and Ms. Mosley worked together from 2007 to 2012. Mr. Lake was the Senior Attorney for Academics and Ms. Mosley reported directly to him. They did a great deal of special education legal work including due process hearings, school based team meetings, advanced placement meetings, eligibility meetings, and all the legal research associated with them. The other 10% of their job was a smattering of other items related to legal issues in public schools like discipline issues. She is a great attorney.

Ms. Mosley was responsive and timely in her responses. Her assignments were always completed by the deadline. The recommendations she gave Mr. Lake were well received and well put together. They attended weekly staff meetings for the attorneys and general counsel, she did a great job analyzing each case and making recommendations on how to handle them. Her performance was always good.

When dealing with the law Ms. Mosley understood the value of good legal research before venturing an opinion on any subject. She was involved in negotiations for attendance and mediation meetings. She also attended due process hearings with administrative law judges. Determining and implementing strategy is one of her strengths. She has really good people skills and can bring conflicting parties to a resolution.

**Reference Notes
Iola Mosley**

Ms. Mosley is solution oriented but started out in more of a junior role. Over time she grew and began to think more strategically. She did not sit back and say something could not be done, she provided an analysis with pros and cons which was very useful.

The areas of law that Ms. Mosley has experience in, but not limited to, are: constitutional law, contracts, special education, disability issues, and general education. She always kept others informed on what she was working on. She has very good interpersonal skills. She worked well with the paralegal and the other employees in the organization.

The school district had tough cases involving parents and their attorneys but none of them escalated to the level of controversy. Nothing in Ms. Mosley's background would embarrass an employer should the press dig into her background. Mr. Lake does not believe anyone would disagree with the statements in this reference.

Mr. Lake would hire Ms. Mosley. She is resourceful and motivated to succeed. She is a veteran lawyer with much experience. She is a wonderful person to work with and would be an asset to any organization.

Words or phrases used to describe Iola Mosley:

- Insightful,
- Dedicated,
- Caring,
- Knowledgeable,
- Resourceful, and
- Good person.

Strengths: Really good at issue spotting, excellent people skills, manages conflict well.

Weaknesses: None identified.

**Vickie Evans-Pare – Labor Relations Attorney, Palm Beach County School District, FL
561-434-8479**

Ms. Evans-Pare has known Ms. Mosley since 2005.

An attorney left the organization and the case he was working on was assigned to Ms. Evans-Pare, Ms. Mosley and a third attorney. Ms. Evans-Pare knew employment law but had never tried a case. Ms. Mosley knew the players but had no experience with employment law. The third attorney had experience trying a case but did not know the players. The case was scheduled with a federal judge the very next month. They had at least 100 banker boxes of information to review in addition to having to re-interview those involved. Ms. Evans-Pare learned so much

Reference Notes
Iola Mosley

from watching Ms. Mosley in the court room and became a better attorney through their interactions. She is a remarkable attorney.

Academic law is Ms. Mosley's area of responsibility. Working with parents and children is the most emotional environment to work in. She is very responsive to others when they need assistance. She researches and thinks through a problem very quickly.

Ms. Mosley is highly respected by the Board and her recommendations are always good. She tries to find common ground with the parents, children, and staff. She understands that the District's purpose is to educate children but they have limited resources. She brings the parties together to negotiate an agreement that is feasible. Some who work in academics just see what the child needs but Ms. Mosley tries to find alternative ways to meet the needs of the child at a lower cost or in a less cumbersome way.

Student issues that Ms. Mosley handles are sensitive, she understands privacy. The case mentioned earlier was a first amendment case, which shows her experience in constitutional law. She also has experience with contract review, union contracts, and purchasing. She may have had experience in other areas of the law prior to her tenure in the school district.

Though they worked in different areas, their cases often meshed. Ms. Mosley always kept Ms. Evans-Pare informed. She did a great job managing her staff. She works well with the elected school board members even though they are a tough bunch. When she was working on an assignment that affected a teacher, she made sure they understood what the end goal was.

Ms. Mosley has not been involved in anything controversial. She volunteers with various community groups. Ms. Evans-Pare does not know of anyone who would disagree with this reference.

Ms. Evans-Pare would hire Ms. Mosley as a City or County Attorney and cannot speak highly enough of her. Her leaving will be a big loss to the District. Any organization will be lucky to have her. She has much to offer and is a very skilled Attorney.

Words or phrases used to describe Iola Mosley:

- Dedicated,
- Hard working,
- Friendly,
- Conscientious, and
- Works well with other people.

Reference Notes
Iola Mosley

Strengths: Works well with people, easy to get along with, makes information understandable for her audience even when they have varying degrees of knowledge pertaining to the law.

Weaknesses: Though not a frequent occurrence, she can be too in-depth in her explanation when the case is very complex and she is speaking with a person who has absolutely no knowledge of the law.

Shawn Bernard – Deputy General Counsel, Palm Beach County School District, FL
561-434-8750

Ms. Bernard has known Ms. Mosley since 2012. Ms. Bernard works in Labor and Employment and sometimes has questions related to custody issues and academic matters which are more in Ms. Mosley's wheelhouse. Ms. Mosley is always very helpful and pleasant.

Because they are peers they do not give each other deadlines, but when Ms. Mosley is asked a question she is always responsive. The information she provides related to custody or a family dispute is always accurate and has never been challenged or questioned.

Ms. Bernard recently asked Ms. Mosley what should happen when both parents have shared custody of a child but have different viewpoints on educational decisions. Ms. Mosley quickly helped her find the answer. Both parents have equal responsibility in shared educational decisions unless a custody order gives that right to only one parent. The school is never allowed to make educational decisions for a child.

In the District Ms. Mosley's area of responsibility is academic law. Everyone in the office adores her. She is very friendly and easy to talk to. Ms. Bernard and Ms. Mosley have a very close relationship.

Ms. Bernard cannot think of any situation involving Ms. Mosley that was controversial. Ms. Bernard does not know of anyone who has a different opinion of Ms. Mosley than the one expressed in this reference.

Ms. Mosley is an amazing coworker and would be an excellent addition to any team.

Words or phrases used to describe Iola Mosley:

- Pleasant,
- Joyful,
- Outgoing personality, and
- Helpful.

Reference Notes
Iola Mosley

Strengths: Other lawyers do not always take the time to help their colleagues but Ms. Mosley is always available and willing.

Weaknesses: None identified.

Rod Montgomery – Area Superintendent, Palm Beach County School District, FL
561-804-3246

For as long as Mr. Montgomery can remember Ms. Mosley has been part of the legal team in the Palm Beach County School District. She is the primary contact for superintendents when they need clarification on laws pertaining to schools. While they do not work together on a daily basis, all of their interactions have been positive.

Ms. Mosley's capabilities as an attorney are outstanding. She is very responsive and very timely in her responses. She solves problems and makes good recommendations to the elected body. Her decisions are always good. She negotiates well on behalf of her client and tries to find solutions to problems.

Their interactions are all based on school matters but Mr. Montgomery believes that Ms. Mosley also has experience in contract law. She keeps others informed through emails, phone calls, and in person conversations.

Absolutely nothing in her background would embarrass an employer. Mr. Montgomery and his colleagues look forward to working with her when issues come up. She represents their organization very well.

Mr. Montgomery would definitely hire Ms. Mosley and feels she would do well as a City or County Attorney. They hate to lose her but she is a good choice for any organization.

Words or phrases used to describe Iola Mosley:

- Personable,
- Knowledgeable,
- Sincere,
- Patient,
- Caring, and
- Has a beautiful singing voice.

Strengths: Works well with people, very pleasant personality, does not become rattled, maintains control, and knows the law.

Weaknesses: None identified.

**Reference Notes
Iola Mosley**

Mary Quesada – Legal Secretary, Palm Beach County School District, FL 561-434-7377

Ms. Quesada has worked for Ms. Mosley since 2012.

Ms. Mosley is a highly qualified attorney and she is a crack jack with her knowledge of the law. She is always on time to her meetings. She is very agreeable to handling new assignments and she never refuses a task given to her.

Ms. Mosley makes good decisions when dealing with the law. She negotiates well on behalf of the party that she represents. She tries to find solutions within the parameters of the laws and statutes.

In the school district Ms. Mosley has had much experience working with contracts and personnel matters. She keeps others informed on what she is working on through phone, email, and in person meetings. She works very well with others in the organization.

Nothing in Ms. Mosley’s background would concern an employer. Ms. Quesada does not know of anyone who has a negative opinion of Ms. Mosley.

Ms. Quesada would hire Ms. Mosley. She is a great person. She is very personable and will do well as a City or County Attorney. She is thorough in her research and represents her client well.

Words or phrases used to describe Iola Mosley:

- Personable,
- Knowledgeable,
- Strong when handling tough cases,
- Cares about many things,
- Beautiful signing voice, and
- Dynamic personality.

Strengths: Very knowledgeable, very approachable, does not try to push you off but is very patient in explaining matters to those who do not have her legal understanding.

Weaknesses: If anything, she is too nice.

**Elizabeth McBride – Counsel - Inspector General, Palm Beach County School District, FL
561-357-7673 561-601-8004**

Ms. McBride and Ms. Mosley have enjoyed a professional relationship since 1991. They work in the same office but cover different areas of the law.

Reference Notes
Iola Mosley

Ms. Mosley's capabilities as an attorney are very good. She is responsive and timely. She spends much time working in the school centers and answering questions on tough issues.

Because of her role Ms. Mosley does not give many recommendations to the elected body but she makes good decisions when dealing with the law. Her primary focus is academic law.

Ms. McBride does not know of anything controversial that relates to Ms. Mosley on a personal or professional level but she recommends that every employer run a background check on their applicants.

Without knowing the needs of the City in question Ms. McBride cannot recommend Ms. Mosley for the position but she would be a good City or County Attorney if her experience was the right fit. She has the capacity to rise to the level that the Client needs.

Words or phrases used to describe Iola Mosley:

- Energetic,
- Good litigator,
- Conscientious, and
- Diligent.

Strengths: Litigation.

Weaknesses: To Ms. McBride's knowledge she has never served as Council to an elected board, which should not be considered an ultimate weakness.

John Whittles – President Elect, Palm Beach County Bar Association, FL 561-469-1160

Mr. Whittles has known Ms. Mosley since around 2010. They interact at bar functions. Also, the bar association has a talent show and they have both participated several years in a row. Bar association members, judges, and the families of the attorneys attend the show. Ms. Mosley is a brilliant jazz singer. While Mr. Whittles and Ms. Mosley were preparing for their separate acts, and while others were performing, they talked backstage.

Mr. Whittles has never seen Ms. Mosley's day to day case management or watched her argue in front of a judge. However, performing in front of 1,500 people shows Ms. Mosley's ability to focus and handle the pressure of the spotlight, which are attributes that lawyers need. She is also very solution oriented.

Mr. Whittles is not aware of any controversy in Ms. Mosley's background that would embarrass an employer should the press investigate her past. He cannot imagine anyone not liking her.

Reference Notes
Iola Mosley

Mr. Whittles works extensively for municipalities. With his limited knowledge of Ms. Mosley's skills, he recommends her. In terms of personality, she has every attribute that a City or County would want in their Attorney. She is a great person.

Words or phrases used to describe Iola Mosley:

- Charming,
- Vibrant, and
- Talented.

Strengths: Directness, sense of humanity, politeness, likeable, communicates clearly, naturally good person, skilled at interacting with others.

Weaknesses: None identified.

Prepared by: Lynelle Klein
Colin Baenziger & Associates

CB&A Internet Research

*Internet – Newspaper Archives Searches
Iola Thomas Mosley
(Articles are in reverse chronological order)*

Palm Beach Post, The (FL)

November 6, 2004

PANEL TAPS COURT BENCH CANDIDATES

Author: *WILLIAM COOPER JR., Palm Beach Post Staff Writer*

A prosecutor, private attorney, court commissioner and two attorneys employed by the Palm Beach County School Board were nominated Friday to fill a vacancy on the county court bench, according to the Judicial Nominating Commission. The five nominees, which include two blacks and a Hispanic, were selected from among 50 applicants. The nine-member JNC conducted interviews with the applicants this week.

The nominees are:

- * Sandra Boss-Pardo, 50, who leads the School Board's litigation department;
- * Leonard Hanser, 52, a court commissioner who oversees cases where people are deemed a danger to themselves or the community;
- * **Iola Mosely**, 44, a black assistant state attorney;
- * Yvette Trelles, 38, a Hispanic sole practitioner, specializing in personal injury cases;
- * Gerald Williams, 54, a black labor relations attorney, who currently is the School Board's chief of staff.

Attorney Kathleen Kozinski, the JNC chairwoman, faxed the names on Friday to Gov. Jeb Bush, who will make the appointment in coming weeks. Bush must fill the post vacated by former County Judge Jonathan Gerber, who the governor promoted to the circuit court in August to replace retired Circuit Judge Mary Lupo.

*Internet – Newspaper Archives Searches
Iola Thomas Mosley
(Articles are in reverse chronological order)*

The Palm Beach Post

December 30, 2000

AFTER 28 YEARS, JORANDBY SAYS GOODBYE

Author: *John Pacenti*

After 28 years as the county's public defender, Richard Jorandby left the office on Friday with a message: "I will survive." That's the Gloria Gaynor disco song he asked **Iola Mosley**, a former assistant public defender, to sing at his goodbye luncheon attended by more than 120. The song underscored the bittersweet event as well as the uncertain future for the man who brought the office national notice for fighting the death penalty.

Some of the area's more prominent lawyers, such as Richard Lubin and Michael Salnick, spent time under Jorandby's stewardship. In attendance Friday was Circuit Judge Edward Fine, a former Jorandby employee, as well as Dorothy Wilken, clerk of circuit court and a good friend of Jorandby's. "Because of you, innocent people have been able to look back and say, 'Thank God, I had a good lawyer,' " said **Mosley**, who went on to private practice and now works for the county attorney's office. Jorandby leaves, though, under a cloud. The Florida Department of Law Enforcement is investigating allegations by two of his top assistants that he tried to extort campaign donations from them. Democrat Carey Haughwout, an attorney Jorandby hired to work for the office 13 years ago, defeated the Republican on Nov. 7, shortly after the scandal broke. Talk at the luncheon remained upbeat, though, focusing on Jorandby's accomplishments - not all of them in the courts. Former employee and now private defense attorney Michelle Suskauer noted that more than half a dozen couples met while working for Jorandby.

"It's a hotbed for romance," joked Suskauer, who met her husband, Scott, while both were assistant public defenders. Jorandby's daughter, Abigail, gave a touching speech about growing up watching her father work. She is now going to the University of Florida's law school. Richard Green, head of the capital appeals division, talked about Jorandby's passionate opposition to the death penalty and how hard it was on him in 1984 to watch two defendants die in Florida's electric chair. Jorandby insisted on being a witness.

His office took five death penalty cases to the U.S. Supreme Court. "He has some deeply held moral and spiritual views, and the death penalty is the ultimate violation of those views," Green said. Losing to Haughwout may cost Jorandby more than his office. If he could have served one more term and reached 30 years of service, his state pension would have increased from \$63,000 to \$500,000. He said he has no immediate plans but is open to continuing to work in state government. "I cherish these last 28 years," he said. "For a farm boy from North Dakota, I had my dreams, too. They were to become a lawyer and move to Florida, and that happened. Now it's time to go and it's time to say goodbye."

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Iola Thomas Mosley
(Articles are in reverse chronological order)

The Palm Beach Post

June 2, 2000

**TWO IN TEEN BEATING CASE ENTER GUILTY PLEAS
STATE SAYS THE SIUTA BROTHERS DID NOT PARTICIPATE IN THE BRUTAL
ATTACK**Author: *John Pacenti*

Gary Stern says it's a means to an end. Defense attorneys say it's another example of the state's case falling apart. Facts are that two brothers arrested for the brutal beating of Stern's teenage son, Joshua, will see no prison time under plea settlements Thursday. Elden and Siuta Siuta pleaded guilty to aggravated battery for keeping others from helping Stern during the attack at an unsupervised high school graduation party in Wellington last year. "I was hoping the Sterns were here so I can apologize to them," Siuta Siuta, 22, said. "If I can go back to that one day, I would make sure none of this would have happened."

He will have to remain on house arrest until July 27 and then start three years of probation. His 17-year-old brother faces the same sentence, but Circuit Judge Kenneth Marra won't make it official until July 13 as he awaits a probation officer's report to determine whether the teen should be listed as a felon or have his conviction withheld from his record. Assistant State Attorney Ken Selvig said the pair did not participate in the beating that left Stern, 16, in a coma for nearly three weeks with a fractured vertebrae, broken jaw, collapsed lung and other severe injuries. He still faces multiple surgeries. Charges of kidnapping, robbery and burglary with assault or battery were also dropped.

When the Siutas were arrested, Gary Stern called them "monsters" and "animals". Reached by telephone Thursday, he said the plea will help authorities complete their investigation, but declined to elaborate. "In about a week to 10 days you'll see why this was so important," he said. "This was done from a position of strength, not weakness." The Siuta brothers have said they will cooperate. Thursday's pleas leave only two of the seven original suspects charged with attempted second-degree murder and in jail: James "Jay" McHugh, 17, and Roberto Molina, 27. Selvig made it clear Friday that it was Molina who did most of the beating last June 5 because Stern had reneged on a \$650 marijuana deal. McHugh, called Molina and others to the party when he saw Stern there, police said. Trial is set for Aug. 25.

Three suspects originally arrested and jailed for eight months - Philips Siuta, 19, and his uncles, Fetalai Ilimaleota, 26; and Faapiano Ilimaleota, 34 - had charges dropped after it became apparent they were misidentified by teenagers at the party. "One witness told me the cops held him for hours until he made an ID," said **Iola Mosley**, Elden Siuta's attorney. Sheriff's detectives couldn't be reached for comment Thursday. "The state's case, especially as to my client, started crumbling," said Jon Kaplan, Siuta Siuta's attorney.

*Internet – Newspaper Archives Searches
Iola Thomas Mosley
(Articles are in reverse chronological order)*

The Palm Beach Post

February 9, 2000

IN COURT

LAKE PARK - A former lieutenant has sued the town police department, saying it illegally retaliated against him when it asked him to resign because of his testimony in a racial discrimination trial. Julius Barone resigned in September after testifying for Mack Davis, the town's only black police officer, who had sued the department alleging racial discrimination. Three other officers and Chief Jeff Lindskoog's secretary were fired after the town said they lied on the stand. They also have sued. Barone filed his suit Monday in Palm Beach County Circuit Court. A jury last year agreed the department discriminated against Davis, but only awarded him \$1. A judge later overturned the discrimination verdict, meaning the town wouldn't have to pay Davis' legal fees. Davis is appealing.

WEST PALM BEACH - The adult guardian of a troubled youngster who was struck by a car two years ago after jumping from a school bus on Okeechobee Boulevard sued the Palm Beach County School District on Monday. Carol Goldberg, a court-appointed guardian, claims the district was negligent because Lamarcus Sims, who at the time was a fifth-grader at Indian Ridge Learning Center, was able to get out of his seat and leave the bus through a rear emergency door. Sims jumped out of the bus and attempted to run across Okeechobee Boulevard during rush hour May 29, 1998, and was seriously injured. In the lawsuit, Goldberg alleges the bus driver and an aide failed to take the proper safety measures to keep Sims on the bus.

The family of a 6-year-old girl run over by a school bus last year sued the Palm Beach County School District on Tuesday in Palm Beach County Circuit Court. On March 2, Ariel Dent of Riviera Beach crouched in front of the bus to pick up some papers and the front and rear tires rolled over her at 147 W. 28th St. She suffered a broken wrist, thigh and pelvis, police said at the time. The bus driver, Wayne A. Ricketts of West Palm Beach, was not named in the suit.

WEST PALM BEACH - Bob Sanders, the last city administrator under former Mayor Nancy Graham, sued another former employer Tuesday for wrongful termination, claiming Stuart businessman David Lester's company owes him more than \$1 million in guaranteed wages. While still working for the city in January 1999, Sanders agreed to take the post of chief executive officer with Lester's International Fine Art Expositions. The company conducts sales of fine art, antiques and jewelry in Beverly Hills, Hong Kong and downtown West Palm Beach. The contract offered a guaranteed \$250,000 a year over five years and a percentage of profits, Sanders said in the suit, filed in Palm Beach County Circuit Court. He started work in April, after leaving his city job, but was terminated in November, the suit said. "He wanted me to handle leasing and that was not the deal," Sanders said Tuesday. Lester said the disagreement is contractual and subject to arbitration.

WEST PALM BEACH - The admitted strangler got 15 years in prison, the woman who heard the dying man's gurgling sounds got life and the third person present at the 1998 robbery and

Internet – Newspaper Archives Searches
Iola Thomas Mosley
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murder of Charlie Marlow was convicted of manslaughter Tuesday. Jurors deliberated about six hours before convicting William "Terry" Jones on the lesser charge of manslaughter rather than first-degree murder. Jones' attorney, **Iola Mosley**, argued Jones did not know the robbery was going to take place and didn't participate in the beating. But Assistant State Attorney Marc Shiner said Jones and two others robbed and killed Marlow in his suburban West Palm Beach home to score some quick money to buy drugs.

*Internet – Newspaper Archives Searches
Iola Thomas Mosley
(Articles are in reverse chronological order)*

The Palm Beach

March 26, 1998

MAN FOUND GUILTY IN CARJACK-MURDER OF BIBLE TEACHER

Author: *Scott Hiaasen*

Jurors found Sergio Soto guilty Wednesday of first-degree murder and five other charges stemming from the carjacking and shooting of a Bible teacher in 1995. Prosecutors said Soto, 21, and another man, Jason Diaz, abducted Rafael Costa, 25, from a Lake Worth gas station to steal Costa's Ford Mustang. With the help of a third man, Ernesto Brady, they took Costa to a remote spot on U.S. 441 and shot him four times. Though Diaz denied shooting Costa, Assistant State Attorney Dan Galo said he should be convicted of murder because he helped with the carjacking and accepted money and a beeper from the theft.

Soto said the carjacking was Diaz's idea, and that Soto was threatened at gunpoint into cooperating. "(Diaz) would have shot Sergio just as surely as he shot and killed Mr. Costa," said Soto's attorney, **Iola Mosley**. Brady pleaded guilty in the murder and was sentenced to 40 years in prison. Diaz is a fugitive. Prosecutors are asking Circuit Judge John Phillips to sentence Soto to death.

Costa's sister, Anna Valdez, said Soto's conviction was more important to her than his sentencing - as long as he's never freed from prison. "Whatever justice he's getting is for the rest of his life," she said.

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Iola Thomas Mosley
(Articles are in reverse chronological order)*

The Palm Beach Post
September 23, 1995

MOTORIST CONVICTED IN TRAFFIC SHOOTING

Author: *CHRISTINE STAPLETON*

An all-white jury asked to decide whether racism or insanity motivated Clurs Harris III to shoot a white businessman decided Harris was a bigot and found him guilty of first-degree murder on Friday. Harris showed no emotion as the verdicts were read after just two hours of deliberations. Besides the first-degree murder charge, Harris was found guilty of burglary of a car and shooting into an occupied vehicle. The jury will reconvene Wednesday to decide whether Harris should die in the electric chair or spend the rest of his life in prison.

After the verdicts, one of Harris' attorneys blasted prosecutors for focusing on race. "I really find it hard to understand that in 1995 we're still playing the race card when there's a black defendant and a white victim," Assistant Public Defender **Iola Mosley** said. "Race had no place in this case. This man is not a racist." Harris, 23, shot Russell Bean, 46, of Wellington four times in the head and neck at close-range as the two were stopped in traffic at Palm Beach Lakes Boulevard and Okeechobee Boulevard on Aug. 2, 1994. Harris' attorneys and every expert who testified said Harris was insane at the time.

Although Harris has no history of mental illness, friends and family members testified to bizarre behavior for months leading up to the murder. Harris frequently talked to himself and complained that he heard voices, they said. As for the race issue, Harris threatened to kill a black co-worker moments before he shot Bean but the co-worker ran away before Harris could shoot, Assistant Public Defender Alysoun Powell said. "Clurs was ready to kill a black man - that wipes out the race issue," Powell said during her closing argument. "Not one person walked through that door and said Clurs Harris hated white people."

But during cross-examination of defense witnesses, prosecutors repeatedly asked Harris' friends and family if they had ever heard Harris refer to white people as "Crackers" and "rednecks." All the defense witnesses said they had. And shortly after Harris was arrested he told police that he had "killed a cracker in West Palm Beach." Harris also liked to listen to Snoop Doggy Dogg and Ice Cube, gangsta rappers whose music has been decried as racist. Circuit Judge Stephen Rapp refused to let the jury hear two of Harris' favorites.

"He's bitter toward white people and he thought they were doing him wrong," Assistant State Attorney Bunnie Lenhardt said. As for introducing race at the trial, prosecutor Robert Gershman said race would have been an issue regardless of the racial composition of the jury.

*Internet – Newspaper Archives Searches
Iola Thomas Mosley
(Articles are in reverse chronological order)*

The Palm Beach Post
September 7, 1995

**MURDER SUSPECT'S PLEA DEAL REFUSED
'I'M NOT THE SHOOTER,' JERRI GAITHER TELLS JUDGE, BUT DECLINES TO
SAY MORE**

Author: *VAL ELLICOTT*

A judge refused to accept a plea deal for murder suspect Jerri Gaither Wednesday after Gaither declined to reveal her role in the 1993 shooting of Christina Racey. Gaither, intending to plead guilty to second-degree murder with a firearm, admitted she helped kill Racey but was reluctant to provide details during a brief interrogation by Circuit Judge Virginia Gay Broome. "I'm not the shooter, your honor," Gaither said, without elaborating.

Broome refused to accept the plea, which called for a 17-year prison sentence. Prosecutor Dan Galo said the state agreed to a plea because convicting Gaither of first-degree murder would be difficult largely because of the lack of a clear motive in the case. Galo said prosecutors believe that Gaither, 38, killed Racey, 44, between July 8 and July 13, 1993 in Boca Raton during a dispute over prescription drugs that Racey was providing to Gaither.

In addition, Racey had "bookkeeping knowledge" of illegal escort services Gaither was operating, Galo said. Gaither blamed Racey's slaying on a boyfriend, Salah "Avner" Levy, saying Levy killed Racey because Racey was demanding more money for Percodan pills she was selling to Gaither. Prosecutors initially charged Levy with murder but dropped the charge for lack of evidence.

Gaither's trial remains set for Oct. 16. Jerri Gaither (right), accompanied by public defender **Iola Mosely**, stands before Palm Beach County Judge Virginia Gay Broome on Wednesday. The judge refused Gaither's plea deal in a 1993 slaying case.

*Internet – Newspaper Archives Searches
Iola Thomas Mosley
(Articles are in reverse chronological order)*

The Palm Beach Post

August 22, 1995

MAN SENTENCED TO LIFE IN SHOOTING DEATH OF EX-WIFE

Author: *VAL ELLICOTT and CHRISTINE STAPLETON*

William Brunner will spend at least the next 25 years in prison for the 1993 murder of his ex-wife, a woman who remains the object of his obsessive love, even in death. "Bill still loves her," assistant public defender **Iola Mosley** said Monday, shortly after a judge sentenced Brunner to life in prison without possibility of parole for 25 years.

"He still speaks of her in the present tense. He would never let (**Mosley** and assistant public defender Peggy Natale) say anything bad about her." Brunner, 34, was convicted June 21 of first-degree murder for shooting Kim Brunner, 24, during an argument outside her apartment west of Boca Raton. On Monday, Brunner said he feels "really hurt and lost."

"When everything is said and done, I still have the same problems." Brunner, who is appealing his conviction and sentence, said he has been seeing a therapist at the jail weekly. Brunner's history with his ex-wife was marked by violence and a constant cycle of separation and reunion, witnesses testified at his trial. Defense attorneys told jurors that Brunner suffered from a hyperactive thyroid, the lingering trauma of an abusive childhood and a lifetime of drug and alcohol abuse. They said he was temporarily insane when he grabbed a gun from his ex-wife and shot her, then slashed her throat.

The same jurors who convicted Brunner split 6-6 on whether he should die in the electric chair. Under Florida law, a tie vote is considered a recommendation for a life sentence. "Hopefully, he won't be getting out anytime soon," said Lenny Lombardo, Kim Brunner's brother. "He's a murderer and he's going to serve his time." Brunner's mother, Doris Christensen, said she was "very relieved."

"At least, even if he spends the rest of his life in jail, he can still be with us." Brunner also was convicted of burglary with assault or battery while armed, shooting into an occupied vehicle and aggravated stalking. Circuit Judge Stephen Rapp ordered that the sentences for those counts run concurrently with the life sentence.

*Internet – Newspaper Archives Searches
Iola Thomas Mosley
(Articles are in reverse chronological order)*

Ocala Star-Banner (FL)

January 21, 1995

Deputy under attack helped by John Zile

Author: *Mike Folks*

FORT LAUDERDALE -- John Zile, facing murder charges in the death of his stepdaughter, was one of three prisoners who came to the aid of a jail deputy under attack by another inmate, jail officials said on Friday. Zile, 32, helped Deputy Lawrence McLaughlin subdue Kevin Kerli when the deputy was assaulted on Jan. 7 at the Palm Beach County Jail. McLaughlin received minor injuries in the attack. Kerli, who was in the jail on charges of unarmed burglary and grand theft auto, was locked down and will remain in his cell until a disciplinary hearing. The unprovoked attack on the deputy occurred in the day room of a 24-bed maximum security mental health housing unit for male prisoners, a Department of Corrections report shows. The unit at the County Jail on Gun Club Road houses inmates who need mental health treatment.

Lt. Chris Kneisley, an inmate classification supervisor at the jail, said Zile was not being held in the unit to receive mental health treatment, but because of threats from other inmates in the general jail population. Zile and his wife, Pauline, 24, each face first-degree murder and child abuse charges in the September slaying of Pauline's daughter, Christina Holt, 7. The other two inmates who aided the deputy were Jon Barnocky, jailed on a charge of aggravated assault on a person 65 years or older, and Michael Wells, held for violation of probation for a drug conviction. Zile, Barnocky, Wells and other inmates were watching television in the unit's day room about 1:45 p.m. on Jan. 7 when Kerli attacked Deputy McLaughlin from behind and struck him on both sides of his head. As McLaughlin struggled to subdue Kerli, Zile, Barnocky and Wells joined the fray.

McLaughlin and the three prisoners brought Kerli down on the floor and held him there, the report says. McLaughlin tried to call for assistance on his radio, but did not hear a response. He then had the nurse push an "officer's duress" button on a nearby control panel, and six deputies rushed to the unit. McLaughlin, who could not be reached for comment, was treated by a nurse for minor injuries to a finger, a knee and a mark on his neck. None of the inmates was injured. Kneisley said one deputy, a mental health technician and a nurse routinely are stationed in the unit. At the time of the attack, only McLaughlin and the nurse were there, with McLaughlin standing at the door. After learning of her client's deed, public defender **Iola Mosely** seized the moment on Friday in a courthouse corridor to tell reporters about it. His actions, she said, show the public another side of John Zile. "We've got a bad case, and it's a case where the public's perception has been that he's a horrible, evil person," **Mosely** said. "I think it was really a brave thing to do. It certainly shows he's not an evil, vicious person."

*Internet – Newspaper Archives Searches
Iola Thomas Mosley
(Articles are in reverse chronological order)*

The Palm Beach Post

November 18, 1994

KRISCHER ACCUSED OF GOING TOO FAR

Author: *CHRISTINE STAPLETON*

As the legal drama surrounding the death of 7-year-old Christina Holt unfolds, the focus has shifted from what John and Pauline Zile may have done to what State Attorney Barry Krischer said and did. Attorneys for the Ziles want Krischer off the case. At a court hearing today, a judge will hear their complaints that Krischer has been too eager to give news conferences and that he may have overstepped his role as prosecutor by taking part in the questioning of the Ziles. In the wake of the criticism, Krischer, a seasoned prosecutor and veteran criminal defense attorney, is playing it safe. Krischer is declining to comment until a judge hears the evidence against him. But local attorneys familiar with Krischer's legal skills doubt that he has made the legal blunders attributed to him.

“He's smart, he knows the law cold, and I believe he would not act if he didn't think it was legal,” said defense attorney Richard Lubin. “He's aggressive, but he's fair.” Ellis Rubin, Pauline Zile's attorney, launched the first attack on Krischer. Rubin relied on newspaper articles and televised reports to blast Krischer for “self-servingly” trying to “justify the action of his office” and to “glorify himself for personal gain.” Rubin wants the governor to appoint a special prosecutor. Coming from Rubin, a Miami lawyer frequently accused of pandering to the press, such criticism could sound hollow to a judge.

“That motion is ridiculous,” Lubin said. “Ellis Rubin has built a reputation on media shows, and he's created one here.” In court papers filed on Thursday, Krischer's office described Rubin's effort as a “deliberate attempt to mislead the court and pander to the public.” Listening to Rubin's motions “would be a waste of the court's time,” Assistant State Attorney Scott Cupp wrote. Attorneys for John Zile may take a different tack to get Krischer off the case. Assistant public defenders Peggy Natale and **Iola Mosely** said they may ask Krischer to step down because of his personal involvement in the investigation.

“If he was there when either defendant gave a confession, it may be that he shouldn't be the prosecutor,” Natale said. “Barry Krischer may very well be a witness in this case.” At a court hearing this week, Pauline Zile's mother, Paula Yingling, said Krischer also talked to her daughter. According to Yingling, after Pauline Zile revealed what little she knew about her daughter's grave, Krischer said: “Why should I believe you? You've been lying.” During the interview with detectives at the Riviera Beach Police Department on Oct. 27, Krischer was identified as a man with considerable power - the man who “could determine whether she spent her life in jail or (would) go to the electric chair,” Yingling said.

John Zile's attorneys have declined to comment on how involved Krischer may have been in questioning John Zile. Police say two Riviera Beach detectives and an investigator with the state attorney's Office questioned John Zile over the course of nine hours at the Riviera Beach Police

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Station. Krischer was at the station but never directly questioned Zile about the case, a source said.

CONFESSION MAY BE VOIDED

However, a newspaper reporter who interviewed Zile has reported that Krischer played a crucial role in the case. A Miami Herald story based on a jailhouse interview by reporter David Kidwell says Zile alleges police stopped questioning him after he asked for a lawyer, then returned. Zile's wife had confessed. "They said their number one priority was to find Christina," Zile told Kidwell. Zile asked how he could help. Later, Krischer came into the room. Zile's account of the conversation, according to The Miami Herald:

Krischer "said he knew that I had asked for an attorney and that meant they couldn't talk to me anymore, but he said I needed to make some decisions. They wanted to find Christina. . . . He said I was already charged with first-degree murder and that he couldn't make any promises, but that maybe it could be involuntary manslaughter or accidental death if I cooperated." Zile then decided to take police to Christina's grave, according to the Herald. If Zile's story is true, his attorneys likely will ask a judge to throw out his confession and all the evidence discovered as a result of it - including Christina's body.

Investigators cannot suggest the possibility of special treatment as a way of persuading suspects to talk, said John Tierney, a criminal defense attorney. "All you should tell them is that if they cooperate it will be brought to the attention of the prosecutor handling the case. They can't make any promises." Zile may have initially told detectives that he did not want to talk, then changed his mind - as police say happened. Police could then legally resume the questioning. "It has to be very clear that the suspect initiated the second round of questioning," Tierney said. To prove Zile's rights may have been violated, his attorneys likely would question Krischer about his role in the investigation. And that could make Krischer a witness in his own case.

CASE OF ILLEGAL CONFESSION

However, that doesn't mean Krischer overstepped his role as prosecutor. Florida law gives prosecutors the right to investigate and prosecute crimes. Prosecutors "conduct investigations all the time," Lubin said. "If they didn't, people would be screaming how come." When he came to office in January 1993, Krischer established a policy of sending prosecutors to murder scenes. He hoped to ensure that evidence was properly gathered and that police followed legal procedures that would avoid the situation he now finds himself in.

"It's probably a good practice," Tierney said. "But a prosecutor has to be smart enough to not get into a situation where they become a witness." If a judge throws out Zile's confession, the state's case could be doomed. Although it's rare in Palm Beach County, first-degree murder charges have been dropped because of illegal confessions.

In 1989, Palm Beach County prosecutors dropped a first-degree murder charge against Matthew Proctor after a judge ruled that prosecutors could not use the confession he gave to police about his role in the murder of Linda Sue King, the ex-wife of Proctor's best friend, Jeffrey Ashton. In

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that case, police told Proctor that they were after Ashton and that anything he said could not be used against him because they had not read him his Miranda rights. Proctor then described the murder and how he and Ashton buried King's body. Proctor pleaded guilty to being an accessory and is now free.

'INEVITABLE DISCOVERY'

But in Zile's case, prosecutors could rely on a 1977 U.S. Supreme Court case that created a controversial legal doctrine called "inevitable discovery." On Christmas Eve 1968, Robert Anthony Williams killed a 10-year-old girl and buried her near Des Moines, Iowa. After his arrest, Williams, like John Zile, invoked his right to an attorney.

Police immediately stopped questioning Williams. But while driving Williams to jail, officers struck up a conversation. Knowing that Williams was a former mental patient and deeply religious, they told him that the child deserved a Christian burial. Williams, like Zile, then led police to the girls' grave. Williams was convicted of the girls' murder, but the U.S. Supreme Court ordered a new trial, ruling that police had denied him the right to have an attorney present during questioning.

Although Williams' case seemed doomed, prosecutors successfully argued that police would have "inevitably discovered" the girl's grave. Williams' confession was allowed, and he was convicted again. "If police can demonstrate that they would have inevitably found the body, they still can use the evidence even though there a constitutional violation," Tierney said. "I would say inevitable discovery could play a role in this case."

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Miami Herald, The(FL)
July 8, 1994

ACCUSED KILLER OFFERED DEAL BY PROSECUTORS

Author: *JUDY PLUNKETT EVANS Herald Staff Writer*

Michael Hoelz, accused of killing a man and a 9-year-old boy by setting fire to their duplex, has been offered a plea deal that could bring him as little as six months in prison, but Hoelz may still want to go to trial. Palm Beach Circuit Judge Marvin Mounts, who said last week that he wanted to consider the case before agreeing to the deal, said Thursday that he would accept it. But Hoelz wants more time to think about it, saying he is not emotionally ready to give up his right to a trial. Defense attorney **Iola Mosley** said Hoelz is reluctant to take the deal because he is innocent. Hoelz has until next week to decide whether to accept the offer.

"He needs to make a decision about this, and the reason it's so hard for him is that he didn't do it," **Mosley** said. Prosecutors and Hoelz's attorneys worked out a deal that requires Hoelz to plead no contest to two counts of manslaughter, in exchange for a prison sentence of 10 years. Because prisons are crowded and Hoelz already has spent two years in jail, corrections officials said, he could serve as little as six months.

Prosecutors offered the deal because they already have tried Hoelz once and that case ended in a mistrial when jurors could not reach a unanimous decision. The state offered no physical evidence to dispute the defense claim that the fire was caused by a faulty electrical plug, not arson. Fire gutted the Lake Worth duplex where Anthony Parker, 9, lived with his three brothers and sisters, his mother and her fiance Lorenzo Smith, 28. Parker died of smoke inhalation during the May 30, 1992, fire, and Smith died of severe burns about a month later. The three other children also were injured, one of them seriously. Police arrested Hoelz, saying he bragged to a nephew that he started the blaze because Smith owed him \$24.

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The Palm Beach Post

March 20, 1994

SERVICE SORORITY GIVES TEENS 'STAY IN SCHOOL' MESSAGE

Author: *JULIANA RATNER Palm Beach Post Staff Writer*

The 100 teens were somewhat restless Saturday morning but listened closely to advice about self-esteem and how to get ahead in the world. The second annual Teen Conference at Ezell Hester Community Center was sponsored by the South Palm Beach County chapter of Delta Sigma Theta, an international African-American public service sorority. The workshops for middle and high school students were about self-esteem, peer relationships and cultural awareness. "The purpose is to get across to kids that they can be whatever they want to be," said Jayne Patrick, the sorority's program planning chairperson.

To get input from the audience and find out what they think is important, Marissa Wedges of Africare crisis center said. She asked where they want to be in one, five and 10 years. The goals called out ranged from owning a rehabilitation center to playing football for the Dallas Cowboys. Rather than simply lecturing the kids, she asked them to say what they think is necessary to get ahead and what could possibly hold them back.

Iola Mosley, a Palm Beach County attorney, spoke about her career. She gave an old message, to stay in school, but knew how to reach the young audience. "I get paid," she said. "I get paid good money because I stayed in school." The connection between school and money was a good one, because it was **Mosley's** presentation that caught the attention of one girl.

Angel Woody, 13, of Boynton Beach, said she was talking through some of the presentations, but listened when **Mosley** spoke. "I want to be a lawyer," Angel said.

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The Palm Beach Post

October 10, 1993

BACK ON THE STREET?

Author: *RON HAYES*

Here we go again. Another spin of the revolving door and Dennis Lee Moore is back home. Back on the street. Back on drugs and headed for trouble. Merrell Conkin saw him when she pulled into the take-out lane of Kentucky Fried Chicken on Blue Heron Boulevard. While she placed her order, he waited up ahead by the front door, nervously glancing around.

Conkin, 49, ordered lunch, then took some money from her wallet while she pulled forward to the pick-up window. It was just after noon last June 16. Suddenly, as she held out the bills with her left hand, he grabbed her wrist, bent her arm painfully back, tore the money from her fingers and ran. After the drive-through clerk and several co-workers had chased him down, the man told Conkin he was sorry for taking her \$3.

His name was Jimmy Lee Moore, he told police. Later, they learned he was Dennis Lee Moore, 31, who had grown up less than a mile away. He had lied, Moore said, because he didn't want to get in trouble. Dennis Lee Moore has been arrested 23 times since 1980 - for trespassing, loitering and prowling, retail theft, strong-arm robbery, aggravated assault, buying and selling drugs. In the past 13 years, his family and psychiatrists have gone to court 15 times to have him Baker Acted - involuntarily examined or treated for paranoid schizophrenia and drug abuse. Finally, in February 1991, a judge ordered him put on a waiting list for South Florida State Hospital in Pembroke Pines, west of Fort Lauderdale. Eleven months later, a bed was found. After 15 months in the hospital, Dennis Lee Moore was back in Palm Beach County.

South Florida State Hospital is the only state facility serving South Florida's 4.5 million citizens. But less than a month before Dennis Moore was arrested at Kentucky Fried Chicken, officials with the state Department of Health and Rehabilitative Services announced their solution to a looming class-action suit that accused the hospital of inhumane conditions. They would close it.

* The crisis at South Florida State Hospital has been a long time coming.

More than 15 years ago, in April 1978, Circuit Judge Edward Rodgers complained that Palm Beach County mental patients he sent there for long-term treatment were being released too quickly. Patients were going from the 45th Street Mental Health Center to the state hospital, Rodgers said, then being returned to the community and winding up right back in 45th Street. The "revolving door syndrome" repeatedly returned patients to court for involuntary hospitalization - some after only two weeks.

"Two weeks does not appear to be long-term treatment to me," the judge said then. "Either we're jumping the gun on our evaluations or South Florida has a miraculous cure." When he complained about the premature patient releases to hospital administrators, Rodgers said, he was

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told the hospital didn't have enough staff or money. In 1969, the hospital had 1,700 patients. Today, that number has been reduced to about 350 through deinstitutionalization - a well-meaning attempt to return patients to their own communities for care.

But much of the promised care was never provided. Patients wound up back on the streets, and the hospital is still not accredited by the Joint Commission on the Accreditation of Health Care Organizations, a private group that sets national standards.

* The first signs of paranoid schizophrenia generally appear in the late teens or early 20s. One day in 1977, when Dennis Moore was in 10th grade at Suncoast High School, he and another boy had a disagreement. Moore came home, slipped past his sleeping mother, took his father's handgun from the closet and returned to school. "I don't know whether he aimed at somebody," his mother says. "Some kind of way, the Lord just fixed it that the bullet ricocheted and no one got hurt, but really it seems like he killed himself, because it really destroyed him. He hasn't been the same since."

Dennis Moore's mother, Merdis, is a school bus aide who helps handicapped children get to and from school. His father, Nathan, was a maintenance worker for the city of North Palm Beach until kidney disease forced him to retire. Of their four children, only Dennis has suffered from mental illness. The Moores have lived in the same house in Riviera Beach since 1965, but today bars guard the windows and a hurricane fence encircles the yard.

"We've had about five break-ins," Nathan Moore says in a voice thin and weary from his weekly dialysis. "It's bad everywhere," his wife agrees, "but some areas are badder than others." When he was 4, Dennis fell on a flower vase and had 21 stitches on the side of his head. At 10, he was hit with a soda water bottle and had 20 more on the other side; and then at 14 he fell playing basketball.

"He had a nickname because he had so many cuts and falls," his mother says softly. "They call him Cut, and he hates that. So he's had a lot of head injuries. I think that had a lot to do with it, too." After Dennis was thrown out of school, Merdis Moore says, his mental problems seemed to emerge. He couldn't hold a job. He fought. His father recalls a time when Dennis tried to panhandle quarters, even though he had money in his pocket. Sometimes he imagined people were after him. He talked to himself. Eventually, he started hearing voices. "I think most of the time he tried to ignore the voices," his mother says, "but I don't know whether he ignored the voices all the time. Telling him to do bad things, you know."

On April 14, 1980, two days after West Palm Beach police arrested him for shoplifting - his second arrest - the Moores petitioned the court to have their son involuntarily examined. Mentally ill need help and all so on durgs, his mother wrote. Her son stayed out late, stole things and got into fights, she told the court. If he didn't get help, she feared, someone might hurt him, or he might hurt someone else. At the 45th Street Mental Health Center, a staff psychiatrist concluded that Dennis was suffering from a personality disorder manifested by poor social skills, drug abuse, theft and lack of remorse.

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The petition and response were the first in a long, sad series of legal papers that now fill a file nearly two inches thick. They document one patient's 13 years in South Florida's mental health system. In 1985, his parents wrote the court he hadn't held a job for more than two weeks since 1977. His mind is very bad, he can't remember things I tell him. Please help him. Thank you. He fights his sister. Please put him somewhere in a mental place so he can get well. In 1986 - after 16 arrests - he was admitted to the crisis stabilization unit at 45th Street Mental Health Center and discharged the same day with an appointment for outpatient treatment.

“He was in and out of 45th Street so many times I couldn't even begin to count it,” his mother says. At the same time, his rap sheet was growing longer - for petty larceny, drinking in public, trespassing, retail theft and aggravated assault.

Finally, in August 1989 - nine years after his parents first sought psychiatric help for their son - Moore was diagnosed paranoid schizophrenic. “Mr. Moore's drug problem is chronic and exasperated by his major mental illness,” testified Dr. Gayle Kesselman, his psychiatrist at 45th Street Mental Health Center, and Circuit Judge Vaughn Rudnick ordered him sent to the Better Way Halfway House at Parkside Recovery Center in Hialeah.

Shortly after arriving at Parkside at 2 p.m. on Sept. 11, 1989, he ran away. Goes to houses trying to get money for drugs. Acts like a 3 year old child and sometimes violent. Said he burn house down. He threatens us, all the family members. Was his mother ever afraid of him? “Usually, no,” she says.

In August 1988, a private monitoring agency called the Advocacy Center for Persons with Disabilities investigated South Florida State Hospital. Nurses slept on their shifts, the agency found, and paint was peeling from the walls. Patients were ridiculed and put to bed or gotten up for staff convenience. Soap, dentures, toilet paper and other personal hygiene articles were being withheld. The resulting public outcry brought a new administrator and \$1.8 million to repair leaking roofs, renovate living quarters and train new employees.

During an annual legislative orientation tour in February 1990, flower beds had been planted and vertical blinds installed; but some of the better-groomed, better-clothed patients said paintings and curtains had been put up the day before the tour. Still, nearly everyone agrees the hospital is much improved. In the Jefferson residence building, for example, 60 patients share two floors. Each room is nondescript but neat, with four single beds, four wardrobes and four bed tables. A plastic laundry basket sits under each table. The windows are large jalousies with screens but no curtains. The walls are bare except for the occasional assembly-line art - a cloyingly cute photograph of a koala bear, perhaps.

During the day, seven staff members serve each floor; at night, four staff members remain on duty. Condoms and other forms of birth control are provided to the patients on request. Good behavior is rewarded with privilege points, which patients may use to join field trips to the movies or malls. A clothing boutique sells patients' handicrafts, and their artwork is on display. But in September 1990, a joint report by the Public Citizen Health Research Group and the

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National Alliance for the Mentally Ill trashed whatever cosmetic improvements had been made. "South Florida State Hospital is as physically deteriorated as any state hospital in the nation," the report concluded.

Wards were still crowded. State standards require 15 beds for every 100,000 people in the five counties the hospital serves between Vero Beach and Key West; but the 350-odd beds average out to only about 8 per 100,000 - and they're almost always filled. At one point, some patients were on waiting lists as long as five years, and some reforms brought problems of their own. In 1991, 104 mental patients simply walked off the grounds. In the mental-health bureaucracy, however, hard facts are often softened to pale euphemisms.

Mental patients are "consumers of mental health services." Walking away is called "eloping." The hospital grounds are the "campus." Last year, after the wards were unlocked during the day under pressure from patient advocates, the number of consumers who eloped from the campus rose to 187. But a crisis was already brewing. In April 1989, the Tallahassee-based Advocacy Center had filed a class-action federal lawsuit to force the state to spend whatever was necessary to fix South Florida State Hospital.

* Dennis Lee Moore was arrested and sentenced to five months and 29 days for leaving Parkside Recovery Center, the sentence to be suspended if he completed a drug treatment program. He didn't. On Nov. 6, 1990, Riviera Beach police arrested him for buying cocaine. Took money from his mother. Worry her all the time. Will not take his pills. He talks to his self all the time and steal from his mother and father. Finally, on Jan. 30, 1991 - 11 years after his parents sought help - Dr. Kesselman asked the courts to put Dennis in South Florida State Hospital.

"He is unable to function in the community and needs long-term care," the psychiatrist wrote. Circuit Judge Rudnick found Moore to be "a chronic paranoid schizophrenic" and ordered him held at 45th Street Mental Health Center until a bed could be found at South Florida State Hospital. Nearly 11 months later, in December 1991, he arrived at the hospital. "He was down there for a year and I would go down often to visit him," his mother says. "He was doing fairly well, and when he got out he was doing real good."

After Moore had been in the state hospital for 15 months and 14 days - he eloped once, overnight - doctors decided he had made enough progress to try returning to Palm Beach County. On March 17, he was placed in the Phoenix program, a halfway house run by the 45th Street Mental Health Center. The Phoenix program takes a three-tiered approach to easing mental patients back into the community. In Phoenix I, patients are continually monitored and spend their days in vocational programs at the 45th Street Mental Health Center. In Phoenix II - 12 bungalows on Metcalf Court in West Palm Beach - residents are left alone overnight after showing they can prepare meals and take their own medication.

Phoenix III, an old apartment building at 2722 N. Dixie Highway, is for residents who have shown they can hold jobs and get by with only occasional drop-in visits by caseworkers. "Everything you see here," says James Crawford, the program's director of residential services,

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“you could multiply by six to meet the need.” Dennis Moore was to try the Phoenix I program for 30 days. If he did well, his stay could be extended for another 30 days.

The only problem was, Phoenix I is housed in a converted motel at 2901 Broadway in West Palm Beach, a strip of low-rent real estate sometimes known as Crack Alley. “It’s a really bad area,” Merdis Moore says. “It’s right on Broadway where all the dopers and prostitutes are.” Within days, Dennis was calling his mother. “He kept telling me, ‘Mama, they’re trying to get me to start back using drugs,’” Mrs. Moore recalls. For a while, Dennis did well, but in early June he was kicked out of the Phoenix program for smoking crack cocaine with a dealer in his room. After one night in a rented room found for him by a caseworker, Moore was back on the street and his parents filed another petition to have him involuntarily examined.

Mentally ill on dope and drinking if he can get some, any thing to get hi. take little ting, and not take his medi. don’t have anyplace to live. But when Mrs. Moore went to file the petition, she was too late. On June 12, Mangonia Park police arrested him for snatching a \$65 money order and \$5 in cash from a woman leaving a check-cashing service.

Four days later, he was arrested at Kentucky Fried Chicken for grabbing Merrell Conkin’s lunch money. Awaiting trial on charges of strong-arm robbery, petty theft, burglary to a vehicle and resisting arrest without violence, Moore recently talked about his life during a phone call from the county jail. “I don’t think I have a mental problem,” he said. “That’s what I think it is - just drugs. They be saying I’m a paranoid schizophrenic, but I don’t know what they be talking about.” He was happy, he said, in the Phoenix program.

“I loved it,” he said. “I had my own room, and I had some new clothes and I was doing pretty good.” But something went wrong: “I drifted back on drugs. I don’t think I’d do that no more if I get another chance. Somebody must have said some kind of magic word that means evil to me and I didn’t take it for the right thing.”

* On May 21, the state Department of Health and Rehabilitative Services announced plans to phase out South Florida State Hospital over three years. Bringing the 36-year-old institution up to acceptable standards would cost about \$20 million, HRS concluded, and the \$82,000 annual cost of caring for one patient there could be cut to about \$34,000 if patients were treated in their own communities through programs such as Phoenix. “We would have ended up with the best horse and buggy money could buy,” HRS spokesmen said, and the horse-and-buggy metaphor for an outdated mental hospital fast became the official line.

Lt. Gov. and acting HRS Secretary Buddy MacKay used it in the Broward County Commission Chambers on June 17, when a standing-room-only crowd appeared for a legislative task-force hearing on the hospital closing. “We don’t want the best horse and buggy in town,” MacKay said, and assured the crowd that the decision to close was not made for fear of losing the upcoming federal suit, but solely on the best interests of the patients.

Don’t worry, MacKay said, the hospital will not close until adequate local services are in place

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and paid for. And then, for the next three hours, relatives, advocates, mental patients and hospital employees stepped to the microphone one by one and said basically the same thing: We don't believe you. As Pattie Hunt, a Jupiter mother whose son has been in the hospital six years, put it: "A horse and buggy looks pretty good to somebody on the street that can't get help!" In a strange way, part of Merdis Moore is relieved to have her son in jail.

"I'm glad he's in jail because there wasn't no place I had for him to go at the time," she says, "and that's bad. I didn't want him on the streets because I know there's nothing but death and destruction out there, especially for him." On Sept. 7, a day before the federal lawsuit against South Florida State Hospital was to be heard in Miami, lawyers for HRS and the Advocacy Center reached an agreement that avoids a trial and sets strict guidelines for discharging patients. Under the 24-page settlement, the state must provide community support programs if the hospital closes, or pay for improvements if it doesn't.

At about the same time, the six-member legislative task force recommended that South Florida State Hospital remain open, with A.G. Holley Hospital in Lantana perhaps expanding to accept Palm Beach County patients and a smaller facility placed in Dade or Monroe counties for patients from the southern area. South Florida State Hospital is being under-used and local services either don't exist or can't absorb all the patients if it closes. And, the report concluded, getting South Florida State Hospital accredited should be a goal. But the hospital's fate remains with the full Legislature, which has yet to act.

"I won't vote to close it," vowed state Rep. Carol Hanson, a Boca Raton Republican. "Over my dead body. I don't know if it's going to be more economically feasible to build a new facility, but there's got to be something in place. We can't walk away and turn our backs while we continue to build aquariums and theaters for the performing arts." At 8:45 a.m. on the same day the suit was settled, Dennis Moore was taken from the jail for a status hearing in Room 315 of the Palm Beach County Courthouse. Fifteen years had passed since Judge Edward Rodgers complained about the system's endlessly revolving door.

Merdis Moore sat alone in one of the spectator benches when her son filed into the courtroom, chained to 10 or 12 other prisoners. From a seat in the jurors' box, he sometimes waved to strangers entering the room. When Moore's name was called, Assistant Public Defender **Iola Mosley** gestured for him to remain seated while she approached the microphone to tell the judge that psychiatric evaluations were not complete. In less than five minutes, Moore was being led back to jail. "I'd like to get him into a Phoenix program as quickly as possible," **Mosley** reassured Mrs. Moore. "I'm working to get him back into the mental health system because it's been my experience that when they're kept in jail, they just deteriorate."

Dennis Lee Moore's trial on the robbery at Kentucky Fried Chicken is set for Thursday morning. He will appear before Circuit Judge Edward Rodgers.

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Miami Herald, The(FL)
July 30, 1991

RAPE CHARGES FILED AGAIN AGAINST TEEN'S STEP-FATHER

Author: *LORI ROZSA Herald Staff Writer*

A videotape of a man once charged with sexually assaulting his 13-year-old step-daughter that shows him lifting heavy bags and having lively conversations helped convince prosecutors to refile the rape charges -- after they were dropped because the man was deemed incompetent to stand trial. Assistant State Attorney Doug Fulton said Monday the man is once again charged with two counts of sexual activity with a child, the same charges he faced in 1988 after his step-daughter told police he assaulted her. She became pregnant and later miscarried. The Herald is not printing the man's name to protect the girl's identity.

Fulton dropped the original charges against the man because medical experts said he was incompetent, and he had convinced doctors and other observers that he was barely able to speak or sit up in a chair.

Fulton said the man appeared to be in horrible physical shape, and when the girl's mother pushed for dismissal of the charges, Fulton agreed to drop them in May 1990. But a year later, a civil court judge found that the man's claim of "organic brain syndrome" arising from a work-related injury six months before he was charged with rape was a sham. Judge Lisa Campbell denied the man's workman's compensation claim after watching a videotape presented by attorney Neal Ganon.

The tape shows the man driving, lifting a 50-pound bag of dog food, and having animated conversations with people.

"In court, he kept his eyes down, his arm was bent up in a fetal-like position, you could hardly get a word out of him without him looking like he was in pain," Ganon said. "And here he is smiling, with easy, joyful expressions. He's even driving."

Iola Mosely, the public defender who represented the man in the original charges, said she hasn't seen the videotape. "Just because a person can lift something does not mean he is mentally competent or able to understand the charges that are pending against him," Mosely said. Fulton said the step-daughter had gone to live with her natural father.

Research compiled by : Amanda Kuhl
 Colin Baenziger & Associates