



Taking Candy from a Baby

"The public benefit can be measured in the smiles that we put on kid's faces."
— Nassau County Commissioner Danny Leeper on the value of buying candy. The commission recently voted to spend \$100 on candy to toss to children at local parades, each commissioner agreeing to allocate \$20 from his or her discretionary fund. Nassau County Clerk of the Courts John Crawford excoriated them for the decision, however, declaring it a waste of taxpayer money and refusing, as county auditor, to authorize the expenditure.

Beating the Rap

Is it just us, or does alleged Times Square terrorist Faisal Shahzad sound like a character created for -izzle speak? "Fo shizzle, my Faisal! Getting bizzay the Shahzad way ..."

Many Unhappy Returns

"Ms. Roberta, I know it's not until Sunday, but I wanted to go ahead and wish you a Happy one."
— From an e-mail titled "RE: Birthday," which



Jacksonville City Councilmember Clay Yarborough sent to his bitter foe, Arlington activist Roberta Thomas. Presuming the message was tongue-in-cheek, since the pair have been embroiled in a fierce battle over trees on Rogero Road, Thomas

offered no thanks for the birthday greeting. Instead, she responded, "What a cruel joke. Cruel. That's sick. Really sick. Passive Aggressive."

Eating Off the Grid

Starting last week, anyone browsing Downtown's Off the Grid galleries during the day is privy to restaurant specials offered by local restaurants. Participating restaurants include London Bridge Eatery & Pub, Chew, Brick and Zodiac Grill. For more information, or a complete list of restaurants and galleries, go to downtownjacksonville.org/downtown-vision/off-the-grid/thursday-lunch-break

Butt Out

The Keep Jacksonville Beautiful Commission will collect cigarette butts from around the Edward Ball Building downtown, in the 2700 block of St. Johns Avenue and in the 2500 block of Riverside Avenue. The Commission will then install cigarette receptacles at the sites and do a second pickup on June 29 to measure whether there are fewer butts on the ground.



Turkish Delight

Local officials Rutherford and Carroll accept a gift trip to Turkey — and fail to report it

As the city's top cop, Sheriff John Rutherford personifies law and order. He has to live by the rules, and ensure his employees are above reproach. Any misstep on his part is amplified because of his position. That's why it's surprising that Rutherford and his wife, Patricia, accepted the gift of international travel from the Amity Turkish Cultural Center last May. The 10-day trip to Turkey wasn't necessarily inappropriate, in and of itself. But all elected officials in Florida — and some appointed ones — are required to report any gift valued at more than \$100 to the state Commission on Ethics. Neither Rutherford nor state Rep. Jennifer Carroll (R-Green Cove Springs), who also went on the trip, reported the gift.

Asked about the failure to report, both Carroll and Rutherford said it was unnecessary. In an e-mail, Carroll explained that the trip wasn't a gift, but a cultural exchange, "a structured program where the hosts were in charge of the total program." Carroll said she paid her airfare and consulted with the House General Counsel to make sure the trip didn't violate any rules. "The structured educational cultural exchange program and activities did not qualify as a gift and no gift reporting was necessary."

Sheriff Rutherford's spokesperson offered the same justification with identical wording. Lauri-Ellen Smith explained that the sheriff's trip wasn't reported as a gift because it was "structured" and "programmatically" — as opposed to a luxury junket, presumably.

But state law doesn't make exceptions for gifts that are "structured," "programmatically," educational or just not fully enjoyed. Under Chapter 112 of Florida Statutes, which governs gifts and disclosure rules, all of the things that were offered to the travelers — food and beverage, transportation, admission fees and the use of real property — are defined as gifts. And photographs taken on the Turkey trip don't exactly make it look like a hardship. Rutherford and Carroll pose in sunny climates with family and new Turkish friends —



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including one man who stands next to Rutherford in a restaurant, holding a dessert plate decorated with the words "Jacksonville, FL, USA."

According to spokesperson Smith, one requirement of the trip "was that the Sheriff had to pay the airfare for himself and his wife." Once in the country, all expenses for the cultural exchange educational program, including food, travel and housing, were provided by the program hosts.

"The very structured and programmatically

nature of the Sheriff's participation in this cultural exchange program does not qualify as a gift," Smith wrote.

Still, it looked like he was having a hell of a time. Rutherford can be seen in photographs dressed in a guayabera-style shirt and khakis, visiting grand buildings and architectural ruins, eating, posing beside a waterfall, roaming through a market, visiting a museum and a castle, and standing next to a Turkish police car. Aside from the police car, it looks like a typical tourist itinerary.

Folio Weekly asked the state Commission on Ethics to provide Rutherford's gift disclosure forms for the past five years to determine what he's reported. He accepts an annual membership to the River Club, which bills itself as the oldest and most prestigious social club in the city, valued in 2009 at \$1,066.30. He also accepted a replica of a Wyatt Earp pistol from the Florida Sheriffs Association, valued at \$154. Back in 2005, Wayne Weaver gifted Rutherford with two tickets to the Super Bowl, a \$1,200 value.

Rutherford and Carroll were part of a group of seven influential Jacksonville leaders the Amity Center invited to Turkey. The idea behind the trip, says Center Director Akif Aydin, is to bring together people of different backgrounds to experience the commonality of other cultures by sharing food and fellowship. Steve Wallace, president of Florida State College Jacksonville, went on the same trip, with his wife Amelia. His press office said the Amity Center asked him to pay for their round-trip airfare (at about \$1,200 each), but that the center and its sponsors in Turkey paid for everything else — hotel rooms, meals, museum visits and side trips to prominent architectural sites like Dolmabahce Palace and Duden Waterfalls at Antalya Castle.

In addition to visits to the country's cultural treasures, brief meetings were arranged with professional peers, says WJCT CEO and President Michael Boylan, who went on the same jaunt with his wife Susan. Boylan and the others met with the executives of a major



Photographs of the trip don't exactly make it look like a hardship. Rutherford and Carroll pose and smile, in traditional tourist garb.

Turkish television network, members of Parliament and local university leaders. For Rutherford, the hosts arranged a meeting with a small-town police chief. It wasn't a trip that coddled the group with fancy meals and high-end hotel rooms. They ate at some very nice restaurants, Boylan says, but they also ate in the homes of their hosts.

"It was a very generous opportunity," says Boylan. "Their intent obviously was meant for us to gain an appreciation of the history and culture and people there, as well as an opportunity to share our experiences with others."

Since the Amity Turkish Cultural Center doesn't lobby the city or do business with the city, the trip wasn't prohibited under state guidelines for elected officials, which prohibit accepting a gift valued at more than \$100 from a lobbyist.

Gifts valued at more than \$100 from someone other than a family member or lobbyist must be reported on a quarterly basis. Even if the travelers paid their own airfares,

the trip to Turkey cost more than \$100. Hotel rooms, even at the relatively modest rate of \$70 a night, would've cost \$560 for eight days. Food and other expenses could easily be twice that.

There is no mechanism to monitor compliance with the gift-reporting requirement, or any penalty for violating it, unless a citizen files a specific complaint. If a complaint is filed, an official may face public censure, reprimand or removal from office, along with a fine of up to \$10,000 per violation. According to state Ethics Commission spokesperson Karrie Stillman, penalties are determined based on the facts of the case.

"We tell people to call and ask before you go, and to save any and all records if you pay somebody for a portion of the costs," says Stillman. "Payment receipts should be attached to the gift-reporting form."

Rep. Carroll last reported a gift in 2004, when she accepted \$2,529 in lodging, food and transportation from Samuel Wu of Coral

Walter Coker's Through the Lens



Cumberland Island, April 24

Bouquets & Brickbats

Brickbats to the Clay County Charter Review Commission

for overstepping its legal limitations in an effort to solve the county's liquor sale standoff. Though driven by admirable instincts — to overturn the county's outdated prohibition on Sunday liquor sales — the CRC ignored guidelines that limit its purview to suggesting amendments to the county charter. Because there is nothing in the county charter regulating the sale of alcohol, the CRC has no legal right to take up the issue.



Brickbats to Jacksonville City Council President Richard Clark

for attempting to plunder the city's historic preservation trust fund to help The Jacksonville Landing buy a parking lot. Clark wants to use \$3 million earmarked for preservation to offset a purchase by Toney Sleiman, the owner of The Jacksonville Landing. Though the city contractually owes Sleiman a parking lot, it does not need to sacrifice the preservation of significant historic structures to do so.



Bouquets to St. Augustine Beach resident Robin Nadeau

for convincing the City Commission to take a stand on drilling for oil in Florida waters. Nadeau presented commissioners with a resolution at its May 3 meeting, opposing any new approvals for oil drilling in Florida waters and supporting the development of alternative energy sources. The commission adopted Nadeau's resolution by a 4-1 vote. (The city of St. Augustine rejected a similar measure.)



News

Gables. She wrote on the disclosure form that an explanation of the trip was provided in an e-mail attachment, but that explanation wasn't provided by the state Ethics Commission. Folio Weekly couldn't find any information about Samuel Wu.

Folio Weekly asked Carla Miller, Jacksonville's ethics officer, to comment on whether the trip should've been reported. Miller responded with the portion of Florida Statutes Chapter 112 that defines what is and what is not a gift. She later elaborated, saying that even though the travel was not a gift from a lobbyist, "It's still a gift ... and it still has to be declared." She said she'd contacted the Sheriff's Office after being told about the trip by Folio Weekly, and was assured Rutherford will file an amended gift disclosure form — one that lists the trip.

Attorney Leslie Goller says that's a good thing. Goller filed a state ethics complaint in 2007 against several Jacksonville City Councilmembers who failed to report gift tickets to Jaguars games and concerts, and believes Rutherford and Carroll have a clear obligation to report all gifts under state law.

"Florida's law of Government in the

Sunshine needs to be taken seriously. The gift reporting requirement is part of this, and all elected officials should be assiduously accurate in complying with this requirement. Given the facts as presented, it sounds as if this wasn't done in this situation." Goller adds, "The reporting requirement is not only important to restore and sustain confidence in government and our representation, but also to promote ethics and prevent corruption."

Rutherford may not agree that a free trip overseas with the wife constitutes a gift, but he obviously enjoyed himself. He sent an effusive letter to the Amity Turkish Cultural Center on July 22, 2009, which is posted on the Center's website as a "Testimonial."

"As a result of our trip, we now are 'believing,'" Rutherford wrote. "Turkey is one of the most beautiful places we have ever visited. The land is truly breathtaking and so are the people! The individuals we met were amazingly warm, kind and inviting to us during our visit; as was well they should be, because all of the cultures of the world have been influenced by Turkey's past." □

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Correction

In the April 20 issue, Folio Weekly misidentified Jacksonville lighting architect David Laffitte as Jean LaFitte. David Laffitte is responsible for lighting the city's downtown bridges. Jean LaFitte was a pirate and privateer who sailed the Gulf of Mexico and who lived from about 1776 to 1832.

Photographic memory!
Remember to put in film, or its
digital!?

From the WTF? Dept.

A fortune included in a cookie we got at P.K. Noodles on Beach Boulevard last week

THIS MODERN WORLD

by TOM TOMORROW

