



INSIDE ONLY IN TODAY'S SUN



Party down

New year roars in at Hurricane Charley's.
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Police dogs

Children are invited to name new K-9s for the Punta Gorda Police Department. Both dogs are Labradors and will be introduced with their new names on Wednesday.
SEE PAGE 9

3 TOP STORIES FROM USA TODAY & SPORTS

1. Park officials didn't heed Gatlinburg firestorm 'call to action'
2. SpaceX targets first return to flight since September

SEE USA TODAY

3. Gators dominate Outback Bowl

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I named my puppy Charlie Jr.

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SPECIAL REPORT



State's leaders not making BEACHES A PRIORITY



Broken promises — State leaders stuck local governments with the tab for sand

By RYAN MILLS and ERIC STAATS, THE NAPLES DAILY NEWS

Pat Hardman looks down the long, narrow slice of sand that makes up what's left of the Cape San Blas shore and shakes her head at the crisis facing the Panhandle beach.

Part two of a four-part series on Florida's eroding beaches

...
A steep cliff of sand dwarfs beach walkers making their way past a row of collapsed stairs and tree stumps exposed along what's left of Florida's fastest-eroding shore.
The only thing that keeps Cape San Blas Road from falling into the foamy water is a pile of boulders.
"It's frustrating that you don't have elected people understanding the infrastructure problem in any of these coastal communities," said Hardman, a Gulf County construction company manager. "You've got to make a commitment to save these beaches."
This is what happens when Florida leaders fail the state's beaches, part of the fabric that holds coastal communities together, much like their bridges and roads.
The shores shrink, the tourists scatter, the tax base shrivels.
That's what troubles Hardman and so many others in communities across the state forced to shoulder the expensive burden of beach renourishment.

COST OF BEACH RENOURISHMENT

- Local governments paid **\$755 million** to protect Florida beaches over a 10-year period ending in 2015.
- The federal government contributed **\$400 million** to protect beaches during that same 10-year period.
- The state spent about **\$302 million** in that same period.



PHOTOS PROVIDED

Top: Large sandbags protecting a condominium in Manasota Key, Florida, slowly shift in the surf and erosion caused by Hurricane Hermine in the Gulf of Mexico on Sept. 1. The section of beach has several homes and condominiums threatened with structural damage caused by a critically eroded beach.

Above: Manasota Key homeowner Julie Fugett moves a section of emergency fencing blocking a cliff created by erosion as surf from Hurricane Hermine further undermines the area of critically eroded beach. Several homes and condos on the Charlotte County beach faced structural damage from erosion caused by Tropical Storm Colin in June and their efforts to put an emergency stop to the erosion widely failed during Hurricane Hermine in September.

For all that beaches do for Florida — protect coastal infrastructure, generate billions in sales taxes from tourism each year and spare residents from a state income tax — Florida leaders give little in return.

State leaders have reneged on a commitment to invest in Florida's 825 miles of beaches, providing only some of the annual money promised in 1998. This comes as the Department of Environmental Protection, the state agency charged with protecting Florida's shores, has doubled the number of miles of critically eroded beach to 411 because natural habitat, recreation, historical resources and, mostly, development are threatened.

Local governments pay the most to protect Florida beaches, raising at least \$755 million for them over a 10-year period ending in 2015, a first-of-its-kind analysis by the Naples Daily News shows. The local share outpaced about \$400 million the federal government contributed to beaches during the period, and about \$302 million from the state.

It's part of a pattern of broken promises made to Florida's beaches, which have received an average of \$28.8 million annually from the state over the past decade — not much more than the \$27.4 million lawmakers gave to libraries this year. State leaders also have failed to deliver money promised to keep sand out of Florida's dozens of inlets, a major driver of beach erosion.

Too often, communities can't afford the huge expense of rebuilding their beaches. Last year, 172 Cape San Blas voters decided the burden was too much to bear. By three votes, they declined to tax themselves to restore their beach.

BEACHES | 4

GOOD MORNING

If your mother tells you she loves you . . .



Jim GOUVELLIS
EXECUTIVE EDITOR

All the President's Men" may have been the movie that propelled me into a journalism career.
The movie "Spotlight" may be the movie that keeps me wanting to stay in journalism.
"All the President's Men" was the film adaptation of Carl Bernstein and Bob Woodward's dogged pursuit of the Watergate scandal in the 1970s. Watching that scandal unfold as a high school student was one of the leading reasons I chose to work at a newspaper.
I have never regretted that

decision.
What I learned from Watergate was that the institutions we traditionally held in high regard can sometimes be run by people whose motives, morals and conduct don't always live up to the high ideals we expect.
I learned that very few things are actually as clear cut or black and white as I once thought.
Nixon was probably one of the smartest and most experienced men to have ever occupied the Oval Office. He was able to do some great things: opened the

door to China, began the process of ending the Cold War and started to protect the environment by establishing the Environmental Protection Agency.
But, as we all know, Nixon led the institution of the presidency into a dark place, full of enemies lists, secrecy and criminal behavior.
The movie "Spotlight" showed how another institution, revered for centuries, could be flawed.
"Spotlight" tells the story of how Boston Globe editor Marty Baron led a team of journalists in an

investigation of how the Catholic Church covered up dozens of cases of sexual abuse of children by priests.
Baron, who came to the Globe from the Miami Herald, noticed the paper was willing to accept the institutional responses from the local court system and the Catholic Diocese that the problem had been dealt with properly.
He did what a great editor should have done. He pushed his colleagues to ask more questions and not stop until the truth was

BEACHES

FROM PAGE 1

They changed their minds this year, after watching more of their coast disappear. Residents, now willing to pay up, hope the state will step up too.

"You just keep trying, wear them down," Hardman said, "hope we get some sand and prevention before we lose everything."

The lack of state investment has left a backlog of local projects totaling \$65 million this year.

"The crisis, I think, is the backlog," said Dennis Jones, a former lawmaker from Pinellas County who helped create the state's funding program for beaches.

He and others argue the state will suffer if leaders don't invest more in beaches.

"I fear for the future of what we're going to see in the state of Florida as far as our beaches," said Kathleen Rooker, administrator of the Captiva Erosion Prevention District that oversees some Lee County beaches. "I think before they recognize that this is something they should have adequately funded, it may be too late because (tourists) will have gone someplace else."

Budget battles

Advocates for Florida's beaches gathered in June 2000 with then-Gov. Jeb Bush on the shore of Treasure Island in Pinellas County to celebrate the state keeping its promise to beaches. From that day forward, lawmakers would provide \$30 million each year for local renourishment projects.

Florida, carving out a portion of documentary stamp tax money for renourishment, joined New Jersey as the only states with dedicated beach funding, giving them a leg up in the competition for prized federal dollars.

The victory was short-lived.

In 2003, Bush proposed cutting that \$30 million in half to help balance the state budget, but lawmakers came back with \$22.5 million for beaches.

Beaches suffered again in 2008 when legislators changed the state law requiring at least \$30 million annually for renourishment. Instead, they promised only 2.12 percent of what's left each year in an environmental trust fund, leading to less money for beaches.

Funding reached a low of \$15 million in 2010. Gov. Charlie Crist wanted to eliminate beach funding in 2011, but lawmakers agreed on \$15.5 million. Gov. Rick Scott offered no money in 2012, but lawmakers approved \$8 million in the state budget and committed another \$8.3 million in unspent beach money from earlier years.

The drop in state support took its toll as local government requests for help increased to a record \$101 million for beach projects in 2012. The state's backlog of unfunded projects grew to \$85 million.

State leaders did the best they could during the Great Recession, said Crist, a newly elected congressman representing Pinellas.

"We could always do more and need to do more," he said, explaining decisions at the time. "We could have had a better economy. Let's start with that."

As funding dipped, Scott dismantled the DEP beach program in 2012. Agency beach management positions fell from a high of 79 in 2007 to 43 this year. State beach project permitting became the job of employees who handle everything from wetland impacts to oil exploration.

"There was an awful lot of yelling and screaming about reorganizing the program," Sea Turtle Conservancy advocate Gary Appelson said.

DEP leaders said the changes enhance permitting "brainpower" and increase efficiencies, resulting in faster review times. Looking at DEP staffing and positions "may not always tell the whole story and it would be easy to draw erroneous conclusions and assumptions," agency spokeswoman Dee Ann Miller said.

But to Debbie Flack, president of the Florida Shore & Beach Preservation Association coastal group, Scott's changes sent a larger message.

"Still puzzling to me personally (is) why this popular and successful beach management program does not have a bureaucratic

structure and exclusive staff more readily identifiable with Florida's beaches and advocating the economic benefit of healthy beaches," said Flack, DEP's first beach program director, from 1980 to 1985.

In 2014, a constitutional amendment took more from beaches.

Voters approved Amendment 1, which restructured state money for conservation and water quality projects. The amendment took documentary stamp taxes dedicated to beaches and gave it to a catch-all state fund.

Beaches now must compete with Everglades restoration, springs protection and land purchases for money in the fund projected to collect \$800 million this year.

"What we're doing to the program, I mean we're really starting to bastardize it," Flack said. "I mean, it's just like we're redoing old car parts and putting it together and trying to make it run."

DEP Secretary Jon Steverson has declined repeated requests since May to discuss the agency's beach program. Instead, he issued a four-paragraph statement saying, in part, that average annual beach funding increased during Scott's term.

Lawmakers approved an average annual amount of \$30.7 million during Scott's first four years and \$32 million each of the past two years.

"DEP works closely with local partners and the federal government to protect our beaches, and to provide cost-share assistance for beach restoration to eligible projects in the most effective and cost efficient manner," according to Steverson's statement.

But \$30 million annually isn't enough to make up for the lack of support over the years, Jones and others argue. Jones said the state should be spending at least \$55 million a year to help cover the increased local demand, inflation and the higher cost of projects.

"We can't sit there at the consistent \$30 million and think we're taking care of all of it or most of it," said state Rep. George Moraitis, R-Fort Lauderdale.

Cheating beaches

Florida's beach counties sent the state \$3.1 billion in sales taxes from tourism in 2014, according to a Daily News analysis of data from the Florida Department of Revenue.

In comparison, Florida legislators provided between \$15 million and \$47.6 million each year to renourish beaches over the past decade. That includes one year when most of the money was used to repair storm damage.

The result: for every dollar Florida receives from beach counties for tourism, the state sends a penny back to repair beaches. About half of all Florida tourists, more than 50 million in 2015, visit a beach during their stay, according to research by U.S. Army Engineer Research and Development Center director James Houston.

Besides being good for the economy, beaches are a good investment, according to a 2015 analysis by the Legislature's Office of Economic and Demographic Research.

The study showed state tax revenues increase by \$5.40 for every \$1 spent to renourish beaches, one of the highest returns on state spending measured by the agency.

That's becoming more expensive. Requests to the state for help from Florida communities battling beach erosion have increased from \$33 million in 2001 to \$98 million this year.

When the state doesn't respond, communities must dig deeper into their own stretched budgets to cover the costs alone, or watch erosion eat away at the shoreline for another year and hope for better luck next time.

"We see both things happen," said Alex Reed, DEP's beach funding program administrator.

To cover the costs, some local governments raised taxes. Others moved forward with projects with no guarantee the state would contribute.

"It's not as if the locals can stop nourishing the beaches or maintaining the beaches," said Dan Bates, deputy director of Palm Beach County's environmental resources department. "They're an essential part of their infrastructure."

To understand how much money local governments spend on beach building, the Daily News requested revenues and expenditures for all renourishment and inlet management activities from Florida's 28 coastal counties with beaches, as well as every town, city and tax district that requested state assistance for beaches during the past decade. Forty-seven local governments provided at least 10 years of data.

Between 2006 and 2015, those 47 governments generated \$755 million locally, more than twice the \$302 million lawmakers approved for beach renourishment projects, an analysis of the data shows.

The biggest gap came in 2014, when those 47 local governments generated more than \$109 million for beach projects and the state approved \$37.5 million, a difference of \$71.5 million.

"If money doesn't come from the state, it's going to have to come from another funding source," said Nicole Sharp, Broward County's beach manager. "And the federal government, it's always difficult to receive money from them. So it's always an increasing battle."

Local burden

Indian River County coastal engineer James Gray requested \$50,000 in state money this year to study the prospects of a renourishment project at Vero Beach, where waves crash just outside the back window of the Ocean Grill.

Patrons dine on baked deviled crab and fried oysters. At high tide, the waves lap underneath the historic Vero Beach restaurant, built in the 1940s and later used as a U.S. Navy officers' club.

To the north, at the Conn Beach Boardwalk, waves regularly steal sand from the dunes that protect Ocean Drive and the city infrastructure beneath it.

Eight times since 2005, the county asked the state to help pay for the project. And eight times DEP ranked the request too low to receive money.

It happened again this year. "We just cross our fingers at this point and hope for the best," said Joey Replogle, general manager at the Ocean Grill, whose family has owned the wood-framed restaurant since the 1960s.

County measurements show half of this shoreline is slowly disappearing at a rate of 1.3 feet a year. DEP declared the 3-mile beach critically eroded, yet has never provided support to renourish it.

This summer, county leaders decided to go it alone. They're designing the project, hoping the state will reimburse them later.

Vero Beach's predicament is common in Florida.

In Palm Beach County, municipalities that have never been responsible for beach projects are now contributing financially to the county's efforts, Bates said.

The City of Riviera Beach has paid the county nearly \$778,000 since 2013 for beach projects, according to city staff. That's money that could have been spent repairing crumbling streets, updating a 50-year-old water treatment facility or fighting crime, Councilwoman Dawn Pardo said.

"The state really needs to step up and make sure the beaches stay stabilized," she said. "Because we've allowed buildings on the beaches, we need to take the responsibility."

Last year, Palm Beach County and its municipalities requested about \$30 million from the state for 11 beach renourishment and inlet management projects. The Legislature supported just one — \$106,150 to design a project in Boca Raton.

"It's a big county, and there's a lot to be done," Bates said.

One of the ways communities pay for their beaches is by taxing hotel stays of tourists

drawn to the sun and surf. But the 1977 law that set up the special tax requires beaches to compete with other tourism needs, like advertising, convention centers, public museums, zoos and sports stadiums.

Beaches qualify for only the first 3 percent of any tourist tax. They were not included as eligible expenses when lawmakers in 1988 and 1994 approved increases in the tax. Every coastal county in Florida levies a tourist tax, but some, including Miami-Dade and Franklin counties, don't dedicate the money to beaches.

Surfside, a Miami-Dade beach town, has a 4 percent tourist tax and a 2 percent food and beverage tax, but none of that money is earmarked for beaches, Mayor Daniel Dietch said.

Surfside last year joined an alliance of Miami-Dade municipalities calling on the county and state to spend more on beaches.

"We desperately need the sand," Dietch said, looking down on the beach from the rooftop terrace of the Grand Beach Hotel, surrounded by stacks of fluffy, white pool towels. "That's our front door."

Beach retreat

Some of Florida's smaller and more rural coastal counties have pulled back on their beach building efforts, saying the multimillion-dollar projects are more than they can afford.

Franklin County, for instance, gave up on renourishing the beaches at Alligator Point, a small coastal community about an hour south of Tallahassee. The move came after Alligator Point residents in 2008 narrowly voted down a tax increase needed to obtain a state grant for sand. Many community residents argued the county should have contributed to the project.

County leaders say they can't afford millions of dollars for beaches and keep up with schools, roads and parks too. Some say they'd like more state help.

"Instead of a 50 (percent) matching grant or a 30 (percent) matching grant, give us a full grant," Franklin County Commission Chairman William Massey said after Hurricane Hermine struck the area in September, destroying a beachfront road. "It's hard to match their grants."

But that's not how Florida's beach program works. State leaders say they are merely partners with local governments. No local contribution, no state money.

Scott said his administration looks for ways to help communities achieve their most pressing objectives.

"We have counties that struggle financially because they just don't have the tax base that other counties have," he said while touring Franklin County with Massey after Hermine. "With those counties, we work with them to find out what are the issues that are most important to them, and we work with them to try to solve those issues."

But state leaders will have to rethink how they can help beaches that aren't receiving support for renourishment projects, said Flack, the beach lobbyist. If not, many communities won't qualify for state money and could lose what little shores they have left.

That's what happened on Charlotte County's Manasota Key after Tropical Storm Colin passed in June. The community's beach, deemed critically eroded although never renourished, disappeared as the storm churned nearby in the Gulf. The waves now push against a row of houses and condo buildings stretching at least a mile, with two houses and a condo clinging to a cliff of sand.

Residents and county leaders, who for years argued they couldn't afford the local share needed to qualify for state help, now are desperate for sand. And they are working on a plan to compete for state beach money.

"It breaks my heart that nothing has been done by anybody," said Laura Klinski, a part-time resident from New York who lives across the street from what's left of Manasota Key's beach. "The writing has been on the wall for the last year or so."

A challenge unmet

Broward County leaders want to dig a \$25 million hole the size of eight football fields to catch sand on the bottom of the Atlantic Ocean.

The really big hole is meant to solve a really big problem with the state's inlets, at times ignored by Florida governors and lawmakers.

Poorly managed inlets cause up to 85 percent of the erosion along the state's east coast shores, according to research by the late University of Florida coastal engineer Robert Dean and others.

Legislators in 2008 passed a law committing at least 10 percent of the state's annual beach spending to inlets and requiring selection of an inlet each year that would receive special attention for completion. But lawmakers backed off that promise in three of the last four years, and they've never named an "Inlet of the Year."

Hoping the state will do its part, Broward County leaders approached DEP last year with a plan to dig that massive hole at the entrance to South Florida's busiest cruise ship terminal at Port Everglades.

The ask: \$9.5 million — the first half of the state's share — to dig and catch much of the 54,000 cubic yards of sediment the inlet traps every year.

The sand will be bypassed south of the inlet, where it can then flow down to the eroded Dania, Hollywood and Hallandale beaches.

Sharp, Broward's beach manager, said it's time for Florida to step up for a project that has become an often-cited example of the consequences of the state's inaction on inlets.

"We've fully funded the project in our budget last year, so we are ready to go," Sharp said. "We're committed to it. We're ready. Let's talk, state."

Lawmakers this year approved only \$492,500 for the Port Everglades project, the only inlet identified as receiving money in the state budget.

The 2008 law required setting aside at least 10 percent of beach money for "the three highest ranked" inlet projects. But DEP doesn't always set aside the 10 percent.

In 2010, DEP spent about \$1 million on inlets, about \$500,000 short of the 10 percent mark. But agency leaders said they followed the law because they covered the costs of the top three inlet projects.

DEP didn't have to commit 10 percent of beach money in three of the past four years because lawmakers removed the requirement for those years.

State leaders are missing the point of the 2008 law, said Jones, the former lawmaker who helped pass it. Inlets need regular support to help remove sand that can be used to help rebuild beaches. Without more state support, many inlets and the communities they serve are being left out, he said.

"The intent of the law was to make sand available to anyone who needed it on a cost-effective basis," Jones said.

Because state support for beaches is so low, inlets are forced to accept scraps.

"The overall program is grossly underfunded, considering what it contributes to the state," Jones said.

Local governments have had to pick up the slack or cut back on their inlet management efforts.

Without the state as a reliable partner, Brevard County's Port Canaveral has scaled back permitting, monitoring and coordination efforts, coastal engineer Kevin Bodge said.

Martin County raised its tourist tax and tapped reserves to pay for St. Lucie Inlet projects, said Don Donaldson, the county's engineering department director.

Only one in four of Florida's inlets has a state-approved management plan, which is required to receive state money for inlet projects.

Flack lays blame on both the state and the local governments, which she faults for failing to bring enough substantial and innovative projects to the table. Most concerning, she said, is that the Legislature doesn't appear to have inlets on its radar.

"Until we address those inlets," she said, "we're going to spend more and more money on nourishment."

Residents and county leaders, who for years argued they couldn't afford the local share needed to qualify for state help, now are desperate for sand.

THE WIRE

US has OK to study bringing Bahamas sand to Florida beaches

ASSOCIATED PRESS

NAPLES, Fla. — A potential solution to a troublesome sand shortage off Southeast Florida is tucked away in a massive water resources funding bill President Barack Obama signed into law last month.

The 2016 Water Resources Development Act authorizes the Army Corps of Engineers to study the potential of using foreign sand, such as from the Bahamas, to widen shorelines and protect coasts from hurricanes like the ones that lashed the Big Bend and northeastern Florida last summer.

In its “Shrinking Shores” investigation last

year, the Naples Daily News reported Miami-Dade and Broward counties have exhausted their deposits of available offshore sand, leaving only sand that is too far offshore to retrieve or is nestled among protected reefs or other underwater marine features.

A federal search found enough sand to last 50 years, but beach project managers told the Daily News the sand is too dark and risks triggering sand wars with other coastal counties. Project managers said Bahamian sand is the region’s best chance to end expensive and inefficient sand hauls from inland mines.

But a ban, backed by the U.S. dredging industry, on spending



focus on federal money on beach projects that use foreign sand stands in the way. Coastal communities can ill afford to forgo federal money for their beaches, the Daily News found.

Florida members of Congress tried again last year, unsuccessfully, to lift the ban.

The study provision in WRDA 2016 represents a compromise, said U.S. Rep. Lois Frankel, D-Boca Raton, who co-sponsored legislation to end the ban.

“I think we’re moving in a good direction,” Frankel said.

She said she would “be in touch” with the Corps of Engineers about whether the agency has money to conduct the study or money needs to be put in a budget. The WRDA provision put no timeline on the study, but she said she hopes it will be done by the next time Congress reauthorizes WRDA, scheduled for 2018.

“The Secretary (of the Army) is authorized to undertake a study of the economic and noneconomic costs, benefits and impacts of acquiring by purchase, exchange or otherwise sediment from domestic and nondomestic sources for shoreline

protection,” the provision states.

“Upon completion of the study, the Secretary shall report to Congress on the availability, benefits and impacts of using domestic and nondomestic sources of sediment for shoreline protection,” it reads.

An end to the ban on foreign sand is only part of any solution that would allow use of Bahamian sand. U.S. law, also backed by U.S. dredgers, prevents foreign-flagged vessels from bringing sand from the Bahamas to eroded Florida coastlines. To get around the law, sand would have to be transferred to a U.S.-flagged vessel, an expensive extra step.

Bag that washed ashore is from plane carrying six, police say

ASSOCIATED PRESS

CLEVELAND — A bag that washed ashore near a private harbor has been confirmed as coming from a small plane carrying six people that disappeared over Lake Erie near Cleveland, authorities said Monday as they resumed a search for the missing aircraft.

The city said there have been multiple reports of debris washing ashore east of Burke Lakefront Airport, where the plane carrying a family of four and their two neighbors departed late Thursday. John T. Fleming, chief executive of a Columbus-based beverage distribution company, was piloting. His wife, Sue, and their two teenage sons, Jack and Andrew, were also aboard.

Police confirmed that a bag recovered Sunday was from the aircraft. It

was found near Shoreby Club Harbor in Bratenahl, a small lakeside community. No other details were released immediately.

The other debris hadn’t been verified as coming from the Cessna 525 Citation.

The aircraft was headed to Ohio State University Airport, northwest of downtown Columbus. The plane suddenly lost altitude about 2 miles out, according to a flight-tracking service.

Fleming’s father has said the family and friends went to a Cleveland Cavaliers basketball game.

The city of Cleveland said there were light winds and fairly calm waters Monday for seven vessels and four dive teams searching waters 35 to 45 feet deep. The search grid area is some 2.5 miles from east to west along the shoreline and 2 miles north to

south into the lake.

A statement Monday afternoon from the city said it is in contact with the families of those aboard the aircraft and it urged respect for their privacy as they deal with the “difficult situation.”

The city said caution tape along the shoreline is a precautionary measure that doesn’t mean items from the plane have been found in the area.

“The search and recovery process can take a long time,” the city said.

The U.S. Coast Guard and crews from Cleveland city agencies, the cities of Akron and Toledo, Ohio’s Department of Natural Resources, New York State Police and Underwater Marine Contractors are involved in the search by air, shore and water.

The Coast Guard began searching the air after being notified soon after the plane’s disappearance. High waves



AP PHOTO

In this Aug. 1, 2008, photo, Dublin Irish Festival honorary chairman John T. Fleming proposes a toast following the tapping of the first Dublin Stout Keg at Brazenhead in Dublin, Ohio. A flight-tracking service shows that a plane piloted by the Ohio executive with five other people onboard quickly lost altitude after taking off from Cleveland’s lakeshore airport.

and blustery conditions prevented smaller Coast Guard boats from the Cleveland area from deploying Thursday night. A 140-foot Coast Guard cutter joined a search that covered 128 square miles of the lake on Friday.

Weather and water

conditions didn’t allow for recovery efforts to begin Saturday, but crews searched for the plane until darkness fell Sunday.

The Federal Aviation Administration and National Transportation Safety Board are investigating.

Trailblazing Hasidic woman judge: ‘It’s the American dream’

By JENNIFER PELTZ
ASSOCIATED PRESS

NEW YORK — In some ways, Rachel Freier has a background that might be expected in a new civil court judge. She is a real estate lawyer who volunteers in family court and in her community, where she even serves as a paramedic.

But Freier starts work Tuesday as something quite unexpected. She’s believed to be the first woman from Judaism’s ultra-Orthodox Hasidic community to be elected as a judge in the United States.

A proud product of a world with strict customs concerning gender roles and modesty, the new Brooklyn civil court judge started college as a married, 30-year-old mother of three children and had three more before graduating. A pathbreaker who embraces tradition, she has sometimes had to explain herself to both outsiders and fellow believers.

“My commitment to the public and my commitment to my religion and my community — the two

can go hand in hand,” she said.

At a swearing-in ceremony last month, she both vowed to uphold the Constitution and pledged to illuminate the Hasidic world for her new colleagues.

“This is a dream,” she told the gathering. “It’s the American dream.”

There’s no official tally of American judges’ religions, but experts aren’t aware of any Hasidic woman before Freier winning a judicial post. It is extremely rare even in Israel for Hasidic or other ultra-Orthodox women to hold any elected position.

Freier, a political newcomer whose uncle is a former judge, won a three-way Democratic primary and the general election in a swath of Brooklyn that includes the heavily Hasidic Borough Park neighborhood.

Her election is “a step for the ultra-Orthodox community at large,” showing it’s open to women making progress on the political ladder, said Yossi Gestetner, a longtime Hasidic political activist and public relations consultant who co-managed



AP PHOTO

In this Thursday photo, Rachel Freier poses for a picture at her law office in the Borough Park section of Brooklyn, New York.

Freier’s campaign.

Hasids and other ultra-Orthodox groups together make up only 6 percent of America’s estimated 5.3 million adult Jews, according to a 2013 Pew Research Center study.

Dating to 18th-century Eastern Europe, Hasidism combines stringent adherence to Jewish law and a joyful belief in mysticism. Followers often speak Yiddish, wear traditional dress including beards and sidelocks for men and wigs for married women, and separate men and women in contexts ranging from buses to classrooms.

“The very idea that an

ultra-Orthodox woman could be a judge” is notable, said Samuel Heilman, a City University of New York sociology professor who studies Orthodox Judaism. Under the strictest interpretations of Jewish law, women can’t be judges or largely even witnesses in the rabbinical courts that weigh various disputes in Orthodox communities. (Freier notes that her new post is separate from those tribunals.)

Freier, 51, nicknamed Ruchie, started working as a legal secretary after high school. College wasn’t customary for Hasidic women, though it has since become more common.

But when her husband, David, got a college degree, she aspired to one of her own. After graduating from a women-only, Orthodox Jewish-friendly program at private Touro College, she went on to Brooklyn Law School, finishing in 2005.

Some other Hasidic Jews questioned what she was doing. But they came to realize “I was completely devoted to our religion and our tradition, and this was something I wanted to do regardless,” she says.

“I didn’t want to ever be considered someone who was turning away from my community,” but rather to work within its structure, she said.

That has sometimes required finding creative ways to resolve issues.

An appeal for help from boys who had chafed in Orthodox Jewish schools, for example, led Freier to found a program that helps young men get general-equivalency diplomas.

Then Freier was enlisted to represent Orthodox Jewish women who wanted to join an all-male volunteer ambulance corps, aiming to aid fellow women during childbirth or gynecological emergencies.

After ambulance corps leaders rebuffed the idea, which a well-known Orthodox Jewish blog called a “new radical feminist agenda,” Freier helped the women launch their own volunteer service and joined it herself. She was still taking her turn on call this past week.

If there’s a message she hopes her election sends, it’s “don’t give up.”

“And don’t let go of your standards.”

ALMANAC

Today is **Tuesday, Jan. 3**, the third day of 2017. There are 362 days left in the year.

Today in history

On **Jan. 3, 1967**, Jack Ruby, the man who shot and killed Lee Harvey Oswald, the accused assassin of President John F. Kennedy, died in a Dallas hospital.

On this date

In **1521**, Martin Luther was excommunicated from the Roman Catholic Church by Pope Leo X.

In **1777**, Gen. George Washington’s army routed the British in the Battle of Princeton, New Jersey.

In **1870**, groundbreaking took place for the Brooklyn Bridge.

In **1911**, the first postal savings banks were opened by the U.S. Post Office. (The banks were abolished in 1966.)

In **1938**, the March of Dimes campaign to fight polio was established by President Franklin D. Roosevelt, who himself had been afflicted with the crippling disease.

In **1947**, congressional proceedings were televised for the first time as viewers in Washington, Philadelphia and New York got to see some of the opening ceremonies of the 80th Congress.

In **1959**, Alaska became the 49th state as President Dwight D. Eisenhower signed a proclamation.

In **1977**, Apple Computer was incorporated in Cupertino, California, by Steve Jobs, Steve Wozniak and Mike Markkula Jr.

In **1997**, Bryant Gumbel signed off for the last time as host of NBC’s “Today” show.

Ten years ago: Gerald R. Ford was laid to rest on the grounds of his presidential museum in Grand Rapids, Michigan, during a ceremony watched by thousands of onlookers. Four Americans and an Austrian abducted in southern Iraq spoke briefly and appeared uninjured in a video delivered to The Associated Press. (The men, security contractors for the Crescent Security Group based in Kuwait, were later killed by their captors.)

One year ago: Republican presidential contender Donald Trump brushed off an African militant group’s video that showed him calling for Muslims to be banned from coming to the U.S., telling the Sunday news shows he wouldn’t be dissuaded from saying what he thought.

Today’s birthdays

Actor **Dabney Coleman** is 85. Journalist-author **Betty Rollin** is 81. Hockey Hall-of-Famer **Bobby Hull** is 78. Musician **Stephen Stills** is 72. Rock musician **John Paul Jones** (Led Zeppelin) is 71. Actress **Victoria Principal** is 67. Actor-director **Mel Gibson** is 61. Actress **Shannon Sturges** is 49. Actor **John Ales** is 48. Actor **Jason Marsden** is 42. NFL quarterback **Eli Manning** is 36.

ODD NEWS

Dog named Scarface attacks family for dressing it in sweater

TAMPA, Fla. (AP) — Police in Florida say a dog named Scarface attacked a family that tried to put a sweater on it.

Tampa police say the pit bull mix bit a 52-year-old woman who was trying to dress it Friday and her husband was attacked while trying to pull the dog off her. Police say the couple’s 22-year-old son was attacked while trying to stop the dog by stabbing it in the neck and head.

The three people escaped the house and left the dog in the backyard. They ended up in the hospital.

Police say animal control officers shot it with a tranquilizer gun, but it managed to get back into the house where two children were. Police used a bean bag gun and stun gun on Scarface before catching it.