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Facebook data center being built in Huntsville

By Ken Roberts
City Editor

Facebook will receive an investment credit of $86.25 million over 10 years through the Alabama Jobs Act. Alabama officials estimate the data center will generate more than $297 million in revenue over 30 years. That money will be divided between the state, county and city.

Gov. Kay Ivey and Huntsville Mayor Tommy Battle welcomed the news of Facebook’s new data center.

“Every day, millions of people around the world use Facebook’s products, and this new Alabama data center will soon play a role in keeping the company’s popular platforms running flawlessly,” Ivey said.

“Facebook has found a great location in ‘Sweet Home Alabama,’ and we'll do our best to help the company grow and prosper here.”

Battle said the data center bolsters Huntsville’s leadership in the “knowledge economy.”

“Facebook has built its business on connecting friends to family, businesses to customers, and people to the world. Huntsville is proud to be the center of these connections with the construction of this data center,” Battle said.

Facebook has established a new page for the data center: Facebook.com/Huntsville-DataCenter. Users can ‘Like’ the page for updates, including job postings and information about the construction.
It’s a deal!
More jobs, more jets for Mobile

Airbus, Bombardier partnership set

William Thornton  wthornton@al.com

Airbus will take a majority stake in Canada-based Bombardier’s C Series jetliner program, and will close the deal July 1, the companies announced Friday. With that, Mobile will get a second aircraft assembly line at the Brookley Aeroplex, dedicated to supplying U.S.-based buyers of C Series aircraft.

The new Final Assembly Line could employ 400, according to comments made in February by a top Airbus executive.

The two aerospace companies said they have obtained all regulatory approval for their C Series Aircraft Limited Partnership.

Kristi Tucker, a local spokeswoman for Airbus, said, “All of us at Airbus are excited to welcome the employees of the CSALP into the extended Airbus team, and to welcome the C Series aircraft to Airbus’ product offerings beginning July 1. It will also be exciting to see us grow further in Mobile.”

See Jobs, A9

JOBS
FROM AL

The C Series is a new family of passenger jets somewhat similar to the A320 family that Airbus already assembles in Mobile: a single-aisle, twin-engine plane designed for medium-range routes.

Airbus says that the C Series will give it a better position in the market for aircraft with 100 to 150 seats, smaller than the A320s and A321s it currently builds in Mobile. Depending on configuration, the A320 can hold about 180 passengers, with the A321 seating up to about 240. By comparison, the CS100 and CS300 range from about 108 seats to about 160.

“Airbus will work with its partners Bombardier and IQ [Investissement Quebec] to fully unlock the C Series’ potential and create significant new value for customers, suppliers, employees, shareholders and the communities in which the partnership operates,” the company said in a statement.

At the Mobile Area Chamber of Commerce, David Rodgers, vice president of economic development, stated: “Additional capacity has always been a goal of our economic development team. Since the initial Airbus FAL opened in 2015, more than 20 aerospace companies have located to Mobile. We’re looking forward to continuing to see additional investment here, as we work to grow our aerospace cluster.”

According to the deal, Bombardier will fund the cash shortfalls of CSALP, if required, during the second half of this year, up to a maximum of $225 million and in larger sums over the next two years.

The C Series program delivered 17 aircraft in 2017 and looks to double its deliveries in 2018. An estimated 6,000 aircraft are needed in this market segment over the next 20 years, the company said, with the C Series poised to meet that demand.

“The strength of the entire Airbus organization will be behind the C Series,” Airbus CEO Tom Enders said. “Not only will that enable this outstanding aircraft to fulfill its market potential, but we are convinced the addition of the C Series to our overall aircraft product offering brings significant value to Airbus, our customers and shareholders.”

Alain Bellemare, Bombardier president and CEO, called the partnership “a very exciting new chapter.”

“The C Series is widely recognized as the most advanced and efficient aircraft in its class and this partnership will ensure its commercial success,” Bellemare said. “Together, we will create tremendous new value and opportunities for airlines, suppliers, shareholders and employees.”

In February, Allan McArtor, chairman of Airbus Americas, said the new Bombardier production line might share a few facilities with the Airbus FAL, but essentially would be a stand-alone campus. Its main assembly hall would be built parallel to the Airbus one, he said.

On Friday, Reuters reported that Airbus expects the new assembly line to handle four C Series aircraft per month. The Bloomberg business news wire said that the construction of the new assembly line would begin next year, with the first planes set for delivery in 2020.

One major airline, Delta, has already expressed strong interest in buying C Series jets made in Mobile. Delta placed an order in 2016 for 75 of the CS100 jetliners. Late last year, Delta fleet manager Greg May said, “Delta does not intend to take delivery of any Canadian-manufactured CS100s.”

Boeing sought earlier to block the Airbus-Bombardier partnership, alleging that Bombardier was trying to sell its new C Series jets at unfairly low prices thanks to Canadian subsidies. In January, the U.S. International Trade Commission rejected the claim.
Tariff threat could slow state auto growth

William Thornton  wthornton@al.com

This year saw Alabama’s biggest win in more than a decade in the auto manufacturing industry — the announcement that Toyota and Mazda are locating a $1.6 billion joint manufacturing plant in Huntsville.

It brought a 4,000 job plant, sought after by as many as a dozen states, with the promise of supplier jobs and cementing Alabama’s status as a major manufacturing hub in the South and the nation.

But within the last month, threats of auto tariffs on imported cars, and trade tensions between the U.S. and longtime allies might give pause.

Will any of these moves adversely affect plans for the Mazda-Toyota plant?

Sen. Doug Jones brought it up last week in a press call regarding the proposed auto tariffs. This month, Trump requested the Commerce Department investigate imported automobiles, trucks and auto parts as a national security threat. Reports are the administration is considering a 25 percent tariff, which some conservative estimates say could cost the U.S. auto industry up to one million vehicle sales a year.

TARIFFS
FROM A1

The tariffs might also affect domestic auto production, as imported auto parts could be used in assembling automobiles produced in the U.S.

"I don’t think Toyota is saying they’re not coming to Alabama," Jones said, alluding to the plant. "It just makes it very difficult for these plants to plan for the future."

STILL MOVING FORWARD

In fact, nobody with the companies has said anything about any changes in plans for the plant. In March, Mazda Toyota Manufacturing USA Inc., announced Masashi Aihara as president and Hironori Kagohashi as executive vice president. Construction on the $1.6 billion factory is scheduled to begin later this year and open in 2021.

The plant has also continued to assemble an executive team, which includes a Huntsville native.

But last week, the head of Toyota Motor Co. says there will be "potentially adverse impacts on the U.S. economy and jobs" if the Trump Administration were to impose tariffs on imported cars. Akio Toyoda, serving as chairman of the Japan Automobile Manufacturers Association, said that tariffs "will create uncertainty among automobile users in the U.S. and people involved in the motor vehicle industry."

When asked for a corporate comment, Toyota referred AL.com to two statements from the Association of Global Automakers, an auto trade organization based in Washington, D.C., and the U.S. Chamber of Commerce, a group representing large and small business interests.

Global Automakers stated, "Contrary to the assumption underlying the

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investigation on import vehicles, the U.S. auto industry is thriving. To our knowledge no one is asking for this protection. If these tariffs are imposed, consumers are going to take a big hit because they will have fewer vehicle choices and higher car and truck prices."

The chamber opposes the tariffs, saying they will deal "a staggering blow to the auto industry" and threaten a trade war.

"In fact, the U.S. auto industry is prospering as never before. Production has doubled over the past decade, it exports more than any other industry, and it employs nearly 50 percent more Americans than it did in 2011. These tariffs risk overturning all of this progress," the chamber stated. "This isn't about national security. The administration has already signaled its true objective is to leverage this tariff threat in trade negot-

A Japanese flag joins the Circle of Flags at the Alabama Capitol Jan. 10, before a press conference in Montgomery announcing the Mazda-Toyota automotive manufacturing plant coming to Limestone County. File

THE BOTTOM LINE

A couple of factors to consider: Mazda currently has no U.S. factory presence, so all of its vehicles would be subject to a tariff until Huntsville begins production. In addition, Toyota has manufacturing plants in Mexico and Canada, which also would be subject to tariffs.

In fact, prior to announcing the joint manufacturing plant, Toyota last year planned to build Corollas at a new plant in Guanajuato, Mexico. But those plans were changed to speed up production of the Tacoma pickup, which Mexico downsized. The Corolla production was then moved to Huntsville.

Should Alabamians be nervous?

Alan Baum, an independent auto analyst in West Bloomfield, Mich., said "somewhat." Coming to Alabama, though it only took five months for both companies to zero in on Huntsville, wasn't a snap decision and involved planning and scouting in several states.

What might be upsetting is the effect tariffs could have on the companies' bottom lines, Baum said. Increasing production costs might cause them to slow down plans.

"If a significant portion of their vehicles are affected by tariffs, you have to ask how does that affect marketing and production," Baum said. "They're probably not going to change where vehicles come from in a matter of months."

Toyota is in a better position than Mazda, Baum said, because the Tacoma is continuing to do well, and the company already has significant production in the U.S. The Trump Administration has also shown leeway in granting exemptions to some tariffs already.

In addition, Mazda and Toyota are splitting the costs of the plant.
Politics

Running as Republican may include GOP hurdles

Some question how state party officials decide who can be on the ballot

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Tom Butler and Chad Fincher both served in the Alabama Legislature from different sides of the aisle. From 1982 to 2010, Butler represented Madison as a Democrat. Fincher ran as a Republican in 2006 and 2010, winning both times before he launched an unsuccessful campaign for Congress.

In a twist that has provoked some head-scratching, Butler was the only one of the pair allowed onto the Republican primary ballot this year.

Butler and Fincher are not alone. Three former Democrats who ran as members of that party within the last decade are running on the Republican ticket this year. Meanwhile, Republican officials blocked four longtime members of the GOP from running for elected positions on the executive committee because they publicly supported Democratic candidates in recent elections.

SEE GOP, A5

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So which candidates are Republican enough? And how does the party decide?

Brandon Shoupe, a Houston County commissioner and member of the Republican Executive Committee, filed a challenge against Bobby Bright, a former Democrat running to unseat U.S. Rep. Martha Roby. After some consideration, he withdrew the challenge, but still believes the party needs to standardize a process for switching parties.

"It’s really subjective and I wish the rules would be more formalized," Shoupe said. "If you have been a Democrat and you want to become a Republican, there should be a full process to do that."

Along with Butler and Bright, Alabama Attorney General Steve Marshall also campaigned as a Democrat in recent years. Butler tried to run as a Republican in 2012 but was blocked by the Madison County GOP candidate committee. This year, he faced no objections to his run for state Senate, according to an official with the county party.

Butler won the June 5 primary for state Senate and will face Democrat Amy Wasylyk in November. Republican candidates usually have the advantage in conservative Alabama, and Shoupe worries that edge might attract politicians who don’t really share the party ideology. He said he understands that positions and parties change over time, and that some people switch for all the right reasons. Yet, he worries others might be taking advantage of the GOP’s popularity in Alabama.

“We’ve had a problem within the state party where we have a lot of party switching,” Shoupe said. “People recognize they can’t be elected as Democrats.”

Fincher and three other Republicans, including Gina Dearborn, Cole Manders and Lee Garrison, sought seats on the Alabama State Executive Committee but were disqualified because they recently supported Democratic candidates.

All of them have been active in Republican circles for years. Dearborn’s husband served in the Trump White House, and she runs a lobbying company in Montgomery. Cole Manders was described as a “rising star” by the Alabama GOP in 2013 and has since come out as gay. Lee Garrison served in nonpartisan offices in Tuscaloosa since the late 1990s and has hosted fundraisers for several Republican candidates.

All four violated a party bylaw that prohibits Republican officials from openly supporting Democratic candidates. Dearborn, Manders and Fincher said they would support Doug Jones in his race against Roy Moore. Garrison said he would back Walt Maddox in the campaign for governor.

Fincher said he wasn’t aware of loyalty rules that allow party officials to disqualify candidates who “publicly participated in the primary election of another political party or publicly supported a nominee of another political party.”

“I have proven myself to be a Republican based on my service of eight years in the Legislature,” Fincher said. “I was really surprised the decision to disqualify me was made based on one Facebook post.”

Angi Horn Stalnaker, a Republican consultant, said the party rarely disqualifies candidates from the ballot. About 600 people ran for seats on the State Executive Committee and only a handful were disqualified, she said.

Party officials hold committee members to different standards than candidates for public office, Stalnaker said. GOP officials prefer to allow voters to make decisions on candidates for elected office, she said, but have higher loyalty requirements for those who want to steer the Republican Party.

“It’s very clear,” she said. “You can’t openly support a Democrat against a Republican.”

Garrison said the loyalty requirements may disqualify moderate Republicans who worry they don’t have a place in today’s GOP. In Facebook posts, he urged Republicans in Tuscaloosa to vote for him, even if the votes don’t count.

“The Alabama Republican Party of today is headed in the wrong direction,” Garrison wrote. “I am talking about the Party, not particular candidates of the Party. Not too long ago the Republican Party was nonexistent in Alabama. With the way it is headed now, I fear it is on a path of exclusion instead of inclusion which could lead to its ultimate demise.”

Stalnaker said the party’s decisions have been inconsistent in the past. Legislator Harri Anne Smith was the most famous Republican in Alabama barred from running as a member of the party — ironically, after she supported then-Democrat Bobby Bright in his 2008 bid for Congress. Smith has served as an independent ever since.

“Harri Anne Smith was removed from the ballot for far less than Bobby Bright and Steve Marshall have done,” Stalnaker said.

As for Shoupe, he believes the loyalty rule that blocked the candidates for executive committee is straightforward and clear. Guidelines for party switching would benefit from the same kind of clarity, he said.

“It’s our responsibility on the State Executive Committee to really take care of the state Republican party,” he said. “It’s not a perfect system, but we do have rules.”
It's better when the meeting is obviously open

Kyle Whitmire
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I thought I was writing a different column — one about the 31 civil penalties the Alabama Ethics Commission set aside last week. Those penalties were against candidates and political action committees that didn't file their campaign disclosures as required by the law.

And while the Alabama Secretary of State's office did exactly what it was supposed to do — fining offenders for missing their deadlines, enforcing transparency in the political process — the Ethics Commission decided the law is too new to enforce, even though it's 3 years old. The commission let all those folks off the hook.

I was going to write about how, if the Ethics Commission doesn't respect the law, how can we expect it to enforce the law?

But then I found out about something else when I called Secretary of State John Merrill's office to ask about the commission's meeting last week.

Before the commission convened, four of its members got together behind closed doors, where at least one of them conferred with staff from the Secretary of State's office about the 31 cases before them later that day.

The problem here is, if that isn't a violation of the Alabama Open Meetings Act, it steps right up to the line and spits on the other side.

Under Alabama's open meetings law, public bodies are not allowed to deliberate behind closed doors unless their executive session falls within a number of exceptions to the law. And if a body does meet behind closed doors, it is supposed to convene the official meeting first, and then adjourn into the closed-door session, first citing the statutory exception to the law, such as discussing the good name and character of an individual.

But meeting before a meeting — is that legal?

Dennis Bailey, a lawyer for the Alabama Press Association, says it depends on what happens behind those closed doors. If the commissioners deliberate — and that's the crucial word — then under the law, it's considered a meeting, he says.

The law defines deliberation as "an exchange of information or ideas among a quorum of member of a governmental body intended to arrive at or influence a decision as to how the member should vote that at the time of the exchange the member expect to come before the body immediately following the discussion or at a later time."

According to Brent Beal, a lawyer for Secretary of State John Merrill, and John Bennett, Merrill's deputy chief of staff, here's what happened.

The commission's lawyer, Cynthia Raulston, asked Beal to step into a room with her behind the commission's chambers. Bennett went back with Beal and Raulston into the room, where the four commissioners and commission Director Tom Albrighton already had gathered.

Commissioner Charles Price told Beal he intended to waive the fines the secretary of state's office had imposed. Beal and Bennett both said that none of the commissioners seemed surprised.

Beal asked Price how he was defining the term "election cycle." According to Bennett, commissioners then interjected in the discussion.

Beal said he objected to Price's decision.

After that exchange the commissioners readied for the official meeting.

"So was what happened in the back room deliberation?"

"It does raise a red flag," Bailey said.

"When is the deliberation taking place? Or is there no deliberation at all, which is a different problem."

When I asked Albrighton whether the commission had an illegal meeting, he insisted that the commission had not crossed the line of the law.

"If there was deliberation, I didn't hear any," he said. "I didn't see any."

Albrighton described these pre-commission gatherings typically as friendly chitchat over coffee.

My experience with Albrighton is that he tries to run things correctly and is as forthcoming as the law and the politics of his position allow. You can take Albrighton at his word if you want.

But the point of Alabama's open meetings laws is that you shouldn't have to.

Whitmire writes an opinion column about state politics for AL.com.
Can Bham's newest football team find lasting success?

Another startup football league is planning a team in the Magic City. The Alliance of American Football, a new league, chose Birmingham as one of its initial teams.

It’s the latest in a long list of pro football leagues to announce plans for a Birmingham franchise. Some of those leagues have found success on and off the field. Others ceased operations before ever playing a game.

But the leaders of the new league offer an impressive pedigree and key contracts that differ from some of the recent potential entrants to the market.

The new league, which will be overseen by former NFL general manager Bill Polian, former Pittsburgh Steelers safety Troy Polamalu and executive J.K. McKay, boasts a 10-week season and a TV contract with CBS. Several coaches have already signed on to be a part of the organization, including Steve Sparrier, Tim Lewis, who served as defensive coordinator for the Pittsburgh Steelers, was named head coach of Birmingham's franchise.

McKay said several factors made Birmingham attractive for the league, which has a season that will run from February to April.

“IT is a hotbed for football but also weather - that time of year by and large - we should have good weather, which matters and Birmingham is such a great football city,” McKay said.

He said the proximity to Alabama and Auburn was another factor.

The team will debut at Legion Field before eventually moving to the new stadium at the Birmingham-Jefferson Convention Complex.

Unlike the NFL model with 32 franchises owned by separate groups, the AAF is a single-entity league, which he said will keep it balanced.

“We have very, very conservative budgets that we presented to our investors so were not expecting the world,” McKay said. “We have what we believe are reasonable targets for ticket sales that we will hit or succeed, particularly in this market. So, I think we are going to spend our money wisely, we are going to make sure our team, coaches and players are integrated into the community, and hopefully we can get the community to get a sense of ownership themselves.”

In Birmingham’s previous experiences with professional football, it was often challenges for the league – rather than the team - that ended the tenure in Birmingham.

Robbie Robertson, CEO of the Colonnade Group, notes the previous stints of professional football in the city were lost due to league mismanagement, rather than attendance or lack of interest locally.

“If you look back at those teams, it was more of the league not making it. Attendance was good in relevant terms and the owners did a good job,” Robertson said.

He notes, with the AAF, one of the factors that lends credibility and strength is the leagues is very connected in the NFL, player- and staff-wise. If the league can act as a feeder system into the NFL, it will then lend itself even more strength. Overall, Robertson said the league is interesting and that if it is managed in the correct way, it will find success, especially in the Magic City.

Darin White, director of Samford University’s Center for Sports Analytics, said the single entity model will help the league as well as its alternative approach to football.

“It’s very apparent that the league, (from) their marketing position, is one of taking the things that are weighing the NFL down and correct those problems,” White said. “They are trying to form an alliance between the fans and players and all that, so it’s interesting as a business model.”

White also said the media contract makes the league a pretty big deal and a digital content push will help the league reach younger demographics.
Paint Rock, Alabama: The most unAmerican town?

By: John Archibald

Of course the mayor of Paint Rock, Ala., wants to keep the press - and other prying eyes - away from the business of her town.

Of course.

I mean, up to now Paint Rock - population 204 -- was best known as the spot where the Scottsboro Boys were yanked off a train in 1931 and railroaded for real. Yeah. Not a chamber of commerce moment.

And then there was the time a few years back when a former mayor sought to disband the police department - after the chief of police arrested that mayor's son for DUI.

Not a good look.

So the new mayor - Brenda Fisk - came to office with the idea of nipping bad publicity in the bud.

She proposed guidelines for the town's council meetings that not only bar media from attending without prior permission, but would lock out anyone who doesn't live or own property in the town.

Here's what the proposed regulations said:

Item 10: "All regular scheduled meetings are open to the residents/property owners of the Town of Paint Rock. Anyone not residing in the town limits, or anyone not owning property within the town limits will not be permitted without prior approval of the council."

And ...

Item 12: "Members of the media, i.e.: newspaper, television, radio, etc. will not be allowed without prior approval from the council majority. When asking for approval, you must present a valid reason/justification for the media to attend."

And this:

Item 13: "Recording of any meeting of the town council is not permitted. Posting of any Town minutes, email to council members, financial statements, etc., to ANY unauthorized media source is strictly forbidden."

Holy cow. All of this, so you know, is as illegal in Alabama as grand theft auto.
Hand it to Brandon Cox, editor and publisher of the Jackson County Sentinel. He called up Fisk, and listened to her hang herself on the silken stands of her ignorance.

"What goes on in Paint Rock is the business of the people who live in Paint Rock," she told him. "I really don't see the benefit for anyone outside of Paint Rock or who doesn't own property here to come to these meetings. They're open to anyone who lives here. Anyone else can stand outside the door, but I can close the door."

Then Cox called her BS, describing in a column how the town clerk said she thought the mayor consulted the Alabama League of Municipalities, and how the mayor's guidelines fly in the face of everything America is supposed to represent.

"We couldn't believe what we were reading," he wrote.

Man, it couldn't get any nuttier, right? Wrong.

After speaking to the League of Municipalities - where I was assured that "Oh no, not in any circumstance" would they advise a town to do something like that, I spoke to Mayor Fisk.

She said it was all a mistake. A ruse. She said she didn't know Cox, and didn't believe he was a reporter. So she talked to him and "fed him a line."

"We're not standing in the doorway telling people they can't come in," she said.

Except it was all true. She did propose the regulations and she said again she would would like to keep the media and outsiders out, but has since learned she can't do it.

The guidelines were recommended to the council, but were never approved, she said.

"It was not voted on," she said. "It's sitting dormant."

Thank Heaven for governmental inefficiency.

I asked her if there was something from the past that made her leery of outsiders or the press, and she said yes. Asked what those things were, she said "That's not important."

Nobody's business, I guess.

Fisk said Paint Rock is just trying to survive.

"Our little town is about to dry up and blow away," she said. "We don't have what we need to sustain ourselves."

With leadership like this, perhaps it shouldn't try.
A mentor and friend

For Wendell Hudson, C.M. Newton was more than a legendary basketball coach

In the days since C.M. Newton’s passing last week, the one player most connected with Newton and his basketball legacy has taken time to reflect, not just on an important moment in history but on a 50-year friendship.

Wendell Hudson was interviewed often about signing with the University of Alabama, breaking the color barrier for Crimson Tide basketball and changing the course of the sport in the Deep South in ways that still resonate today. But the story didn’t end when Hudson’s college basketball career concluded in Madison Square Garden in an NIT consolation game in 1973, as historic as that trip to the world’s most famous arena was. Instead, it was simply a transition into a friendship between player and coach that lasted another 45 years.

That was the theme on Thursday at Newton’s memorial service at Tuscaloosa’s First Presbyterian Church. There were a few basketball stories, of course, dating to Newton’s days as a player for the legendary Adolph Rupp at Kentucky. The church was full of celebrities from the basketball world, including coaches like John Calipari, Tubby Smith, Billy Donovan, and Avery Johnson.

There were conference commissioners ranging from the current SEC head man Greg Sankey to Roy Kramer, who hired Newton as his basketball coach when he was the athletic director at Vanderbilt. Wildcats and Commodores were well represented, alongside the Crimson Tide and more athletic directors, current and retired, than you could count. But most of the tributes, and the stories told, had more to do with Newton as a mentor, or a friend, a husband and father. He was unfailingly remembered as a gentleman, as a man who combined influence and humility in a rare way.

“I’ve been reflecting and the thing I remembered most was his ability to reach people,” said Hudson, now retired and living in Waco, Texas. “He always made you feel respected, which is why he was so successful as an administrator. People knew he was fair.”

Newton detected the way to reach Hudson from the beginning, he said. Hudson’s coach for much of his career at Birmingham’s Parker High School was the revered but strict William “Cap” Brown. (Brown actually stepped aside to coach football in Hudson’s senior year and the Thundering Herd was coached to the AHSAA championship by Herman Williams.)

“Cap was my coach, so when I got to college, there was no need to yell at me any more,” Hudson said with a smile. “I’d heard it all. So Coach Newton saw that what I needed was to be taught, to be shown what to do. There wasn’t any need to motivate me to play hard but I needed a teacher and that’s what he was to me. “We never had a disagreement as coach and player. Now, when I came back to be an assistant coach, we’d disagree all the time on basketball things, on how to defend a certain team or just on which coach out there was a better coach. Martin (Newton) spoke earlier about how he would make milkshake bets with his dad, and that’s what we would do, bet a milkshake on which coach had the best team or who would win the Final Four. So we disagreed all the time, but it was always a good-natured disagreement. Sometimes he’d be right, sometimes I’d be right. When I was right, he’d tell me. It was just a great relationship, for 50 years.”

Reach Cecil Hurt at Cecil@Tidesports.com or 205-722-0225.
Alabama establishes C.M. Newton scholarship

"We wanted another way to have Coach Newton's legacy live on at The University of Alabama," said Alabama Director of Athletics Greg Byrne. "What a terrific way to honor a person who meant so much to so many," said Alabama Head Men's Basketball Coach Avery Johnson. "I want to thank the Newton family, The University of Alabama administration and the athletics department leadership for launching this effort in C.M. Newton's name."

Those wishing to donate to the C.M. to donate to the C.M. Newton Memorial Scholarship may do so through the Crimson Tide Foundation. Gifts can be submitted online, over the phone with a credit card by calling 205-348-9727 or by check, which should be made out to Crimson Tide Foundation, noting C.M. Newton Memorial Scholarship, and sent to Box 870343, Tuscaloosa, AL 35487.
City allocates $12M for road work

Money will come from reserve and surplus funds

By Jason Morton
Staff Writer

The Tuscaloosa City Council has agreed to move forward with more than $12 million in construction and infrastructure projects, using proceeds from the city's reserve funds or dollars leftover from already completed projects.

The council's finance committee voted Tuesday to accept the projects as presented with two minor amendments. The changes reduced the cost from $500,000 to $200,000 for engineering work needed for the replacement of an HVAC system for the Tuscaloosa Police Department and added $150,000 to increase network security for City Hall.

Tuscaloosa Mayor Walt Maddox presented his annual recommendation for reserve fund proceeds on May 18. This year, to further the work, city staff members cobbled together an additional $2.38 million in undesignated dollars, contingencies and estimated gasoline tax proceeds, among other sources, to fund additional projects.

The move comes weeks after the council approved funding $4.14 million in work for the Brookhaven drainage improvement project, the contract for which was approved last week by the City Council, and the improvements to Lurleen Wallace Boulevard that are being funded in conjunction with the Alabama Department of Transportation.

At issue was the remaining $8 million or so in projects that council members, led by Councilman Matt Calderone, were looking at to determine whether they were needed now or could be delayed until later funding cycles.

Calderone highlighted a number of projects that he thought the finance committee may want to delay, but after discussing the list on Tuesday, it was clear the council was open to moving forward with them as presented.

"I think a lot of people are more comfortable than I anticipated," Calderone said.

On May 20, the City Council approved:

- Lurleen Wallace Boulevard: $2.49 million
- Brookhaven drainage: $1.65 million

Next week, the City Council is expected to approve:

- Paving: $1 million
- Tuscaloosa Police Department HVAC replacement (phase 1): $200,000
- Highlands Phase IV (Reconstruction of roadway, curb-and-gutter and driveway approaches in the High-lands between University Boulevard and 10th Street East; resurfacing of Central Highlands; replacement of water and sewer lines): $750,000
- Gaineswood waterline improvements along Rice Mine Road between Alabama Highway 297 and New Watermelon Road: $500,000
- University Boulevard Phase III (a joint project with ALDOT to add decorative signals between University and Helen Keller boulevards, construct a shared use path along the south side of University Boulevard, add sidewalks along the west side of Helen Keller Boulevard, add decorative pedestrian and roadway lighting and upgrade water and sewer infrastructure): $475,000
- Rice Mine Road Phase III (adding lanes, sidewalks and curb-and-gutter between Ol’
Colony Road and Waterfall Parkway: $450,000
  • 26th Avenue East (adding turn lanes and better access to Jackson II apartments, a multi-family housing project by the Tuscaloosa Housing Authority): $405,000
  • Wastewater treatment plant repairs: $400,000
  • Albright Road bridge replacement (replace both bridges on Albright Road adjacent to the Springbrook neighborhood): $350,000
  • Greensboro Avenue Drainage (improve infrastructure to eliminate roadway flooding between Ninth Court and Cribbs Mill Creek): $300,000
  • Colonial Drive water system upgrades between Bryant and Judy Bonner drives: $250,000
  • Fosters Ferry Road stormwater, water and sewer upgrades between Joe Mallisham Parkway and 29th Street: $240,000
  • Airport improvement grant (annual 5 percent match of federal grant): $200,000
  • Engineering services for Channing Park sewer system upgrade: $150,000
  • Network security for the city’s IT department: $150,000
  • Saferoom construction (conversion of 3,956 square feet of Tuscaloosa Department of Transportation facility into a 352-person saferoom): $125,000
  • City Hall compliance with Americans with Disability Act requirements: $120,000
  • Lighting upgrades to city facilities: $80,000
  • Decorative light poles at the intersection of University and McFarland boulevards, which is being upgraded by ALDOT: $80,000
  • Roof replacement at TPD’s radio shop: $75,000
  • Rice Mine Road lighting (improvements between Hodge Circle and Crown Pointe): $50,000
  • Downtown lighting (conversion of downtown street lights to LED-based lights): $50,000
  • Security camera upgrades at Tuscaloosa Amphitheater and Tuscaloosa River Market: $50,000
  • Street light upgrades along 20th and 23rd avenues and Sixth, Seventh and Eighth streets: $75,000
  • Entertainment district waste bins (adding garbage cans along University Boulevard between downtown Tuscaloosa and the UA Strip): $10,000
UA to offer new Apple software

Students can use smartwatch as ID card

By Stephen Dethrage
Staff Writer

Apple CEO Tim Cook may be an alumnus of Auburn University, but the tech giant’s latest innovation will debut on the campus of the Capstone this fall, not across the state on the Plains.

During a special presentation last week, Apple previewed watchOS 5, a significant, cost-free software update to their newer model Apple Watches.

The new features they showed off included perks for fitness fanatics and tech enthusiasts alike, but Apple also previewed plans to allow college students to use their smartwatches around campus in lieu of their student ID cards.

According to an Apple press release, “with a raise of the wrist, students can gain access to places including the library, dorms and events, and pay for snacks, laundry and dinners around campus simply by adding their ID cards to Wallet on Apple Watch.”

The program is set to launch at Duke University, the University of Oklahoma and the University of Alabama in September and expand to Johns Hopkins University, Santa Clara University and Temple University by the end of the year.

UA President Stewart Bell discussed the pilot program at a board meeting last week.

"We have actually been working on this project for some time a bit under the cloak of secrecy," Bell said. "It is a next-generation technology program that will allow our students to have access to security issues and things they pay for."

Bell said the university and Apple have been partnering to develop the program for about a year now and that the functions teased last week will be rolled out in September, shortly after students arrive for fall classes on August 22.

See APPLE, B3
Getting to know
Miss Alabama 2018
Callie Walker is actress, daughter of a Miss Alabama, and twin

Anna Beahm
abeahm@al.com

Callie Walker was crowned Miss Alabama on Saturday night. Now she begins her reign as Miss Alabama and her pursuit for the Miss America crown in September.

Walker, who won the talent portion of Thursday night's preliminary, performed a classical ballet to "The Hoedown" from "Rodeo" composed by Aaron Copland.

"It wasn't until my senior year of high school (at Oak Mountain High School) that I discovered this is what I wanted to do. I was given the opportunity to play Fiona in 'Shrek' the musical. It wasn't until that opportunity was presented to me that I really knew this was what I wanted to do and that I was very passionate about it."

Walker's mother, Angela Tower Walker, was her ballet teacher and choreographed the ballet routine she performed at the Miss Alabama Pageant. Her mother also created the costume she wore during her performance.

"It's so beautiful and so much fun to have that little piece of my mom with me throughout the week," Walker said. "It was really special to always know my mom is in the audience doing every step with me, even though she's not on the stage.

I always hear her go 'woo' when I get to a checkpoint in my dance. It is so much fun to hear that encouragement in the audience."

Aside from their mutual love of dance and performance, Walker and her mom share a new bond: Angela Walker was Miss Alabama in 1985.

Although her mom always challenged her and encouraged her to be her best in the pageant, Walker said it was her mom's constant advice to enjoy the pageant experience that helped her through last week's competition.

"That's the best piece of advice she could have ever given me, because this week I was calm. I was at peace with whatever happened at
the end of the week. I think that mindset just gave me a really special weekend," she said.

SHE LIKES TO TALK "TRASH"
Walker's platform, "Let's Talk Trash" — Green Kids for a Green Planet," focuses on teaching youth the three R's of sustainability: Reduce, reuse, recycle. She started "Let's Talk Trash" and a glass recycling project in her neighborhood three years ago. Since then she has helped deliver more than a ton of glass to recycling centers across the state.

Her goal as Miss Alabama is to start sustainability programs in as many Alabama elementary schools as possible during her year reign.

"I do think it all starts in the schools. Something I have enjoyed so much is promoting my platform with elementary school students. When I've had the opportunity to return to the same schools, it's so exciting to see the kids run up and tell me what they recycled or that they told their parents about it," she said.

GUILTY PLEASURES
Even though Walker won the swimsuit portion of Friday's preliminary and values a healthy lifestyle, she still has guilty pleasures when it comes to food. Among her favorites are Mexican food and Bruster's Graham Central Station ice cream.

"It's the best. It has little pieces of graham crackers and chocolate. I highly encourage it," she said.

BROADWAY DREAMS
Walker's older sister, Scarlett, graduated from the University of Alabama with a B.A. in musical theatre and made her Broadway debut in "Carousel." After Miss Alabama and completing her senior year at Alabama, Walker said, she hopes to one day share the stage with her sister.

"I have always wanted to play Anastasia in the musical 'Anastasia,' but after seeing my sister on Broadway, I would love to be a part of any show that she is a part of. Just the feeling of being on stage with her and performing with her. It would be pretty remarkable to have that experience," she said.

SHE'S A TWIN
"I'm two minutes younger, so I'm the baby," she said with a laugh.

Her brother, Michael, also studies at the University of Alabama. He's majoring in music education.

"He's my best friend in the whole world. Our freshman year of college we went to two different schools and it was the first time we'd been apart, which was a big transition, but now he's at the University of Alabama. We're back together," she said.

LOOKING TO MISS AMERICA
Just last week, the Miss America Organization announced it will no longer include swimsuits as one of the competition areas in the pageant. Saturday was the last day to see Miss Alabama contestants in swimsuits.

Walker said the swimsuit portion of the competition has helped her maintain a healthy lifestyle through the five years she's competed in Miss America local pageants and Miss Alabama.

"I am sad to see it go, but if that's what the board thinks is best for the organization to move forth, then I support it," she said.

In thinking of the Miss America Pageant, set for Sept. 9 in Atlantic City, New Jersey, Walker said she's anxious to learn more about the pageant, now that swimsuit is no longer part of the competition.

"I'm just excited that I'm going to be reunited with some of my Miss America's Outstanding Teen sisters who have also won their state pageants. There are three girls from the 2012 (Miss America's Outstanding Teen) class and I'm excited to see if more join this weekend and the weekends to come."
TUSCALOOSA

Charges dismissed against three men accused of rape

Charges have been dismissed against three young men arrested earlier this year in the reported gang rape of a University of Alabama student.

Terry Murphy Jr., 21, Adarious Smith, 21, and Deonte Steven Hill, 24, were charged in April with first-degree rape. Authorities said they were contacted on March 29 by the victim. She told investigators she left the area of the High Tide Bar with the suspects who she thought were going to take her home.

When they passed her residence, they told her they were going to continue to party, according to the woman. Court records state the victim remembers at least two of the men raping her but stated all three admitted to having sex with her.

The victim told investigators she repeatedly said “no” and never consented to the sex.

Prosecutors went before a Tuscaloosa County grand jury with their evidence, and the grand jury did not indict the trio. The charges were then dismissed at the request of the Tuscaloosa County District Attorney’s Office. — Carol Robinson
Hoover seeking to land new Medical West hospital

Hoover is courting Medical West - an affiliate of UAB Health System - to locate a new hospital in the city.

Sources told the Birmingham Business Journal the location of the potential hospital would be between Stadium Trace Parkway and Interstate 459. UAB already has one major project in Stadium Trace Village in the works that will consolidate several existing health facilities into one complex.

The new hospital would be located off Interstate 459’s Exit 10.

Medical West currently operates a 310-bed hospital in Bessemer. That hospital recorded more than 34,000 patient days and nearly $580 million in patient revenue, according to our most recent Largest Hospitals List, which was based on information obtained in October 2017.

While the hospital has made no secret of its eventual plans for a replacement facility, hospital officials said no decision has been made.

“Medical West has proudly served the residents of West Jefferson County - including Bessemer, Fairfield, Hoover, Hueytown, McCalla, Midfield, Tannehill, Vance and other communities - for more than 50 years, and we remain committed to the people of these areas,” UAB said in a statement. “While we have made no secret of our long-term intention to construct a replacement hospital for the current Medical West facility, no decision has been reached on how, if, when or where that project might be undertaken. We will continue to evaluate our plans for the future of Medical West so we can best fulfill our mission, which is to provide the highest quality health care to all of our communities in a patient-focused environment.”

Representatives of Hoover also have declined to comment, citing nondisclosure agreements. City officials in Bessemer also declined to comment at this time.

On June 4, Hoover Mayor Frank Brocato mentioned a potential $300 million project in a presentation to the Hoover City Council and recommended the city commit $20 million to the project, but did not disclose the company or entity involved.

He said it would change the face of Hoover and represent the largest investment in Hoover since the Riverchase Galleria.

An announcement could come within the next 30 to 60 days, Brocato said.

Hoover officials told the Birmingham Business Journal the city does not currently own the land involved, but has an agreement with the owner.

The plan would be to purchase the land, convey it to the facility and pay for the work to be done to provide a prepared site.

But not everyone in Hoover is ready to commit $20 million to the project.

While declining to name the company involved in the project, Hoover City Councilman John Lyda told the Birmingham Business Journal he has reservations about a potential tax increase being used to lure an existing organization from another location in the metro area.

“Is it really economic development if you are A) raising taxes and B) luring a business already in the metro area to your city?” Lyda said. “It’s time regional cooperation is more than a buzzword. Somebody has to do it and say we’re not going to offer incentives to lure businesses from our neighbors.”

Lyda said employees of the undisclosed company are already in the region, so he questioned whether the necessary return on investment is there to commit $20 million. However, he said the other side of the equation is the unnamed project would boost quality of life in the city.

Hoover is the largest city in Alabama without a hospital within its borders.

From a health care standpoint, landing a new hospital would mark a significant milestone in Hoover’s development and would be attractive from a residential and home-building standpoint.

A hospital relocation would require approval through the state’s Certificate of Need Review Board. As of June 6 no letter of intent had been filed in connection with the project, according to the State Health Planning & Development Agency.

Ty West and Tyler Patchen
University of Alabama in Huntsville Receives Accreditation for Doctor of Nursing Practice Program

By: Christina Morgan

The University of Alabama in Huntsville (UAH) College of Nursing has recently received full accreditation for its Doctor of Nursing Practice (DNP) program. The university has been granted accreditation status for five years by the Commission on Collegiate Nursing Education (CCNE).

Dr. Marsha Howell Adams, Dean of UAH Nursing, tells UAH.edu, “The College of Nursing is pleased to receive CCNE accreditation for its new DNP program. Now, the BSN, MSN, Joint DNP, and DNP are all accredited programs. Continuous quality improvement is the key to maintaining quality and integrity in all our UAH nursing programs and it is a goal of the accreditation process.” The newly accredited DNP program offers two DNP pathways: the post-baccalaureate and the post-master’s. The post-baccalaureate to DNP pathway is for nurses with a BSN degree entering directly into the DNP program without earning an MSN degree first. The post-master’s to DNP pathway builds on the advanced practice knowledge and skills obtained in a master’s degree program with a focus on a clinical specialty area.

The CCNE is a national accreditation agency recognized by the US Secretary of Education to serve the public interest by assessing and identifying programs that engage in effective education practices and contribute to the improvement of the public’s health.
UAH professor explains dangers of foodborne illnesses during peak season and how to avoid them

By: Alex Stokes

HUNTSVILLE, Ala. -- An E. Coli outbreak tied to romaine lettuce in April and a salmonella outbreak linked to pre-cut melon in June. Foodborne illnesses peak during summer months according to the U.S. Department of Agriculture. And while a 24-hour stomach bug can be inconvenient -- the consequences can be much worse.

"The danger is dehydration," says Dr. Louise O'Keefe, Assistant Professor of Nursing and Director of Faculty & Staff Clinic at the University of Alabama in Huntsville

Not just from the heat or hot sun, but from the foods you enjoy in the summer.

"You can get sick within a few hours of eating something contaminated to almost a week."

O'Keefe is reminding people that foodborne illnesses are at their worst in the summer. "The most important thing though is the temperature."

No one wants to get sick after enjoying a picnic in the great outdoors. "Keep the food in coolers, make sure that you separate the food," O'Keefe advises. That keeps the bacterial growth at bay. She also suggests keeping food and drinks in different coolers.

The same applies at home. "Do not put raw meat thawing next to cooked meat or vegetables," O'Keefe cautions. She says they are the most common food items to be contaminated.

While in your kitchen, O'Keefe recommends a few simple things to keep yourself healthy and your food fresh. On your refrigerator, set the temperature to 40 degrees Fahrenheit, though you should check with the manufacturer to make sure you have the best temperature for that fridge.

When handling raw meats, consider using a glove to prevent cross-contamination. Wash your hands thoroughly. The recommended time is 20 seconds. "If you're outside, carry a disinfectant with you," O'Keefe recommends.

It's something to take seriously especially with young kids, older adults and those with weak immune systems.

"If the diarrhea continues for more than three days and/or is accompanied by a fever of 100 degrees, 101, you need to see your healthcare provider."

The summer is a time to relax and enjoy your friends and family, so take precautions to protect yourself and them. O'Keefe recommends staying aware and up to date on any food product contamination from credited agencies like the Center for Disease Control and USDA.
Record Tide All-Americans

Alabama has seven earn Academic All-America honors

By Tommy Deas
Executive Sports Editor

Alabama set a record with seven student-athletes named to the Academic All-American At-Large team selected by the College Sports Information Directors of America, the organization announced Thursday.

Swimmers Laurent Banks, Robert Howard, and Luke Kaliszak were honored on the men's list, with gymnast Mackenzie Branan, tennis player Andie Daniell, golfer Kristen Gillman and swimmer Temarie Tomley earning recognition on the women's list.

Alabama held the previous record of six honorees in one school year along with Navy. Alabama had six in 2014 and 2017, while Navy had six in 2016. Alabama's seven in 2018 was three better than Stanford, the second-ranked school.

The at-large team encompasses the 2017-18 academic year in sports which do not have their own Academic All-America teams: beach volleyball, volleyball, bowling, rowing, field hockey, fencing, golf, gymnastics, ice hockey, lacrosse, rifle, skiing, swimming and diving, tennis, and water polo in women's sports; fencing, golf, gymnastics, ice hockey, lacrosse, rifle, skiing, swimming and diving, tennis, water polo, volleyball, and wrestling in men's athletics.

"When you can only nominate four men and four women per year, and all eight earn a place on the district team and seven go on to earn Academic All-America honors, that's quite an achievement," UA Director of Athletics Greg Byrne said in a statement. "We take great pride in being the first school to ever accomplish this feat."

Bams, Howard, Kaliszak, and Branan all were named to the first team. Tomley made second team. Daniell and Gillman were third-team honorees. Branan and Kaliszak both earned Academic All-America for the third time.

Since nominations went from a maximum of three men and three women to four each in 2014, Alabama has led the nation in at-large honors with 28.
ALABAMA TRACK & FIELD
Tide named Div. I Men's Program of the Year

The Alabama men's track and field/cross country team was named the United States Track & Field and Cross Country Coaches Association John McDonnell NCAA Division I Men's Program of the Year, it was announced Tuesday. The honor is the first for the Alabama program.

The award has been presented annually since 2009 to the track and field and cross country program with the best combined finish at the NCAA cross country, indoor and outdoor national championships. The Crimson Tide finished 14th at the NCAA Cross Country Championships, ninth at the indoor championships and tied for fifth at the outdoor championships for 28.5 total points to edge out Arkansas, which finished second with 31 points.
Big matchups ahead

Alabama women's basketball sets nonconference schedule

By Tommy Deas
Executive Sports Editor

The Alabama women's basketball team will host Clemson in nonconference play in the 2018-19 season and play against the likes of Tulsa, Arizona State or Louisiana Tech, Virginia, and Miami in tournaments.

UA release its nonconference schedule Wednesday, with seven home games, two road contests and two tournaments away from campus.

Alabama will play home exhibitions against Faulkner and Mississippi College on Oct. 21 and Nov. 1, respectively.

The Crimson Tide, which finished 20-14 last season while making a run to the quarterfinal round of the Women's NIT, will open its season Nov. 7 at Coleman Coliseum vs. Southeastern Louisiana.

Alabama will visit Utah on Nov. 10 and SMU in Dallas on Nov. 14 before hosting Clemson on Nov. 19 in its marquee on-campus non-conference game.

Alabama will host Grambling State on Nov. 23 and Stetson on Nov. 27 before playing in the Arizona State Classic tournament in Tempe, Arizona, where it will play Tulsa on Dec. 1 and either Arizona State or Louisiana Tech the next day.

Alabama will have three straight home games — Dec. 5 vs. South Alabama, Dec. 8 vs. Tulane and Dec. 16 vs. Northwestern State — before closing out its out-of-conference schedule with games against Virginia and Miami on Dec. 20 and 21, respectively, in the Florida Sunshine Classic in Orlando.

Game times and television selections will be announced later, as will the SEC portion of the schedule.

Alabama will welcome nine new players, including seven freshmen, to join two returning starters and five letter-winners from last season's squad.

Season tickets are on sale, priced from $45 to the public, $35 for groups of four or more and $25 for faculty, staff and senior citizens. To purchase, go to RollTide.com.
New NCAA rules a good thing

The image of the star player walking across the field at halftime and joining the opponent because they've got a three-touchdown lead isn't going to happen, and never was, even if it made for some shock value.

What the new rule actually does is this: it prevents schools (as of October) from banning certain destinations for a player who wants to transfer. It stops the extreme cases where a school blocks a player from 30 or 40 schools. At the moment, it does not change the SEC rule that allows schools to block undergraduates from transferring within the league.

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HURT

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That measure was not part of the changes recently passed in Destin, which affected only graduate transfers. Whether the SEC intends to further alter its rules to come into sync with the national rule will be a discussion that will come later, although it might be a lonely island for a league that elects not to follow the NCAA’s lead.

Absolutely none of today’s ruling affects Brandon Kennedy, the Alabama offensive lineman who declared his intention to transfer last month. He is a graduate transfer. With the new SEC rule on grad transfers in place, Kennedy very well may end up playing in the league this fall but Alabama has provided no further updates on his status.

The changes to the redshirt rule are more intriguing. The new rule would allow football players to participate in up to four games in a season without losing eligibility, with no more of the “injury” requirement or the “first 30 percent of the season” restriction. Instead, it’s a simple four-game minimum.

“This change promotes not only fairness for college athletes, but also their health and well-being. Redshirt football student-athletes are more likely to remain engaged with the team, and starters will be less likely to feel pressure to play through injuries,” NCAA Division I chairman Blake James said in a statement.

“Coaches will appreciate the additional flexibility and ability to give younger players an opportunity to participate in limited competition.”

Again, some of the extreme scenarios involving Alabama aren’t going to happen. No coach is going to hold a potential superstar out in the early going, then suddenly spring him on an unsuspecting Auburn and still redshirt him. For one thing, superstars aren’t going to stick around for five years anyway.

What it does do, though, is let a young player see action against Louisiana-LaFayette and The Citadel, get some game experience under his belt and not lose a year’s eligibility. It will also provide some added depth as teams deal with the attrition of a long season. Nick Saban wouldn’t put it exactly that way — he would never single out one opponent as a harder or worse than another, only as the next team on the schedule. But that’s how the new rule will work in the real world. And it’s a good thing.

Reach Cecil Hurt at cecil@tidesports.com or 205-722-0225.
Michigan State Chief Said Abuse Victim Would Get ‘Kickback’ for Stirring Up Survivors, Emails Show

By: Jack Stripling

In April, John M. Engler, the newly minted interim president of Michigan State University, was under attack. Publicly, he felt as if he couldn’t say anything about the victims of Larry Nassar, a former university sports doctor who pleaded guilty to sexually assaulting girls and young women. But privately it was a different story.

According to previously unpublished emails obtained by The Chronicle through a public-records request, Engler and his top advisers attacked critics and cast doubt on the motives of a victim and her lawyer.

The correspondence came on the heels of an explosive charge from Kaylee Lorincz, a gymnast who had been abused by Nassar. During a board meeting, Lorincz accused Engler, a former governor, of trying to pay her off during a private meeting without her lawyer present. He did little to rebut the story, even as he conferred in confidence with a colleague who disputed Lorincz’s account.

The emails show that, in the days after Lorincz made her allegations, Engler asserted that Rachael J. Denhollander, the first woman to publicly accuse the doctor, was likely to get a “kickback” from her lawyer, John C. Manly, for her role in the “manipulation” of survivors.

Michigan State redacted Engler’s email address from the correspondence, which the university has done in the past, citing security concerns. But a spokeswoman later confirmed that the message had come from Engler.

The email, signed “John,” was a reply to a series of missives from Carol M. Viventi, vice president and special counsel to the president, who was working behind the scenes to assure university trustees that Lorincz’s claims were false. “Thank you for your strong defense,” Engler wrote on April 15 at 9:23 a.m.

“It is deeply appreciated,” the text of the email reads. “At least we know what really happened. The survivors now are being manipulated by trial lawyers who in the end will each get millions of dollars more than any of [sic] individual survivors with the exception of Denhollander who is likely to get [sic] kickback from Manley [sic] for her role in the trial lawyer manipulation.

“It is too bad we can’t have a debate about who is really trying to help those who were harmed by Nassar,” Engler continued. “At least, all of the positive changes are beginning to get some modest attention. It will be years before the use and abuse by trial lawyers point is understood. Have a good Sunday. See you Tuesday morning. John.”

Denhollander, who has emerged as a vocal survivors’ advocate, was aghast but not surprised. Engler has consistently focused on money, she said. “It is out of his comprehension that someone would do something for anything other than money and power. I am not getting kickbacks, ever.” She continued: “It shows all the more deeply his own mind-set toward sexual-assault

See next page
survivors. The idea that he is going to be able to solve the problems of the school when this is what he says about sexual-assault survivors is absolutely ridiculous. Engler needs to go.”

Michigan State did not respond to a request for comment on Wednesday from Engler or Viventi.

‘We Can’t Defend Ourselves in the Press’

One of Viventi’s emails from this period was first published by the Detroit Free Press, which obtained the document from a source within the administration.

In that email Viventi tells trustees that “Kaylee’s statements to the Board contained many false and inaccurate statements, which we did not publicly contradict out of an abundance of concern for the survivors who are quick to claim ‘revictimization’ or ‘shaming’ of survivors whenever they are falsely accusing members of the MSU community,” she wrote.

The documents obtained by The Chronicle provide greater detail about Viventi’s dialogue with board members, to whom she complained that it was futile to publicly contradict Lorincz, who had made her allegations during the public-comment period of a board meeting.

Engler, Viventi wrote, “could not get into an argument about her wholly inaccurate portrayal of what was said 1, he’s not supposed to respond during the comment period and 2, refuting her statement plays into their narrative that he’s bullying and revictimizing a survivor. And in that room, with that audience there was no point in saying anything.”

Continuing, she said, “Victims can say anything and we have to dance around their ‘misperceptions’. The plaintiff’s attorneys are very adept at getting their narrative out there … if we respond, we just give them more opportunity to argue back or say we’re denying responsibility., etc. Unfortunately, we’re stuck trying to get real improvement (7 pages worth!) things [sic] done and getting to mediation. We can’t defend ourselves in the press, but I wanted you all to know we were nowhere near being in the same room and discussion with her.”

As has been previously reported, some trustees pushed back on Viventi, questioning the wisdom of Engler’s meeting at all in private with a survivor, given the continuing litigation. In another email, which has not been previously reported, Viventi told trustees that Engler had been essentially ambushed by Lorincz and her mother, who “saw him as he crossed the hall to the bathroom and insisted they weren’t leaving without meeting him.”

“I’m just sorry we didn’t record the conversation,” Viventi wrote on April 15 at 3:35 p.m. “Given what’s happened, it isn’t likely that he will meet with Mom or a survivor again.”

The university was in damage-control mode, Viventi continued, trying to counteract Manly, Lorincz’s lawyer, who had criticized the meeting. Robert P. Young Jr., whom Engler had hired as lead counsel to handle Nassar-related investigations and lawsuits, was working behind the scenes to ensure the episode did not disrupt the legal mediation process. (In May, Michigan State agreed to pay a total of $500 million to more than 300 women and girls who say Nassar abused them.)
“Bob is working very hard to tell our side to the mediator given the press release sabotage [sic] by Manly,” Viventi wrote. “We are meeting tomorrow to talk about how we talk without appearing to be attacking or defensive.”

Protecting the University

The Free Press’s report about one of Viventi’s emails sent shock waves through the university, contributing to the narrative that Engler and his team saw survivors as adversaries. Viventi would later apologize for her comments, but she immediately realized that Engler was vulnerable for having praised her for making them in the first place.

On April 18 at 1:04 p.m., Emily Gerkin Guerrant, vice president and university spokeswoman, said in an email that “the letter Carol wrote over the weekend has been picked up by the media.” Guerrant proposed a statement from Engler, which was redacted in the email provided to The Chronicle. Ten minutes later, Viventi warned: “Just know that if Je’s email is ever out (foia’d or subpoenaed), he sent me an email Sunday thanking me for my strong defense,” she wrote to Guerrant and John Truscott, a crisis-communications consultant.

As Lorincz’s story drew attention, pressure mounted on university trustees to weigh in. Brian Mosallam, a former Spartan football player and current board member, told an ESPN reporter that “if Kaylee Lorincz’s story is correct, I am beyond disturbed. I’m disgusted.”

This did not sit well with Viventi. In an email that appears to be to Engler, Viventi suggested Mosallam had been disloyal. After praising Engler as “a very good coach/leader!,” she said, “I figured out that Mosallum [sic] didn’t learn how to be a team player.

“Instead of saying I’ll have to get the other side, or learn more, he says if it’s true, it’s disgusting,” Viventi wrote on April 15. “His quarterback is under attack and the instinct is not to defend, but to go along. There’s an assumption that he believes it might be true, rather than an assumption that it couldn’t be true and therefore he’ll make a temporizing statement. So now that I figured out what’s bothering me, I can go back to thinking about all the other problems we have.”

The Chronicle shared the text of Viventi’s email with Mosallam, who objected to the premise that his job is to defend Engler.

“As a university trustee I have duties of loyalty and care to the institution,” Mosallam wrote in an email to The Chronicle. “To carry out these duties, I have oversight responsibilities of how the administration manages the institution. My job is to protect MSU, NOT the university president. And in a case like this one, where the university president’s judgment, tone and conduct undermine the institution and its reputation, I have an obligation to protect MSU even if it is at the expense of the university president.”

Asked about Engler’s email regarding the motives of victims, Mosallam said it raises questions about whether the interim president can continue to lead the university.
“Engler needs to think long and hard whether he is the right person for this job,” Mosallam said. “Hopefully, the settlement will be finalized shortly. The focus now must be on institutional reform which requires our leadership to set a tone that reestablishes confidence and trust in our university. Our courageous survivors suffered immensely from sexual abuse. Rachael Denhollander is an inspiration for her courage and bravery to speak up, and the example of leadership that Engler should follow rather than criticize out of jealousy and spite. The idea that any human being, let alone the university’s interim president, would question their motives or intentions, lacks empathy, but more startlingly, dignity. I have serious concerns about MSU’s ability to turn the page while Engler remains the university’s interim president, and strong reservations about whether he should continue in that role.”