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**BY ELECTRONIC MAIL ONLY**

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**INVESTIGATIVE REPORT REGARDING CITY OF STARKE CHIEF ADMINISTRATIVE OFFICER JIMMY CROSBY**

Dear Ms. Adams:

This correspondence serves as my Investigative Report and Recommendations as it relates to allegations of discrimination, harassment and retaliation by Chief Administrative Officer Jimmy Crosby.

**I. Basis for Investigation**

During a May 6, 2025 City of Starke Commission meeting, Commissioner and former City Manager Bob Milner raised three issues as they related to Chief Administrative Officer Jimmy Crosby. First, Commissioner Milner essentially alleged that Mr. Crosby had created a hostile work environment for City employees in which employees feared for their jobs, were asked to do things they considered illegal or unethical and were prohibited from speaking with any of the commissioners without first communicating with Mr. Crosby. Next, Commissioner Milner took issue with Mr. Crosby's creation of a recreational advisory committee which included representation from the County and Tourist Development Council, without obtaining consent or input from the Council as to the make-up of such committee, including recommendations for citizen appointments and city commissioner representation on the committee. Finally, Commissioner Milner referenced Mr. Crosby's prior criminal history and his failure to have his civil rights restored, which in turn resulted in his resignation from the elected office of City Clerk following an investigation by FDLE and

suggested that these actions resulted in Mr. Crosby's inability to lead the City in an ethical manner.

At the meeting, Commissioner Milner initially called for Mr. Crosby's termination. However, based on legal advice that the City investigate the claims against Mr. Crosby while also providing Mr. Crosby with notice and due process as required by his contract, Mr. Crosby was instead placed on paid administrative leave pending completion of an investigation into the allegations of misconduct.

During the course of the investigation and prior to my interview of Mr. Crosby, Mr. Crosby resigned from his employment with the City of Starke. Despite Mr. Crosby's resignation, I was asked to complete the Investigative Report.

## **II. Scope of Investigation**

At the outset, I discussed with Ms. Adams my concerns that events related to the FDLE Investigation and Mr. Crosby's alleged inability to hold office were not adequate grounds to terminate his employment. Specifically, I was of the opinion that regardless of whether the City and its Commissioners had actual knowledge of these events, because the City and its Commissioners likely should have known of these events, this information did not appear to be an adequate reason for terminating Mr. Crosby's employment. Stated differently, there was arguably nothing preventing the City from looking into the reason for the FDLE's investigation and Mr. Crosby's subsequent resignation at the time that it occurred, so that delayed investigation or understanding of this information did not appear to be a legitimate basis for termination. Accordingly, my investigation focused on the remaining two allegations raised during the May 6, 2025 City Council meeting: namely whether Mr. Crosby created a hostile work environment and whether Mr. Crosby created and/or composed a joint recreational advisory committee without appropriate oversight or input from the City Council.

## **III. Witness Interviews**

During the course of my investigation, I interviewed over twenty individuals, including current and former employees and business associates of the City, as well as Mr. Crosby. Due to fear of retaliation, I was asked not to identify particular individuals or attribute quotes or information directly to these employees if it could be avoided.

The City placed no restrictions on any interviews in terms of scope of questioning or time allotted for each interview. Given the potential that the Commission would be required to take action as to Mr. Crosby's employment since he had not yet resigned at the time I conducted interviews, I did not interview any of the individual commissioners.

The investigative findings are based on a preponderance of the evidence standard, meaning, after considering all evidentiary support, including the relative credibility of the

witnesses and statements during interviews, whether it is more likely than not that the conduct occurred as alleged.

#### **IV. Findings of Fact**

##### **A. Background**

James “Jimmy” Crosby has been employed with the City of Starke since 2021 in three different positions. In October of 2021, Mr. Crosby was elected to serve as City Clerk. Mr. Crosby served in this role until his resignation in March of 2024. Upon resigning as Clerk, Mr. Crosby became Operations Director under the direction of City Manager Drew Mullins, a white male in his mid-thirties. Mr. Crosby served in this role from March of 2024 until September of 2024. In September of 2024, the Commission decided to do away with the City Manager position and split the duties among two roles: General Manager of Public Works, responsible for water, electric, natural gas, streets, and wastewater (essentially all of the functions attributed to the enterprise fund) and Chief Administrative Officer, the position responsible for everything except utilities. Mr. Crosby became Chief Administrative Officer (CAO) for the City of Starke. CAO was a newly created position for the City and its creation and function was and continues to be controversial with many maintaining that this position was created especially for Mr. Crosby and that Drew Mullins, who in turn served as General Manager of Utilities, was forced to hire Mr. Crosby into the position of CAO.

The organization of the City under this dual-headed system is complicated and often subject to change with many departments and/or employees transitioning from supervision by Mr. Crosby as CAO to Mr. Mullins as General Manager and back again. Although the departments were intended to largely function independently without much or any overlap, Mr. Crosby advised that he had problems getting accurate information from Mr. Mullins, which in turn led to overlap and the need for consistent interaction between the department to operate. Other employees, including Mr. Mullins advised that Mr. Crosby sought more and more control, inserting himself in everything, including functions that were or should have been handled by the General Manager. Employees uniformly testified that Mr. Mullins and Chief Financial Officer James Hughes received the brunt of Mr. Crosby’s ire, including undermining their authority and beating Mr. Mullins down psychologically.

##### **B. Parks & Advisory Committee**

Within the May 6, 2025 Commission meeting, Commissioner Milner alleged that Mr. Crosby put together a recreational advisory committee involving county staff, representatives of the TDC and city staff to consider proposal for a partnership for better utilization of ball fields. Commissioner Milner challenged Mr. Crosby’s failure to consult the Commissioner about the committee stating “I would think anytime we establish a citizen’s advisory committee, we as the commission, should be consulted regarding potential membership and the mayor appointing a commissioner if one is to serve.”

Mr. Crosby defended with actions with regard to such a committee stating that there was no committee. Instead, this was an idea discussed between the City, County and Tourist Development Council (TDC) in an effort to attract more sports and related tournaments. Mr. Crosby contends that it is his job to do the groundwork associated with a project like this and to present to the Commission only once there are specifics and details in place. Mr. Crosby confirmed that there was a meeting for this TDC led project which included multiple individuals with specific knowledge and background in sports. Mr. Crosby was careful not to include more than one commissioner to avoid violating the Sunshine law.

During my interviews of City employees, neither Mr. Mullins nor anyone that worked closely with Mr. Mullins and Mr. Crosby could identify any other committee or board in which members were appointed by the Commission or in which the Commission had input or oversight into staffing. While some employees pointed to appointments to TDC or similar bodies, those involved appointments of Commissioners to represent the City's interest, not the appointment of lay people or individuals with specialized knowledge to serve on a citizen advisory board.

In short, I do not believe this allegation supports termination or any disciplinary action as to Mr. Crosby. While the Commissioners may have desired more information and input into this joint committee, I do not believe the committee was sufficiently established or that there is any precedent requiring Commission involvement at this early stage. Further, such actions are well within the realm of the duties assigned to Chief Administrative Officer and do not warrant discipline even if individual Commissioners sought to be more informed.

### **C. Hostile Work Environment**

Shortly into my investigation it was apparent that the allegations against Mr. Crosby consistently fell into five categories: unprofessional conduct, sexual harassment, racism, ageism and unethical or illegal acts. Each of these categories is discussed in detail below.

#### **1. Unprofessional Conduct**

The most often repeated criticism of Mr. Crosby related to his management style and general treatment of people, including employees. Those interviewed often described Mr. Crosby as narcissistic, manipulative, evil and controlling. Mr. Crosby was repeatedly described as a bully or someone on a power-trip who rules through fear and intimidation. Words used to describe Mr. Crosby's management style included "antiquated, barbaric, controlling and ridiculous." Employees described "walking on eggshells" and attempting to gauge Mr. Crosby's mood before asking him a question or engaging in a discussion. If it was apparent Mr. Crosby was not in a good mood, employees would often walk away, deferring important matters until he was in a better frame of mind to discuss the issue since simple questions would set him off.

Mr. Crosby defended his management style stating that he is never satisfied and always in pursuit of something more which he deems necessary for his role in keeping the City moving forward and growing. Due to his constant pursuit of excellence, staff feel pressure and often perceive his continued desire for improvement as a statement that Mr. Crosby is finding fault.

Those interviewed were nearly unanimous in describing Mr. Crosby as often using unprofessional and inappropriate language, including cusswords, “f-bombs,” and generally derogatory terms such as calling people stupid. Employees described having to apologize to customers paying their utility bills when Mr. Crosby’s screaming and profanities would echo into the lobby of City Hall.

Mr. Crosby did not deny the use of such language but attempted to downplay the severity of such language stating that while sitting through a PG-13 movie, he kept a list of various words used in the movie which included “shit,” “damn,” “hell” and “son of a bitch.” Mr. Crosby further advised that his use of such language at work was often the result of the stress associated with his position. Mr. Crosby admitted using the words “damn,” “hell,” and “fuck,” but maintained that the words were not directed to anyone and no one ever advised him that they were offended by the use of such language. Mr. Crosby also advised that many others, including Commissioners and the President of the United States, have used the same or similar language without issue.

Mr. Crosby’s yelling and use of profanity was often accompanied by physical actions including slamming doors, banging on the desk or throwing papers.

Individuals that were interviewed described Mr. Crosby as attempting to isolate people or pit people against each other. Mr. Crosby attempted to drive a wedge between GM Drew Mullins and Finance Director James Hughes, isolating each to prevent them from discussing shared interests, including their individual and collective treatment by Mr. Crosby. One employee described such behavior as classic inmate behavior, trying to manipulate people and ultimately isolating them by driving a wedge between people to benefit himself. These individuals advised that Mr. Crosby repeatedly threatened employees with termination, saying things like, “I guess I’m gonna have to find someone else to do your job,” or “it takes 4 votes to fire me (referring to the 4/5 vote of the Commission required to terminate him) and only one vote for you.”

Mr. Crosby expressly denied these allegations, maintaining that he never pits people against each other. Mr. Crosby repeatedly advised that when he began as Chief Administrative Officer, he instituted a “no drama” policy which was by far, the most difficult policy he had to enforce. Mr. Crosby maintained that he never fired anyone and when he wanted to, would often move them under Mr. Mullins to avoid doing so. Multiple employees confirmed that Mr. Crosby was not one to fire people but would instead force people out by making conditions unbearable or use Mr. Mullins to fire people in his stead. Mr. Mullins is believed to have fired at least three employees at the request of Mr. Crosby while holding off

on multiple others. One such example involves Terry Anderson, a 30-year employee with the City of Starke. Mr. Crosby maintains that Ms. Anderson was routinely insubordinate and used confidential City information to further personal objectives. Given her long tenure with the City, Mr. Crosby did not want to fire her and ultimately placed her under the supervision of Mr. Mullins.

Despite Mr. Crosby's claims that he did not want to fire Ms. Anderson, all of the employees that were familiar with the circumstances described drastically different circumstances. Mr. Crosby, along with Commissioners Mortimer and Roberts wanted Ms. Anderson terminated. By all accounts, Mr. Crosby attempted to force Ms. Anderson out, frequently moving her and making her life miserable. Ms. Anderson was familiar with Mr. Crosby from their lengthy history in Starke and due to the prior relationship was subject to smart remarks. At one point Mr. Crosby described Ms. Anderson as a "trainwreck" and told her that she would never make 30 years. Ms. Anderson's department was reduced from five employees to one and when Ms. Anderson asked for a raise or help, she was repeatedly ignored. While there were multiple employees in the department, Ms. Anderson and her staff were prohibited from going to lunch together with the explanation that someone should always be present to staff the department. When Mr. Crosby's attempts to force Ms. Anderson out did not work, Mr. Crosby moved Ms. Anderson under the supervision of Finance Director James Hughes. When Mr. Hughes refused to terminate her, Ms. Anderson was moved under Mr. Mullins telling Mullins to "fire her fat ass." Mullins refused to fire her. When Ms. Anderson completed 30 years of service in April of 2025 and was recognized by the City, Mr. Crosby did not offer any congratulatory remarks or take any photographs with Ms. Anderson or the coworkers supporting her.

City employees repeatedly spoke to Mr. Crosby's belief that he single-handedly controlled the Commission and dictated the direction of the City. Employees offered an example whereby Mr. Crosby sought to terminate the Planning & Zoning commission/board, stating his belief that individuals should be free to do as they saw fit with their own properties. When employees challenged him on this action and stated that this was a Commission decision, Mr. Crosby responded with "I am the Commission." Just as he often threatened the jobs of City employees, Mr. Crosby would also threaten higher ranking employees with Commissioners, claiming that he had two of them willing to support his request for termination and had adverse information on a third commissioner that would allow him to garner a third vote, resulting in a majority vote for termination. At least one employee suggested that even if Mr. Crosby didn't have the votes from the Commission, he would often suggest that he did so as to invoke fear in employees.

## **2. Sexual harassment and discrimination**

Many of the males interviewed advised that Mr. Crosby would often speak about the physical appearance or characteristics of female employees in the office. Examples of such misconduct included referring to female employees as "fuckable" and stating "I could bang/fuck her." Mr. Crosby would also make comments regarding physical attributes of

female employees by making comments to the effect of “look at her sweet ass” or something similar. One employee was advised to “leave the door open so I can see the pretty girls walk by.” It does not appear that Mr. Crosby ever made any such comments directly to a female employee but instead made comments to male employees who in turn relayed such comments to some of the female employees, including those that were the subject of such comments. Mr. Crosby denies ever making any such comments.

Allegations of sexual discrimination were also apparent from a resignation letter submitted by Kayla Young. In her letter Ms. Young advised that she often heard comments, including that she “was not who “they” wanted,” leading her to believe that management wanted a male employee for her position. Ms. Young was also told “it is funny to see a woman in this position.” Later, when Ms. Young informed management of her pregnancy, she immediately experienced backlash including backtracking on previously approved PTO leave and “restructuring of her position” even though other individuals filled her position for months while she was reassigned to other work. Further, when Ms. Young advised the City of her need for flexibility to attend doctor’s appointments due to the high-risk nature of her pregnancy, she was informed that the only position that could guarantee the required flexibility was a position in the warehouse/yard, a less than ideal position for a pregnant woman.

### **3. Racism**

On an unknown date, Mr. Crosby was present in the lobby of City Hall along with Cathy Bradley, a Black female and Steve, a Black male who served as a meter reader for the City. When Mr. Crosby encountered Steve, he whistled and used the term “boy” in addressing him. Ms. Bradley immediately told Mr. Crosby that the use of such term in relation to a Black male was offensive. Crosby immediately apologized to Steve and believed that the incident was concluded. Mr. Crosby contends that he used the term because Steve was a younger employee and not because he was black.

Several employees alleged that Mr. Crosby made comments to the effect that he could “get em cheap,” referring to black employees. In referring to Tia Davis, a Black female with a Master’s degree that Mr. Crosby hired as an accountant, Mr. Crosby allegedly stated “I can get her for cheap.” Mr. Crosby expressly denied such claims and provided important context stating that he believes and has openly stated that Black employees are routinely discriminated against in employment and as a result, are often open to accepting available employment opportunities for less money despite their significant education and qualifications. Mr. Crosby advised that he has never hired anyone expressly because of his or her race and has also insisted upon hiring the most well-qualified candidate and providing incentive pay to address same.

It is undisputed that under Mr. Crosby’s leadership, the City of Starke currently has the most diverse workforce that it has ever had and employs more Black employees than ever before.

#### **4. Ageism**

Younger employees, including those under the age of 40, were adamant that Mr. Crosby repeatedly discriminated against them, challenging their experience and decision making simply due to their youth, regardless of actual work experience. Mr. Crosby was said to equate years of service with intelligence, while belittling and being derogatory towards younger employees. In an effort to avoid conflict, many younger employees acknowledged having an older employee or supervisor speak to Mr. Crosby on their behalf as they did not believe Mr. Crosby reacted in the same volatile or condescending manner when dealing with a contemporary versus a younger employee. A common example offered was Mr. Crosby's rapport with the contracted building official who is similar in age to Mr. Crosby. While also having the benefit of being a contractual and much needed employee who was not subject to Mr. Crosby's whims for continued employment, many of those interviewed advised that the building official would often tell Mr. Crosby to "lay off" the guys (as in not giving them such a hard time) and when he did, Mr. Crosby would often advise that either the employees needed to toughen up or insist that he only gave them such a hard time because he really liked them.

Mr. Crosby acknowledged a generational divide with some employees and further acknowledged that older employees would often intercede on behalf of younger employees. In support of the generational divide he experienced with some employees Mr. Crosby offered an example wherein an employee would clock in to work and then proceed to eat breakfast. Mr. Crosby fully expects employees to come to work on-time (early!) and ready to work. Mr. Crosby fully believes that some younger individuals believe there is nothing wrong with coming to work only to perform personal tasks, including eating breakfast, which he believes represents a generational divide about what is appropriate in the workplace.

#### **5. Unethical or illegal acts**

During my interviews, employees offered several examples of actions by Mr. Crosby and others, that they felt were illegal or at best, unethical.

##### **a. Prohibitions on communications with Commissioners**

Employees were advised early in Mr. Crosby's tenure to let him know if they spoke with a Commissioner, regardless of whether the employee reached out to the Commissioner or the Commissioner reached out to the employee. Mr. Crosby admitted to same, stating that it was largely for the protection of the employee and allowed him to intervene with the Commissioner to address the day to day operations of the City without putting the employee in a precarious position on having to choose between the demands and directions of his or her supervisor and the demands and directions of a Commissioner. Mr. Crosby later modified his request so that employees were only to notify him about interactions with a Commissioner that involved City business. According to Mr. Crosby, this modification

continued to protect the employee while also ensuring that he was aware of any issues affecting the City and was not caught by surprise if a Commissioner decided to publicly address the issue. Mr. Crosby's demand that employees notify him when speaking with Commissioners was later reduced to text message and a letter which new employees signed and had placed in their personnel files.

#### **b. Influencing commissioners and independent boards**

Mr. Crosby will often attempt to control the narrative by controlling the information that others receive. Employees maintain that they are often asked to hide things or not give Commissioners the full truth in order to influence decisions. For example, in his quest to disband the fire department, several employees advised that they were asked to manipulate numbers, both in the number of calls responded to and as it relates to finances in order to show that the department is operating at a loss and should be disbanded. One employee attributed the following quote to Mr. Crosby in discussing his relationship with the Commission: "treat em like mushrooms...keep em in the dark and feed em shit."

Mr. Crosby also attempted to influence boards who are expected to exercise independent judgment in making recommendations to the Commission. Employees described an incident where a family desired to split their real property and place a mobile home on each. Under this arrangement, Mr. Crosby felt that they could not share water and sewer. Although the building department disagreed with Mr. Crosby's conclusion, Mr. Crosby advised that he would make sure their request was denied and asked the employees to let Planning & Zoning know that City administration wanted them to vote no on the application.

#### **c. Delayed action during qualifying**

Mr. Crosby delayed action on certain items, including fee increases and amendments to land development regulations to assist Commissioners seeking to qualify for the next election. The parties dispute the length of time such actions were delayed with Mr. Crosby stating that he delayed action for approximately three weeks, while employees raising the issue suggested that Mr. Crosby postponed bringing an ordinance to the Commission which contained building department fee increases for over a year. When Mr. Crosby was placed on administrative leave due to this investigation, Mr. Mullins brought this information to the Commission for discussion and action. Mr. Crosby advised that no commissioner ever asked him to delay, but he felt that part of his job responsibilities was to use good judgment and avoid putting controversial issues or decisions before the Commission so close to qualification if it was not absolutely necessary.

#### **d. Selective code enforcement**

Employees also contend that they were asked to selectively enforce or cite various properties while ignoring other violations. Employees described specific instructions to stay

out of RENO, an area within Commissioner Mortimer’s district, especially during an election year. Employees also described a ride along with Commissioner Mortimer in which specific properties were pinpointed based on ownership, with instructions to cite or ignore violations based on who owned the property. Similarly, employees advised that Mr. Crosby would often do favors for friends, instructing employees to let him know about potential code enforcement violations for an individual within the City who owned multiple properties, saying that he “would take care of it” instead of having Code Enforcement cite the property owner and follow their regular process.

Mr. Crosby denied selective enforcement, particularly based on the owner of the property, but instead acknowledged that there could be distinct and particular situations which may result in enforcing or not enforcing citations, citing a specific example involving a property that was in probate. Given the multiple specific examples cited by City employees, I believe it is credible that there was selective enforcement and cherry picking of properties that were or were not cited based on ownership and instructions from Mr. Crosby or individual Commissioners.

#### **e. Interference with freedom of association**

Multiple employees also advised of being chastised and warned to avoid associating with certain people within the City, particularly individuals associated with the now disbanded City of Starke Police Department. For example, when running into Terry Anderson and the then-police chief, Mr. Crosby made comments to the effect that Ms. Anderson needed new friends and would have to choose between her career or her friends.

### **VI. Analysis**

A hostile work environment claim under Title VII requires proof that the workplace is permeated with discriminatory intimidation, ridicule, and insult, that is sufficiently severe or pervasive to alter the conditions of the victim’s employment and create an abusive working environment. Fernandez v. Trees, Inc., 961 F.3d 1148 (11th Cir. 2020).

To establish a hostile work environment claim, a plaintiff must that: (1) he belongs to a protected group; (2) he suffered unwelcome harassment; (3) the harassment was based on a protected characteristic of the employee, such as national origin; (4) the harassment was sufficiently severe or pervasive to alter the terms and conditions of employment and create a discriminatorily abusive working environment; and (5) the employer is responsible for that environment under a theory of either direct liability or vicarious liability.

Whether “the conduct complained of was ‘sufficiently severe or pervasive to alter the conditions of employment and create an abusive work environment’ – is the element that tests the mettle of most sexual harassment claims.” Gupta v. Florida Bd. of Regents, 212 F.3d 571, 583 (11th Cir. 2000). “[P]roving a hostile work environment is a heavy burden – one that cannot be met merely by showing unprofessional encounters and harshly worded email

s.” *Elite Amenities, Inc. v. Julington Creek Plantation Cmty. Dev. Dist.*, 784 Fed. Appx. 750, 752 (11th Cir. 2019).

The severe-or-pervasive element ensures that a hostile work environment claim remains faithful to the text of Title VII. It makes actionable only a work environment sufficiently suffused with "intimidation, ridicule, and insult . . . to alter the conditions of the victim's employment." This standard does not require a plaintiff to suffer a "serious effect on [his] psychological well-being" nor even a "tangible effect[]" on his job performance before suing. But nor does it permit Title VII to operate as a "civility code for the American workplace." *Oncale v. Sundowner Offshore Servs., Inc.*, 523 U.S. 75, 80, 118 S. Ct. 998, 140 L. Ed. 2d 201 (1998). Instead, it charts "a middle path between making actionable any conduct that is merely offensive and requiring the conduct to cause a tangible psychological injury."

The severe-or-pervasive element has two subrequirements: one subjective and the other objective. To satisfy the subjective requirement, a plaintiff must "subjectively perceive[]" the hostile work environment "to be abusive."

We consider four factors to determine whether harassment of an employee meets this objective requirement: (1) its frequency, (2) its severity, (3) whether it is "physically threatening or humiliating," and (4) whether it "unreasonably interferes with . . . job performance." *Mendoza v. Borden, Inc.*, 195 F.3d 1238, 1246 (11th Cir. 1999) (en banc). Although these factors guide our inquiry, they are neither elements nor requirements. See *Bryant*, 575 F.3d at 1297 ("[T]he objective element is not subject to mathematical precision . . ."). Instead, our task is to "determine under the totality of the circumstances whether the harassing conduct . . . alter[ed] the terms or conditions of the plaintiff's employment." *Mendoza*, 195 F.3d at 1246. This inquiry is highly contextual. See *Oncale*, 523 U.S. at 81-82 ("The real social impact of workplace behavior often depends on a constellation of surrounding circumstances . . ."). Accordingly, as the Supreme Court has emphasized, "'no single factor' is necessary to satisfy the objective inquiry of a hostile work environment claim." *Fernandez v. Trees, Inc.*, 961 F.3d 1148, 1155 (11th Cir. 2020) (quoting *Harris*, 510 U.S. at 23); see also *Miller*, 277 F.3d at 1276 (explaining that "focusing on [a] single factor . . . loses sight of the totality of the circumstances approach").

Thus, for example, harassment may violate Title VII without interfering with an employee's performance. *Fernandez*, 961 F.3d at 1155. And infrequent but severe instances of harassment may support a claim. See *Adams v. Austal, U.S.A., LLC*, 754 F.3d 1240, 1254 (11th Cir. 2014) ("Although his supervisor's carving was an isolated act, it was severe.") The same goes for frequent but less severe harassment. See *Reeves v. C.H. Robinson Worldwide, Inc.*, 594 F.3d 798, 808 (11th Cir. 2010) (en banc) ("Either

severity or pervasiveness is sufficient to establish a violation of Title VII." (emphasis in original)).

Copeland v. Ga. Dep't of Corr., 97 F.4th 766, 775-776 (11th Cir. 2024).

It is undisputed that the majority of employees interviewed subjectively feel that their work environment is abusive thus satisfying the subjective test for severe and pervasive. Moving to the objective requirement, it is arguable that the frequency, severity, and interference with job performance are sufficient to establish the objective requirement for severe and pervasive harassment. Although Mr. Crosby only served as CAO for less than a year at the time of this investigation, his entire nine-month tenure was marred by the harassment and hostilities set forth above thus satisfying the frequency element. Compare Singleton v. Auburn Univ. Montgomery, 520 Fed. Appx. 844 (11th Cir. 2013)(recognizing that calling Singleton a "Do Boy" on one occasion, while also calling him a "Boy" was insufficient to establish the severe and pervasive harassment required to establish a claim for hostile work environment).

Mr. Crosby's harassment was also severe. See Copeland, 97 F.4th at 777(recognizing harassment is more severe when it involves the participation of supervisors). Mr. Crosby's actions permeated virtually all facets of City employment. From the frequent use of profanity to disparaging comments and interference with job tasks, the misconduct was not the rare or occasional utterance or harassment courts typically reject. Compare Murray v. Learjet, Inc., 2024 U.S. App. LEXIS 28300, \*7 (11th Cir. Nov. 7, 2024) (holding that a single offensive utterance in which a lead tech told plaintiff to "go work on my f-ing airplane was not sufficiently severe or pervasive); McCann v. Tillman, 526 F.3d 1370 (11th Cir. 2008) (concluding that calling a female employee "girl" and two black male employees "boys" over a period of three years did not rise to the level of severe and pervasive harassment).

Employees advised that Mr. Crosby repeatedly undermined Mr. Mullins and beat him down psychologically. The recognition of these behaviors by subordinate employees as well as repeated statements that employees were walking on eggshells around Mr. Crosby are likely sufficient to demonstrate the humiliation element of the objective severe and pervasive evaluation. See Buckley v. Sec'y of the Army, 97 F. 4 784, 797 (11th Cir. 2024)(finding that patient diversion scheme which undermined the plaintiff's entire position as a speech pathologist and left her "on pins and needles all the time" was humiliating by an objective standard).

Finally, it appears that Mr. Crosby's actions often interfered with various employees' job performance as evidenced by his interference with code enforcement and other functions within building and zoning as well as his interference with utilities when the divisions were initially intended to be completely separate. Having met all of the required elements for [subjective and objectively] severe and pervasive harassment, it is likely City employees could meet the significant hurdle to establish a claim for hostile work environment.

## VII. Recommendations

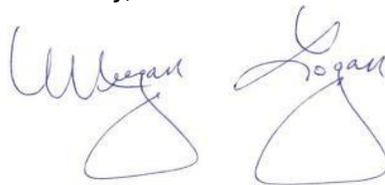
The consistency among the employees (both current and former) and third parties regarding Mr. Crosby's management and interaction with people was astounding. Statements to the effect that Mr. Crosby "is the most corrupt individual I've ever dealt with" or "I can't say one good thing about him," were commonly repeated as was the astonishment that it took so long for the City to investigate what these individuals believed should have been widely known to City leaders.

As Mr. Crosby chose to resign prior to the conclusion of this Investigation, there is little to do to remedy past wrongs. The City might consider hiring or retaining a Human Resources professional or other Employee Relations professional to address employee concerns as it was a common theme that employees did not feel that there was anyone they could voice their concerns to or did not know who to contact to address their grievances. Those interviewed made it clear that the work environment and employee morale had already improved dramatically while Mr. Crosby was on leave, stating that doors were open, employees were speaking freely, free from fear and intimidation while demonstrating increased productivity. The City should ensure that positive morale continues to prevail while establishing stability and transparency in a new and effective leader.

## VIII. Conclusion

I appreciate the opportunity to be of service to the City of Starke. In the event you should have any further questions, please do not hesitate to contact me.

Sincerely,

The image shows a handwritten signature in blue ink. The signature is written in a cursive style and appears to read "Meagan L. Logan". The signature is positioned above the typed name and email address.

Meagan L. Logan, Esq.

[Meagan@DouglasandDouglas.law](mailto:Meagan@DouglasandDouglas.law)