

# Board debates process for banning books

## New state law still leaves many questions

**Finch Walker**

Florida Today  
USA TODAY NETWORK – FLORIDA

Brevard's formal book review process has been halted since June, but with a new state law, parents could find a way to circumvent the traditional review process. That left the school board debating how to respond if a parent seeks to force a fast-track ban on a book.

House Bill 1069, which went into effect July 1, lays out rules related to what

can and can't be taught in schools or kept on library shelves. It also says that parents must be allowed to read passages from "any material that is subject to an objection," and that if the school board stops a parent from reading the passage because it is pornographic, the book must be pulled from library shelves or removed from curriculum.

But the language is so vague, it doesn't specify where the parent should read the book, just that it needs to be in the presence of a school board member.

After 34 books were pulled from Indian River County shelves following an Aug. 28 meeting, at which speakers read excerpts from books they called sexually explicit or pornographic, Brevard school board members prepared Thursday for a similar situation. Titles included "Me, Ear and the Dying Girl" by Jesse Andrews, "Tilt" by Ellen Hopkins and "Looking for Alaska" by John Green.

"I don't think we're about to pull every book that might have content that we wouldn't necessarily want read in a public meeting," said board member Ka-

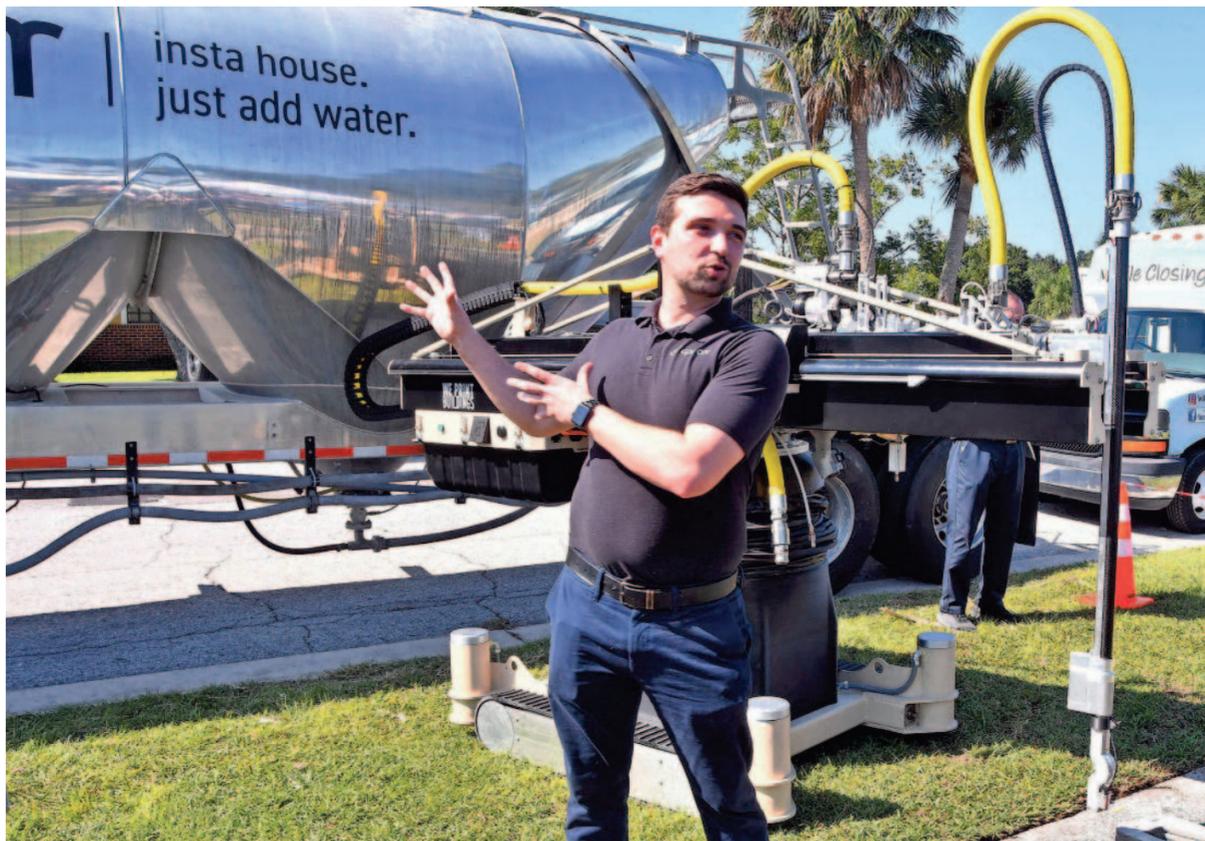
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The Rockledge High School Chamber Orchestra under the direction of Chorus/Orchestra teacher Meg McGivney performed at the start of the Aug. 22 Brevard County School Board meeting in Viera.

TIM SHORTT/FLORIDA TODAY

# 'Frank' the robot will 3D-print affordable homes in Melbourne



Trevor Ragno, Apis Cor's director of construction, talks about his company's robots during Thursday's 3D-printed home complex groundbreaking ceremony on Lipscomb Street in Melbourne. PHOTOS BY MALCOLM DENEMARK/FLORIDA TODAY

## Habitat for Humanity, city company to build Brevard's first 2 such houses

**Rick Neale**

Florida Today  
USA TODAY NETWORK – FLORIDA

Habitat for Humanity's third 3D-printed home construction project in America will take shape just north of Macedonia Missionary Baptist Church in Melbourne, thanks to "Frank," a futuristic 2,900-pound long-armed robotic printer that scoots along on tank tracks.

"Now, Frank can operate around the clock. But due to local ordinances, we'll likely be printing from 8 a.m. to 7 p.m.," Trevor Ragno, Apis Cor director of construction, explained to a groundbreaking ceremony crowd.

"It'll be a really cool demonstration to show – getting the walls up in around a week. And finishing out construction on these projects very quickly," Ragno said, standing alongside Frank.

Thursday morning, more than 150 people gathered beneath a tent to commemorate pending construction of Brevard County's first two 3D-printed affordable homes. These adjoining grassy lots are located at the intersection of Lipscomb and Church streets.

Apis Cor, a Melbourne robotics technology and manufacturing company incorporated in 2019, will 3D-print the two neighboring homes. Macedonia Community Development Corp. of South Brevard will lease one of the units to a low-income tenant.

"A hundred years ago, communities built the church. Today, the church builds the community," said Ray Lea, Macedonia CDC vice president.

### Living in the woods while pregnant

Space Coast Habitat for Humanity will sell the other 3D-



Mariah Humphries and her daughter, Ava, will move into a Space Coast Habitat for Humanity 3D-printed home in Melbourne.

printed home to former Cocoa resident Mariah Humphries, who has a 4-year-old daughter, Ava.

"When I was pregnant with her, I lived in the woods for some periods, bouncing from home to home. I didn't have a home of my own," Humphries said after the event, holding Ava in her arms. She graduated in April from New Life Mission, a Melbourne Christian nonprofit that provides housing for homeless women with children.

"So getting this house gives us both a future. A good, safe space for her to grow up, something I'm trying to work so hard

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**John A. Torres**

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Florida Today  
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## Brevard prosecutor suspended for misconduct

Better late than never, I guess. Assistant State Attorney Bryon Aven finally took responsibility and pleaded guilty to prosecutorial misconduct to the Florida Bar, stemming from a 2022 battery case in which he presented and encouraged false testimony. In exchange for his plea, the Florida Bar is suspending Aven for two years from practicing law.



Aven

He is also expected to pay more than \$4,000 in legal fees.

The plea agreement must be approved by the Florida Supreme Court, something which should not be considered automatic. According to Melbourne attorney Doug Beam, the Supreme Court often leans toward harsher penalties.

During the 2022 battery trial, Aven knowingly presented false information that contradicted a surveillance video he admitted into evidence but did not "publish," meaning show it to the jury. The judge ordered the video to be played without the jury present then held a hearing for a motion to mistrial when he discovered the contents.

During the mistrial hearing, Aven took the stand and denied any wrongdoing and refused to concede there was false testimony. It was only after his second chair, prosecutor Chris Cusmano, told the State Attorney Office's Division Chief Bill Respass and Aven that his own testimony was going to be different that Aven went back on the stand and admitted wrongdoing.

Cusmano, now running for State Attorney, said he was shocked at Aven's actions. He resigned from the office when State Attorney Phil Archer refused to fire Aven. Archer is not seeking reelection.

In a deposition taken by the Florida Bar for its case against Aven, Cusmano expressed disgust with Aven for insinuating Cusmano was aware of the deception at the trial.

"That is professionally the most offensive thing anyone's suggested about me ever, that I would be okay with what happened here," he said.

"I believe it was a travesty what occurred. I do think it was intentional."

If approved by the Florida Supreme Court, a two-year suspension is significant said Public Defender for the

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# Torres

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18th Judicial Circuit Blaise Trettis. “The Florida Supreme Court’s two-year suspension of the law license of Assistant State Attorney Bryon Aven is enormously serious and significant,” Trettis said, adding that the “serious penalty against prosecutor Aven sends a clear message to Florida prosecutors that the Supreme Court has zero toler-

ance for unethical prosecutors, who are in the most powerful position in the justice system to wrongly imprison people and destroy the lives of people through their unethical conduct.”

This incident was not Aven’s first time running afoul of the Florida Bar, and he was reprimanded in 2021 for his actions while running for judge in the 5th Judicial Circuit. The Florida Supreme Court’s reprimand order contained two dissenting opinions. Justices Charles Canady and Jorge Labarga both wrote that Aven deserved *more*

than just a reprimand. A few months later, Aven was relieved of his duties from the State Attorney’s office in the 5th Judicial Circuit for his handling of cases and absenteeism. Florida’s 5th Judicial Circuit serves Citrus, Hernando, Lake, Marion and Sumter Counties. Assistant State Attorney Walter Forgie of the 5th Circuit said the parting of ways was for “a pattern of behavior that fell short of the expectations.” Incredulously, Aven was then hired here in Brevard County and even more

incredulously allowed to continue working after the misconduct came to light. He was removed from the courtroom and assigned to the intake division where he decides what cases go forward for prosecution that occur in the Titusville area. Let’s see if a suspension finally costs him his job here in Brevard. Contact Torres at [jtortes@floridatoday.com](mailto:jtortes@floridatoday.com). You can follow him on X @johnalbertorres or on Facebook at [facebook.com/FTjohntorres](https://www.facebook.com/FTjohntorres).

# Book ban

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tye Campbell. “I’d like us to proactively think about, ‘What if this happens in Brevard?’” How they might handle such a situation wasn’t decided at Thursday night’s meeting, but proposed solutions included allowing parents to read explicit passages but no longer broadcasting the public comment section, with the concern that stopping parents from reading would get out of hand.

## What does the law require?

Books that are found to contain content that is sexually explicit or pornographic must be pulled within five days of being reported to the district, according to HB 1069. Books that may be age inappropriate, such as books containing explicit language or violence, are given more leeway, with the law allowing districts to restrict the books to specific grade levels rather than fully banning them.

At Thursday night’s meeting, Campbell expressed concern about the law being abused to ban books with profane language or violence in circumvention of the district’s book review policy.

“There are parts of, for example, Huckleberry Finn, that I wouldn’t want somebody reading in a public meeting, because there’s some colorful language,” she said. “There are some biographies of some of our Black American heroes that are going to include the N-word. Are we going to – I don’t want that content read in a public meeting.”

Based on the law’s text, the board isn’t required to pull a book if they stop someone from reading a passage with explicit language.

The law only says books with pornographic content must be pulled if a board member stops someone from reading it in public.

But vague language in the bill’s text has left the district with a lack of guidance and caused confusion among board members.

Board Attorney Paul Gibbs said the book must be objected to prior to the parent reading a passage – otherwise, the board doesn’t have to pull it, even if they stop someone from reading a sexually explicit passage.

However, the law isn’t so clear. It says books subject to an objection based on sexually explicit or pornographic content must be removed from shelves within five days of the objection until the district can resolve the objection. It’s not clear if an objection is limited to a request for a book review, or if it also applies when a member of the public

brings a book forward during a school board meeting.

Board members and Gibbs also discussed who had the ultimate authority to stop a public commenter from reading and decide if a book needed to be pulled. It was a topic discussed back in June, just before the book review process was halted, with board members debating whether or not they should take advice from the book committee and make the final decision on a book’s fate. No decision was ever made.

Generally, Board Chair Matt Susin stops public comment when a speaker goes over their time limit or uses profane language.

The same would likely be true in the instance of someone reading an explicit passage, though other scenarios could be possible, Gibbs said.

“(Susin) runs the meeting, so he’s the one that stops public comment,” Gibbs said, though he added that if another board member stopped public comment, the speaker could “make an argument” that the board cut them off and thus the book should be banned.

Jennifer Jenkins took issue with this, saying not only would they be circumventing the book review policy, but authority would rest on Susin rather than the board as a whole.

“It literally circumvents the entire point of the (review) committee and the policy (if) going forward it’s one person,” she said.

The law doesn’t require the authority to rest on the board chair – or that’s not how other districts are interpreting it. In Leon County, the superintendent decides what books to pull. And in Indian River, the school board voted unanimously to remove the contested books at the Aug. 28 meeting.

So far, Brevard’s book committee has removed three poetry books by Rupri Kaur from all school and classroom libraries since the new policy was approved in April. Prior to that, the district also removed the book “Gender Queer: A Memoir” by Maia Kobabe without going through the review process, based on the grounds that the book contained pornographic content.

## Public comment live feed could be cut

With the potential for explicit material to be read allowed at meetings, Campbell brought up concerns about breaking Federal Communications Commission guidelines, as the district broadcasts a livestream of board meetings. Her proposed solution – let public commenters read passages in full so that the books would still be required to go through the book review process and broadcast the rest of the meeting, but record the public comment section later

## Habitat’s 3rd 3D-printed home project in the United States

Elsewhere nationwide, Terry said Habitat for Humanity previously built 3D-printed affordable homes in Williamsburg, Virginia, and Tempe, Arizona. She said the Melbourne project is the nation’s third.

Apis Cor briefly opened what it billed as the world’s first showroom for 3D-printed homes in December 2021 at The Avenue Viera. The showroom closed last fall. Within a month or so, Ragno said the company plans to start building a model home between Wickham Road and Interstate 95 in Melbourne. This four-bedroom, four-bathroom house will measure 2,100 square feet.

On Sept. 15, Space Coast Habitat for Humanity will conduct a wall-raising ceremony in northwest Palm Bay for the future home of Tressa Jackson, a Cocoa High graduate with four children. She is a single mother who does custodial work at Croton Elementary in Melbourne.

“According to research by the Florida Housing Coalition, 2.4 million Floridians pay more than 30% of their income for housing. Many pay more than 50%. That is unacceptable,” Habitat Florida Executive Director Roxanne Young told event attendees.

“We believe, and I’m sure that you will agree, that every Floridian deserves a decent place to call home,” Young said.

# Printed home

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to provide,” Humphries said.

The 3D-printed affordable housing project remains in the preliminary design stage, Ragno said. Construction may start in eight to 10 months, and the combined cost of both homes may clock in just past the \$400,000 mark, Space Coast Habitat for Humanity Executive Director Anna Terry said.

The nonprofit pays similar costs to build standard-construction homes in Brevard, Terry said – but she hopes 3D printing can reduce construction costs of future houses by 30%.

This demonstration project will incur first-time costs, and she hopes to someday build an enclave of 3D-printed homes.

Last month, the Melbourne City Council unanimously voted to award \$500,000 in American Rescue Plan Act funding for the Space Coast Habitat for Humanity-Macedonia CDC 3D-homes project. The ARPA outlay will also fund construction of a third Habitat single-family home on Steele Street in Melbourne’s Booker T. Washington neighborhood.

Wells Fargo is also donating \$300,000, said Kate Wilson, senior vice president of community relations.

to be posted online with a content warning.

“It would satisfy FCC guidelines ... it would satisfy state law, because we’re allowing parents to read the content, it would help us stick to the book challenge process that we have established,” she said.

She added that the district’s book review policy is good and she would like to proceed with it, but that it needs to be “tweaked.”

Megan Wright said it’s important to her to make sure public comment is available to people who can’t attend meetings in person.

“I think everyone needs to hear it, if that’s what happens,” she said, referring to the scenario of a parent reading an explicit passage.

She added that she understands why people might try to get around the formal review process.

“I would hope that the public would honor the process, but I understand the frustrations because, let’s face it, how many years did (the book review process) go on?” she said. “And how many books were reviewed when it was the other way around?”

The book review process, which was paused in June due to concerns about public comment and harassment toward committee members, as well as the need to incorporate language from HB 1069, has yet to resume.

Gibbs said legally, the district is not required to broadcast public comment, or any of the board meetings. “Some public entities don’t broadcast their meetings,” he said. “That’s all legal, and that’s fine. If you want to record it, that’s fine – post it later, you can do that.”

He added that the board may have to



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