

November 21, 2009

Mike McIntyre
Cleveland Plain Dealer

Dear Mr. Mike McIntyre,

As discussed, I am out of town and have limited communication access. While briefly texting with you yesterday, I knew that this was not a short discussion that could be properly addressed with some short back and forth phone conversation. The issues being discussed are very important and serious to me as you will soon read so I have attempted to write them with my short-term computer access.

Although you have mocked me in the past for my long replies, the fact remains that these are complicated issues covering a span of many years and that is why they merit a thorough description so you can appreciate what is at stake for me and why I have done what I have done. You have previously indicated that your column is intended to be some short quips and off-the-beat stories. As you will soon read, attempting to treat my issues in that manner would be improper because there is no way to capture the history with such a cavalier and short treatment and failure to accurately describe that history makes it impossible to fairly treat me. This is another one of those scenarios where you cannot tell an accurate story due to size constraints, so the story shouldn't be addressed at all.

In 2005, the City of Seven Hills Recreation Center conducted a summer camp for kids. Each week, the camp had a theme such as sports week, arts and crafts week, and hero week. As part of hero week, the kids did things like visit with police officers and the fire house. The end of hero week was to have a costume party where the kids would dress up as their favorite hero – such as Spiderman, a baseball player, an astronaut, and others. To promote the event in the local paper, the Recreation Center asked city hall employees and me to dress up like superheroes to use the pictures in promotional materials. Several city hall adult workers, including me, agreed to participate and dress up for some pictures. I did not appear at the event with the kids – the photo in question involving me was taken off-site solely for promotional materials.

The city hall workers dressed in various superhero costumes such as Batman, Robin, Wonder Woman, and Supergirl. The costume for me was Superman.

A harmless, benign photograph of me in my Superman costume was taken and it ran in the local paper promoting hero week. The photo as it appeared in the newspaper was about 1"x2" – on the front page – and completely appropriate and of fuzzy newsprint quality.

Unfortunately, this photo appeared in cyberspace on the paper's website and my personal website. Never in anyone's wildest nightmares could we have envisioned what would happen next.

Several people with an agenda to harm and embarrass me took that photo in its digital form without any approval – manipulated it in its original pixel size which was much larger than the 1"x2" benign state as it appeared in the paper – additionally enlarged the photo in addition to its large original pixel state –

and strategically cropped the photo to pronounce and focus on my genitalia. I had no knowledge that this was possible to be done at the time or else would have never put the photo on the web.

The end product of all of this was a perverse photo that greatly invaded my privacy. It was a shocking and deplorable act that has since caused me years of embarrassment and hurt. The magnification and cropping of the photo was so over-the-top that it was an open invitation to bloggers and posters to harass me by making jokes about my penis size.

The photo started appearing on web sites where I was subjected to invasive commentary. I was portrayed as some freak with a giant penis. The jokes and commentary were juvenile, but it was also invasive, hurtful, led to defamatory accusations, and served as a way for people with intentions of trashing me to use this manipulated photo to menace and harass me.

The commentary started out with people labeling me as a farm animal such as a donkey or horse. They would tease me with phrases such as “Seven Hills is no Smallville.” The name calling eventually became more perverse as one nameless, faceless poster stated that they enjoyed watching me shower at the gym once. Another discussed what he would “like to do to me” sexually.

The onslaught continued – posters took the subject matter and used it to start trashing my reputation by saying things like “Well, it’s a good thing he has a big dick because he has a little brain” or they stated “It’s ironic he has a big dick because he is a big dick.”

In a classic story, my lawyer met with some new clients from a city far away from Seven Hills, and when my name came up in a casual discussion, they asked, “Isn’t that the mayor who put nude photos of his penis online?” It was a false statement but a great example of how the story percolated and took on a damaging life of its own.

Eventually, people took the subject matter and took the dialogue in other directions – often leading to defamatory commentary. I would guess as some bizarre offshoot of the penis dialogue, posters started saying I was a “man whore” that slept around town even though I am completely faithful and have only dated three girls in the last seven years. While there would be penis dialogue, posters would falsely accuse me of having AIDS or sexually transmitted diseases . . . they would question my sexuality . . . and offer other defamatory commentary.

Finally, in the most extreme act, someone took the photos and some of this commentary that was placed on a gay web site – printed it and anonymously mailed it to thousands of homes in Seven Hills during the last election. Ninety-five-year-old senior citizens received in the mail these unsolicited, arguably pornographic materials as a result of someone’s sick effort to ruin me. Multiple police reports were filed by good citizens who couldn’t believe the level of attack against me.

To some, at first blush they might think some dialogue about my penis or some juvenile jokes might not be a big deal. Make no mistake about it: if you are the person that is the target, there is nothing funny about it. I mentioned it was a tremendous invasion of my privacy and it caused me much pain, suffering, embarrassment and concern over the last four years.

Over the last four years, I have done everything humanly possible to stop this behavior. What I am saying is 100% accurate and there is plenty to defend and prove my claims. I filed multiple lawsuits to have the pictures removed from websites, to pursue some of the cowardly commentators, etc. I have literally spent tens of thousands of dollars of my own money chasing people I never met who set out with one goal – to mock and harm me and cause me this embarrassment.

I have been forced to spend countless hours reviewing websites and blogs – flagging inappropriate commentary and trying to minimize the damage. The most serious danger of the website is that these photos and comments were often picked up by blog aggregators. I am an attorney by trade – I mostly receive my clients from referrals. For much of the time since this happened, when people would “Google” my name, these offensive items are what would show up high in my search rankings. As you can imagine, it is very difficult for people to want to work with you when they see that for whatever reason, you are the victim of an ongoing assault campaign. Why would someone want to bring your problems into their world – hence, my business has greatly suffered as a result of all of this.

Ironically, and here is the thing you and the Plain Dealer need to keep in mind, more than any other source, Cleveland.com has played a role in allowing much of this to happen to me.

The Cleveland.com forum is despicable and if the public knew the extent of the harm it causes good people, the Plain Dealer would have trouble justifying itself. On that forum, nameless, faceless cowards continually harm, menace, stalk, defame, intimidate, and assault good people. The forum allows people to post whatever they want – and unless someone flags it as inappropriate, the comments remain on the internet for all to see. Further, when someone searches someone’s name such as mine on the internet, those comments immediately show up in Google and Yahoo searches for the world to see. Further, even if the offending comments are removed from Cleveland.com, if they are picked up by a blog aggregator, they can be released to the entire internet forever even if they were removed from Cleveland.com.

Using the shameful excuse that “public officials” are fair game, people like me have had threats of physical harm made against them, had their names defamed, and in my case, have literally had people brag about how they were going to use the ridiculous lack of moderation on the forum to “ruin” my life and “assault” me until my name and career were destroyed. I only make \$14,000 a year as mayor. It was intended to be my effort of public service. These attacks have ruined my livelihood and professional career as a lawyer.

The illicit photos of me in the Superman costume have been posted – deleted and reposted on Cleveland.com dozens and dozens of times. **More than any other source, Cleveland.com has been the vehicle and location for much of these assaults to take place.**

For the last two months, the assaults against me have escalated – likely because of the recent elections. I have been in contact with Editor Polverine dozens and dozens of times, begging her to take action and intervene to stop these assaults. Again, the posters have been bragging about how to beat the system – how to keep posting and attacking me even when their accounts and screen names are temporarily deleted.

The commentary and attacks against me continue to include references to my penis, the Superman photos, Superman imagery, etc., all done in a calculated manner to continue to harm me with this subject matter.

I deserve none of this – all of this started because I was asked to help my city by posing in the picture – and then someone’s vicious act started the focus on my genitalia.

Over the last couple of weeks, I have cautioned Ms. Polverine that Cleveland.com is compromising my safety. The posters that are attacking me appear to have lost control. The one screen name in particular has had their account deleted over ten times – and they keep coming back more ferocious – claiming they will never stop – and Cleveland.com continues to do nothing and allows them to continue attacking me with defamatory and hateful commentary.

The attackers ask others to join in the assault against me. They post in other city forums asking people to come to the Seven Hills forum to attack me. They have made physical threats against me. They are getting more and more brazen and there have literally been days where they have made upwards of 50 inappropriate posts that had to be deleted.

I have repeatedly cautioned Ms. Polverine that they are taking what I would deem scary actions. They are obsessed and consumed with me. They are tracking my moves across the country. Buffalo Rising is a Buffalo publication that did a nice profile on me – these posters mocked and disparaged me on that Buffalo website. When I do a radio interview in Pittsburgh, they immediately put the interview on Cleveland.com and mock, disparage and misrepresent the interview. And as you are now aware, they are even tracking my visits to small colleges.

The level and the extent to which these people are pursuing me should be of great concern to everyone. The issue isn’t that I am a fair-game public figure. The issue is their actions are extreme and over the top and a red flag for a pending and dangerous outcome. It is not normal behavior. It is more than stalking and menacing and just because I am a public figure, people should not be turning a blind eye to it. What will it take – one of these people to harm me or my family before Cleveland.com and others act ethically and responsibly? The posters have made commentary about my 68-year-old mother, the location of my house, described rooms inside of my house, and used veiled language and literary references that intimate pending harm or danger. Because of Cleveland.com’s ridiculous policy of allowing improper postings – and then having them removed – these posters have taken this to be some free-speech fight where all of the anger for deleted posts and perceived censorship is directed toward me. I am portrayed as the responsible party for every deletion in the forum – and it only adds fuel to their fire. Good citizens can’t win either way. If posts are allowed to remain, I am defamed, harassed, intimidated and threatened. If they are flagged and removed, the anger of these aggressors is only fueled and they act more brazen and out of control. It is a serious situation and after more than two months of cautioning Cleveland.com, nothing significant has been done to stop it.

Again, as I write this, Cleveland.com continues to allow this to happen despite dozens and dozens of pleas from me for intervention. It is absurd to me that once again you seek to write some kind of column about me when your organization has played such a key role in this terror that is being brought on me.

The very person that forwarded the Duquesne story to you appears to be one of these cyber-stalkers as they bragged on the forum how they were going to attempt to engage the media and people like you in attacking me. Unfortunately – it appears you are considering being a willing conspirator in their sick efforts – efforts that have been greatly assisted by your Cleveland.com.

Switching gears, now let's focus on the book. All of the above was vital to know to understand why the book was presented in the manner it was.

As mentioned, for four years, I have been trying to deal with these assaults through every manner conceivable. I have sued, had items removed, been in contact with Google to remove materials, worked to shut down offensive blog sites, etc. Despite these consuming efforts, the attacks continued.

So, the only other strategy I could think of to reclaim my life and minimize the effectiveness of these attacks was to proactively address the issue instead of sit-back and let others control the dialogue. For four years, responding to these attacks hasn't worked – so the first purpose of the relevant chapter in the book was to try a new approach of dealing with it on my terms.

I was reminded of the portrayal of President Bill Clinton and marijuana smoking. When he was first asked if he smoked pot, had he said yes, it would have been no big deal and probably would have never been raised again. President Bush admitted doing cocaine and Vice President Gore admitted smoking pot and it was hardly ever discussed.

Instead, Clinton tried to dance around the issue and said he “never inhaled” and that answer has been a national punch-line for over a decade.

Similarly, I felt that if I address this discussion about my penis, I would take the sting and leverage away from my attackers. I had to have some context or reason to include such a dialogue, so I needed to write a chapter that would appear to be lighthearted and fun – but at the same time accomplished my goal of taking the control of the dialogue away from my assaulters. If I talked about it, suddenly it would be no big deal for others to try and talk about it. Instead of discussions about my penis being embarrassing, I sought to make them irrelevant. The readers of my book – my defenders, my residents, my family and friends, when exposed to such attacks and jokes as I have seen over the years, could scoff it off as “old news” or see it as the attack it was.

While doing this, I thought a creative way to do it would be to have a frank and honest discussion about the subject matter – but do it with humor so everyone wasn't so “uptight” about the dialogue. Finally, to really bring the chapter full-circle, I wanted to use it as an opportunity to highlight how absurd and damaging stereotypes are.

In the book, I discuss how there have been several national studies done that reveal that around 90% of men have a penis between five and seven inches. In a subtle way, this was an effort to reassure at least 90% of the men in the world that they are normal – and there is no need to obsess or feel bad about their physicality. Again, to some this might seem like a frat boy dialogue, but for serious adults, they realize that this is a huge issue for some men. There are sexual psychologists that deal with patients

impacted by these types of issues and insecurities. Although my book wasn't intended to be some self-help guide, as I was writing it, I genuinely recall and remember wanting to put this dialogue in there to help a lot of guys feel comfortable and confident.

This dialogue was also important because when I revealed the size of my genitalia, I wanted to demonstrate that I wasn't some abnormal freak – that I wasn't too dramatically away from most guys. By doing this, when there would be offensive commentary about me in the future, the debate would be moot – and the “freak” and “mocking” portrayals wouldn't have their sting because people could then say, “Oh, enough already, he talked about that in his book. Leave the guy alone already.” By openly and honestly talking about this issue, the goal was to take away my attackers credibility, redirect the dialogue to something other than jokes about me, and create the ability for me to marginalize this continued dialogue about my body and make it “old news.”

After what has been done to me the last four years, I absolutely wanted to come up with some way of broaching this delicate subject. By using humor, portraying myself as fairly normal, and being supportive of other guys that may be uptight about this type of issue, I was hoping to seize control of the issue away from those that have mocked me with it for so long. You may not understand my needs to do this, but you have not been the target – you weren't there for the lawsuits – you weren't there when people would make jokes about me in earshot – you weren't there to delete thousands of perverted posts – you weren't there for every effort I have taken to try and stop all of this.

The discussion of penis size proved to be a good and humorous transition to talk about stereotypes. The reporter from Duquesne said in her article that she “skimmed” the book. After talking to the advisor, I was under the impression from him at least that she didn't really read the entire book.

I make crystal-clear in the book that I object to stereotypes and that they are inaccurate. I dissect and review some stereotypes to demonstrate how worthless they are. Apparently, this reporter saw some of those descriptions – and thought I was attempting to reinforce or repeat those stereotypes for the joke of them. It appears the reporter had a negative agenda and was going to portray the book as negatively as possible – and the false accusation that my use of stereotypes somehow demonstrated that I was a “semi-racist” was most unfortunate. Anyone that knows me knows that I am probably the least racist person one could ever meet.

Repeatedly, in the LL Cool J and Justin Timberlake chapters – and throughout the rest of the book – I give commentary about how foolish, inaccurate and stupid stereotypes are. In fact, the very first line in the Justin Timberlake chapter on page 157 states, “I am not a fan of stereotypes because they are seldom accurate. Remember the LL Cool J chapter?” I continue in a few sentences, “Tiger Woods is the greatest golfer in the world and Eminem is the greatest rapper in the world. Good-bye stereotypes, hello judging individuals on merit.”

Further, I gave examples of both white and black stereotypes that weren't true – and in the dialogue about Justin Timberlake, I discuss the stereotype that “white guys” can't dance. After describing Justin Timberlake's abilities, I end the chapter by stating I would only ever dance again if Justin Timberlake

comes to town . . . stating . . . “I will join him on stage and be one-half of a dynamic duo of white boys who can dance, all in the name of crushing stereotypes.”

The point is, there is absolutely no way someone that actually and fairly read the book could come to the conclusion that I am a racist, supported racist commentary, endorsed racist stereotypes, etc. It was the exact opposite – I was attempting to discredit such hurtful beliefs and stereotypes.

The article in the Duquesne paper could not be more inaccurate and was a gross misrepresentation of the facts by an apparently novice reporter that “skimmed” the book. It is shocking to me because falsely characterizing someone as a racist is potentially defamatory.

The book as written accomplished my goals. Knowing what you now know, it should be obvious why I could not explain all of this in the book. I wasn’t about to rehash all of the terrible things done to me in the book. The whole point of this chapter was to try and regain control of the issue and take the sting away from my assaulters. It may not have been a perfect approach for some, but it was an honest attempt to try something after being hurt so badly for so long.

Interestingly, as I wrote the book, I thought to myself if people like you would pick up on this one line and I decided to proceed because I thought, “The item is not news – there is no way for anyone to fairly present the issue without revealing the extensive history – and what responsible news organization would be willing to further cause me damage by drawing attention to subject matter out of my control that has caused me so much pain and suffering when I am simply trying to make the offensive content go away by addressing it once in a favorable context?”

Perhaps I gave you too much credit – I am appalled and shocked that you would even consider writing any type of story on this – at the likely request of my assailants – given the circumstances surrounding the issue.

It is even more troubling that out of all the wonderful, favorable publicity my efforts are receiving across the country, you seek to focus on a trash article written by an 18-year-old student that admits she just skimmed the book.

I have only been promoting the book a few weeks. This is the only negative article. Everything else – around 10 media appearances – have been complete positives for the book and Seven Hills.

I have received glowing reviews and portraits about my life from reporters at Gannon University, the Penn State Daily Collegian, the University of Buffalo Spectrum, and more stories that are in the works.

I have appeared on morning radio and news programs in Erie, Buffalo, Pittsburgh, and Philadelphia. Each interview has included commentary that my book and idea were “brilliant” and I have been able to continually describe how amazing a place Seven Hills is and the good things happening in my community.

Keep in mind, the City of Seven Hills has been nationally known for one thing for many decades: being the home of Nazi death camp guard John Demjanjuk. Our city has much more to offer and deserves to

be known for more. My efforts in promoting this book have also been to promote Seven Hills and brand us as a progressive, modern, and beautiful community. Check out the Fox29 television interview to see an example of a supportive interview. Check out other interviews where I talk about how beautiful Seven Hills is and how I refer to it as “God’s Country.”

During your initial texting, it appeared that you were going to focus on this one negative article. That would be a false portrayal. The truth is, my book and my tour are generating wonderful publicity for Seven Hills. Other than this one bogus review, my book and my message have received extreme positives. It would be false to portray that my efforts are unsuccessful or much maligned. The opposite is true.

I am extremely proud of my book, my city, and my continued efforts to promote her. It is a sad commentary that major media markets such as Pittsburgh and Philadelphia are giving me rave reviews and opportunity to promote my city and my own home town has one objective – to assail and demean me. I don’t have the exact count, but I believe this would be about the 12th or 13th negative item you have written on me, Mr. McIntyre. Meanwhile, I continue to get elected with 82% of the vote of my community and I once again recently campaigned against and defeated a candidate that you once wrote a nauseating profile of despite the fact that person has never held a day of office in their life. I have continually cautioned the Plain Dealer that it appears you have some type of agenda against me and it will be very interesting to see your portrayal of this issue.

I am traveling and extremely busy yet in the interest of properly advising you, I have just spent around nine pages walking you through the important details of this story. You cannot fairly portray this story with one of your typical little “blurbs” – to do so would be a great injustice to me and be a gross mischaracterization of the truth.

I stand behind my actions and know the public would understand and support my actions if they had any idea what I have been exposed to – much at the accommodation of Cleveland.com. However, it is not fair for me to put all of this out there for the public because even though good people will rally behind me, bad people will use it to further mock, embarrass, harass, and target me. I shouldn’t be placed in a situation where I have to defend myself by embarrassing myself by explaining in detail sick actions that have been taken against me. Such a situation would actually reward these people for their actions by making me have to discuss them publicly – that notion is perverse!

The point is, given all that I have just told you, it is the Plain Dealer that should be capable of making the responsible judgment call that there is no story here because a rehash of the story or discussing the subject matter in any way could only have one result – further harming me for something I never asked for and something that I cannot control – the mean-spirited and despicable acts of a few cowards.

Any commentary you write would come off as “mayor discusses his penis” and that has unfair and questionable imagery already built into it for the reader. I am the victim, here, and have been trying for years to deal with this. It would be grossly unfair for the Plain Dealer to fall for that easy headline and offer me up in such a predetermined manner.

The real story is that a \$14,000 a year public official has had his life ruined by evil people and the assaults continue to this day as they stalk even his private efforts such as this book.

My concerns are valid – my explanations are accurate and verifiable – my requests of the Plain Dealer and Cleveland.com are well documented – and I will not tolerate any further assault of my good name.

I ask the editors to intervene and realize that there is no fair way to cover this story because ultimately I will be harmed by it unjustly. I cannot and do not want the whole story to be told to the public because even though they would realize I am a victim, it would again cause me embarrassment and be an invasion of my privacy. I equally do not want just the Duquesne story addressed because there is no way for me to defend my actions without the ability to completely tell my story.

I cannot get a fair shake either way – in addition to the tremendous damage that has already been done to me.

I ask the Plain Dealer to pass on this story and instead focus on coming up with a mechanism to protect people on the Cleveland.com forum. The public would be shocked and outraged if I showed them the hundreds of threatening, defamatory, assaulting, harassing, menacing, and vicious posts that the forum has allowed to be posted.

I hope you do the right thing.

Sincerely,

Mayor David Bentkowski

CC: Brent English,
Terrence Eggar,
Susan Goldberg
Chris Quinn