

# Fighting the Good Fight

In matters of civil rights and employment discrimination, attorney **Mark B. Frost** seeks justice for those whose rights have been violated.

BY **BRITTANY ANN MORRISEY** | PHOTOGRAPHY BY **JODY ROBINSON**

**M**ARK B. FROST of Mark B. Frost & Associates is known as one of the Greater Philadelphia Area's most ardent defenders of civil rights. Having shown a dedication to fighting for the rights of clients and the the public interest throughout his career, he has earned his reputation for seeing his clients' cases through to the end.

This dedication is apparent in what is perhaps Frost's best-known case, *Heffernan v. City of Paterson*, in which he represented a Paterson, N.J., police officer who was unduly punished for an incident involving a campaign sign that supported a former police chief running for election against Paterson's incumbent mayor. After nine years of litigation and appeals, the case went before the U.S. Supreme Court, where Frost successfully argued that his client's First Amendment right had been violated.

After the ruling came down, Frost's client gave him a plaque that read: *From the day that we walked into your office on August 12, 2006, you told me that you would fight this injustice if it took us all the way to the United States Supreme Court. And that's what you did. And on April 12, 2016, we won our case in the U.S. Supreme Court. Your dedication and support will never be forgotten.*

Frost's persistence in pursuing justice was instilled in him in his early years as a member of the U.S. Marine Corps.

"When they say, 'the few, the good, and the proud,' they truly mean it," he says. "The experience in the Marine Corps has taught me discipline and to stay focused, and also taught me other intangible life lessons that I would not have received elsewhere."

After serving his country, Frost went to law school and interned at the American Civil Liberties Union, where he witnessed the tremendous impact of civil rights cases.

"It's an area of law where you are representing clients on matters that affect the



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public, and you're fighting for the little guy whose rights have been violated," he says. "To me, that was just so important."

A South Jersey native, Frost cut his teeth by practicing law at the Philadelphia solicitor's office. Since opening his own practice to focus on civil rights litigation and employment discrimination, he has been involved in a number of notable cases involving civil liberties and protecting the public.

Currently, he is representing a client who was jailed for six months after members of a Philadelphia narcotics field unit planted drugs in his car and stole money from him (*McIntyre v. City of Philadelphia, et al*). This particular instance was a pattern of conduct perpetrated by members of the narcotics field unit over several years.

"The most important aspect of the case is that the Philadelphia Police Department knew that these were dirty cops and did nothing about them," Frost says. "The PPD

knew about the wrongdoing of these individuals but yet took no corrective action and allowed them to remain on the street for years."

The case is set to go to trial in October.

Due to his success with *Heffernan v. City of Paterson*, Frost fields an increasing number of prospective clients seeking help in matters of political retaliation.

Currently, he is representing 10 plaintiffs in Elizabeth, N.J., who were employed by the Elizabeth School District. All of these individuals terminated for supporting a slate of candidates who were running to be elected to the school board (*Dominguez, et al. v. Elizabeth Board of Education, et al*). All of the plaintiffs' positions were then given to people who had supported the slate of candidates that won election. They were terminated solely for the reason of

supporting the candidates that lost. Frost expects the case to go to trial early next year.

Another political retaliation case of his involves union members of the Wilkes-Barre, Pa., police force who were targeted for discipline after the union was critical of the mayor's new chief of police appointee. The police officers were speaking out, Frost says, because they believed the new chief was "jeopardizing the safety of the department and the public."

Frost has represented clients in cases pertaining to freedom of speech, gender and race discrimination, police misconduct, and prisoner rights, among other issues, with a great deal of success. So far, he has obtained millions of dollars in verdicts and settlements on behalf of his clients.

"When you're representing clients who are victims of police corruption or clients who are being retaliated against for speaking out on matters of public concern, they feel their rights have been violated by the misconduct perpetrated against them," he says. "When we win the case, the client not only feels vindicated by the amount of money they receive, but also they have a great sense of pride for taking on the establishment and beating them. It also sends a message to employers and to the public that retaliation and/or police misconduct will not be tolerated." ■



**MARK B. FROST & ASSOCIATES**

1515 Market Street,  
Suite 1300 | Philadelphia, Pa.  
(215) 351-3333 | [mfrostlaw.com](http://mfrostlaw.com)