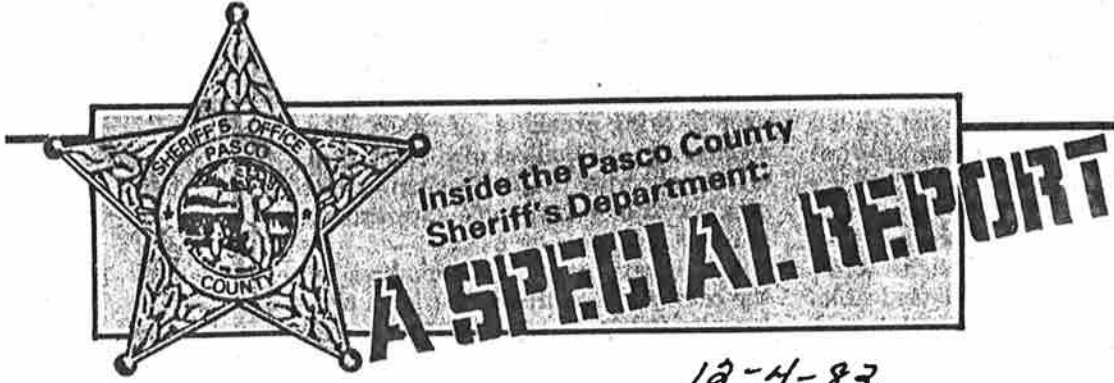


Sheriff Short made list of secret target



By LUCY MORGAN
St. Petersburg Times Staff Writer
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DADE CITY — Pasco County Sheriff John M. Short investigated a number of prominent East Pasco residents as suspected drug smugglers in a secret, privately financed undercover operation in 1981-82.

The investigation, which produced no arrests, apparently focused on men who had earned the enmity of Short or John T. Moorman, a wealthy part-time deputy and Short associate who helped finance the operation.

THE TARGETS of the secret investigation included two prosecutors in the Pasco-Pinellas state attorney's office and several members of a taxpayers organization that opposed the sheriff's 1981 budget increases. None of them has ever been publicly linked to drug smuggling or any other illegal activity.

The operation appears to have violated longstanding law enforcement policy that requires officers to have reasonable grounds to suspect a person of criminal activity before launching an investigation.

The *St. Petersburg Times* unraveled details of the investigation during interviews with present and former sheriff's department employees who participated in the operation.

SHORT SAYS that the investigation — called Operation CUP for "Clean Up Pasco" — was a legitimate and important attempt to curb drug smuggling in the county.

Short refused to provide the *Times* with a list of those who were investigated and said he could not confirm or deny that the names obtained by the *Times* were among the targets.

Pasco-Pinellas State Attorney James T. Russell, who learned of Operation CUP from the *Times*, is now investigating whether the operation and its private financing were legal. And several of the targets reacted indignantly when they learned that sheriff's detectives once investigated them.

ONE OF THEM. Dade City lawyer

Charles Waller, said that CUP "wasn't just an abuse of power, but the display of a sick man."

"It's sort of upsetting that in this country this can happen; I wouldn't have thought it could happen here," added department store owner Otto Weitzenkorn, who said his family escaped from Nazi Germany four months before the outbreak of World War II.

Operation CUP began in November 1981 after Sheriff Short won a bitter budget fight with the County Commission that went all the way to the State Cabinet. In that fight, Short was aligned against the taxpayers group, Pasco Taxpayers Association Inc.

People who participated in CUP say that, in addition to Waller and Weitzenkorn, targets of the investigation included Robert P. Cole, chief assistant in Russell's Pasco County office; Assistant State Attorney Phil Van Allen; businessman Ed Madill; lawyer Larry Hersch; realtors Lewis Abraham, Mike Prilliman and Tom Easterling; citrus grove owner H. Stockton Massey Jr.; Chevrolet dealer James Huckaby; former Dade City Police Chief Norris Nixon; Zephyrhills Police Chief Bill Eiland; John B. Burks Jr., owner of a nursery and citrus business, and Walt Klymenko, who was the county's planning director at the time.

A drug-laden DC-6

Short says he started the investigation because of a drug-laden DC-6 that landed in Pasco County in April 1980.

"That was the basis for the start of this investigation," Short said. "The basic aim of the first phase of the operation was to figure out how much, if any, crime was being committed."

Short said he sees nothing wrong with allowing Moorman to finance part of the operation since he is a deputy. He said the department has accepted donations of hotel rooms and rental cars in other undercover investigations.

"A LOT OF things are happening in this county, and I am one guy who will do all that is possible to keep this county clean of corruption and hopefully do it within the letter of the law," Short said.

Moorman, a millionaire and top political supporter of Short, readily acknowledges that he helped finance the secret operation with a \$1,000 check and even thought up the name CUP. (See profile, Page 1).

He said he has also helped finance other investigations, covering expenses "you can't put on an expense account but are necessary."

Two former deputies who participated in Operation CUP now question the motives of the officials who initiated it.

"UNTIL RECENTLY, when I heard about the possibility that these people were Short's political enemies, I just thought they didn't know what they were doing," said former detective Ron Bayless. "We thought it (the sheriff's department) was just a place where no one in the department knew how to run an operation of that type."

Former detective Mike Edwards said he had serious doubts about the investigation when he saw a list of targets that included Cole's name. Edwards said he refused to conduct surveillance at prosecutor Cole's home in a confrontation with detective Boyd Caudill, the man who supervised the investigation.

"It was obvious after a few months' time that they were wasting our time and Moorman's money," Edwards said.

Bayless and Edwards both resigned from the department to take jobs in other counties.

CAUDILL TOLD the *Times* that the investigation netted no arrests and turned out to be an "intelligence gathering operation."

Caudill and Sheriff Short refused to release records of the operation or provide a list of the targets. Caudill denied that Cole was one of the targets.

A diverse group

The targets of the investigation — who learned of it only recently — are a diverse group. But most of them had done something to make Short or Moorman dislike them.

They included:

✓ **Robert Cole, an assistant state attorney.** Cole incurred Moorman's wrath after he investigated a zoning complaint that Moorman filed in 1979 and found no basis for any criminal action.

Moorman has repeatedly denounced the state attorney's failure to act on the zoning complaint since 1980 and frequently criticizes State Attorney Russell.

In a conversation with a *Times* reporter two weeks ago, Moorman called Russell a "little Caesar" and said he plans to work to defeat him in the 1984 election.

"I don't like my name on a list of that kind without good reason," Cole said. "They can investigate me; my life is an open book. But if there is no reason for me to be on a list I would resent it."

✓ **Charles Waller, a Dade City lawyer.** An outspoken man, he represents the taxpayers association. And as attorney for the city of Zephyrhills, he twice clashed with Short when the sheriff's office tried to seize airplanes allegedly used in drug smuggling.

Waller says Short was visibly upset in 1981 when he appeared as spokesman for the taxpayers group and opposed increases in the sheriff's budget.

Later, Waller said, he caught the department's cameras trained on his office doors and several times discovered someone watching his home. Several deputies warned him to be careful because there were some at the department who would be willing to plant drugs in his car, he said.

"IT CONCERNS ME that the sheriff wouldn't just spend tax money, but would allow one deputy (Moorman) to fund part of the investigation," Waller said. "Does that mean if I get to be friends with the sheriff again I can go in and put down a couple of thousand dollars and have someone I don't like investigated?"

Waller offered to take a polygraph test for the *Times*, and said he is certain no one can truthfully say he uses drugs or is in the drug business.

"If someone had personal knowledge of my involvement, he (Short) would have a right and a duty to investigate, but not because I was the spokesperson for an organization trying to get his budget cut," Waller said.

✓ **Otto Weitzenkorn, owner of Otto's Depart-**



Inside the Pasco County
Sheriff's Department

A SPECIAL REPORT

Targets of the investigation



WILLIAM EILAND



CHARLES WALLER



OTTO WEITZENKORN



JAMES HUCKABY

ment Stores and a founder of the Taxpayers Association. He says Short accosted him after the budget hearings and said, "I know who the members of your taxpayers group are and they all have property they want protected."

Weitzenkorn said he knew Short was angry, but never dreamed the sheriff would target members of the group in a criminal investigation.

(Short said Weitzenkorn's description of the encounter is "ludicrous and not worthy of a response.")

Weitzenkorn and business partner Ed Madill owned an apartment in a Dade City where the two undercover deputies lived while they were conducting much of the secret investigation.

"They always paid their bills in cash," Weitzenkorn said. "We thought they were drug smugglers. We had no idea they were in town to investigate us."

✓ **Ed Madill, a retired Dade City businessman.** He supported Short financially in past elections, but is an outspoken critic of big spending government officials. He and Weitzenkorn decided to form the taxpayers group in 1981 to keep an eye on rising taxes in the county.

"Short was furious," Madill said. "He indirectly threatened us and told Otto that he knew who we were and we'd be sorry."

"Short is a smart, but dangerous person," Madill said. "He has singled us out as individuals and as an organization to retaliate. I don't like it."

MADILL SAID Short thinks he is the "ultimate power" in county politics, but "this particular group of people could fund a pretty good candidate."

Madill said he doesn't know whether they will decide to back an opponent, but that Short will not have their support in 1984.

After the 1981 budget fight, the taxpayer group "realized we were dealing with a man that wouldn't draw the line," Madill said. "But we thought maybe some of us would have a tractor disappear or be vandalized and the sheriff's department would be sorry about it. We decided the man was dangerous and could be responsible for financial loss."

✓ **James Huckaby, owner of Huckaby Chevrolet in Dade City.** He liked the taxpayers group so much he bought three of the organization's \$150-a-year memberships.

Now Huckaby says his zeal may have earned him a spot on Short's investigative list.

"I have yet to try my first marijuana cigarette," Huckaby said. "I don't know how he'd think this group of men could be in the drug business."

Huckaby said he resents being investigated. He speculated that the sheriff used the drug smuggling theme for Operation CUP but really wanted his detectives to collect information on the taxpayers group.

"He just wanted to see who might have a girlfriend here or some other problem there," Huckaby said. "It's absolutely ridiculous. I don't think it is proper at all for someone to give \$5,000 and have Joe Blow investigated. An individual doesn't have any business buying an investigation."

✓ **Zephyrhills Police Chief Bill Eiland.** He said he may have earned a spot among the targets because of controversies that have arisen over the city's airport.

Eiland attempted to claim a DC-3 that landed at the airport in 1978 and wound up in a bitter courtroom battle with the sheriff's department.

Eiland said his patrol officers often find Moorman and other deputies hanging around the airport late at night. He said he offered to keep his officers away from the airport if Pasco deputies were conducting an investigation there. But Short never responded to the offer.

✓ **Tom Easterling, a Dade City realtor.** He says he does not know why he would have been included on the list.

"Anyone can look at my bank account and tell I'm not a smuggler," Easterling said.

✓ **Walt Klymenko, Pasco County's former zoning director.** He says he angered deputy Moorman when he handled a complaint that Moorman made about a neighboring property owner.

"I've never met Moorman, but he persists in trying to do whatever he can to harass me," Klymenko said. "It bothers me that he is using the sheriff's office in a personal vendetta. At one point I hear Moorman was even making threats against my life."

✓ **Phil Van Allen, an assistant state attorney.** He says he could find no fault with an investigation if the sheriff has information that a crime has been committed.

"But if he launches an investigation with no reason then that's a horse of a different color," Van Allen said. He said he has no idea why he was a target in the operation.

A Dade City apartment

Operation CUP apparently started in November 1981 with the hiring of Ron Bayless, a former Pinellas County vice sergeant and Ron Mock, a former Tampa police detective (see story, this page).

Mock and Bayless moved into a Dade City apartment that Moorman paid for and began to hang around bars where Short and his deputies said they would meet the area's big-time drug smugglers.

MOORMAN HELPED select the targets for the operation, Bayless and former detective Edwards said.

Before it was over, Bayless and some of the others involved in CUP say they were convinced that the reputed criminals described by Short and Moorman did not exist — at least not among the residents who had been targeted.

Two of the targets — Dade City Police Chief Norris Nixon and citrus grove owner H. Stockton Massey — have been found guilty of crimes. But neither man has ever been charged with drug smuggling.

Nixon was convicted of illegally using city funds to purchase guns that were resold to area residents in early 1983.

MASSEY DIED in October 1982 of physical problems stemming from an addiction to cocaine and alcohol. Prosecutors say Massey was clearly a user of drugs, but not a smuggler. Massey had been convicted of drunk driving and resisting arrest.

"We had been told that Stockton (Massey) was a big narcotics trafficker, really big," says detective Bayless. "I later came to believe that Massey was a poor old guy with a lot of money who sucked it all up through his nose."

Repeated telephone calls

Operation CUP apparently ended in early 1982 with no arrests, but Short attempted to revive it as an active investigation when the *Times* began to ask questions about the operation three months ago.

Short's attempt to breathe new life into CUP came in an apparent attempt to circumvent a Florida law that would force him to open records of a closed investigation.

WHEN SHORT discovered that a *Times* reporter was looking into Operation CUP, he and several of his

deputies made repeated attempts to stop those with knowledge of the investigation from talking to the *Times*.

Edwards, now a deputy in another Florida county, says Short called the sheriff he now works for and threatened to have him arrested for talking to the newspaper.

Bayless said he received repeated calls from detective Caudill — the man who headed the secret operation — and was questioned about his conversations with a *Times* reporter.

SHORT DENIED any attempt to stop his former deputies from talking to the *Times*. He said he called Edwards' boss because he was concerned that Edwards might reveal highly sensitive intelligence information, but made no threat to have him arrested.

When a *Times* reporter first asked about Operation CUP in early September, Caudill refused to release all of the reports on CUP, saying that some of its targets were still under investigation.

When the *Times* asked for copies of the investigation's financial records on Sept. 23, Cindy Kuhn, spokeswoman for the sheriff, said most of those records had been destroyed in accordance with a state policy that allows the destruction of certain obsolete records.

SHE SAID SHORT did not know how much money was spent on the investigation, but produced rent and utility receipts totaling \$1,068. All identifying dates, names and numbers had been blacked out on the receipts. Mrs. Kuhn said the information was covered because the name used on the forms had been previously used by the undercover detective and might cause him harm if released.

The *Times* obtained copies of the receipts from the Dade City water department after identifying the exact apartment used in Operation CUP. Those receipts indicate the unit was rented in the name "Ronald Renner."

Bayless said he used that name after making it up "on the spot" and has not used it before or since.

Mrs. Kuhn said "some guy" rented the apartment and donated the rent and utility bill to the department. She denied knowing who the person was.

Five days later, Short identified Moorman as the man who paid the rent and utility bills.

The state attorney's investigation

State Attorney Russell started investigating Operation CUP when the *Times* advised him that one of his assistants — Cole — was a target and asked him to comment.

Russell has subpoenaed Short's investigative files on the operation and questioned the sheriff and all of the investigators involved in the case.

Russell said there would be nothing wrong with an investigation that focused on his assistants if there were a legitimate reason. But he questioned whether there was a good reason.

Russell said he has not yet determined whether it was illegal for Moorman to help pay for the operation. He declined to discuss details of his investigation.

Russell said Short has now admitted that Cole's name was on the list of targets, but had previously denied it.

— Times staff writer Jack Reed contributed to this report.

JOHN T. MOORMAN
2025 ANATA DRIVE
ZEPHYRHILLS, FLA. 33599

2156

Dec 18 1981 $\frac{2-15}{710}$

PAY TO THE ORDER OF *Cash*

\$ 1000 $\frac{00}{100}$


One Thousand and 00/100 DOLLARS

The Northern Trust Company
Chicago, Illinois

with CUP *John T. Moorman*

⑆07⑆000⑆52⑆000022⑆866⑆ 2156 74 ⑆0000⑆00000⑆

Sheriff



410 E. Mendon Ave
DADE CITY FLORIDA 33523

JOHN M. SHORT
SHERIFF

1556 M. ...
NEW PORT RICHMOND ...

TO: MR. JOHN MOORMAN

FROM: SHERIFF *JMS* SHORT

DATE: DECEMBER 31, 1981

Enclosed please find receipts in the amount of \$723.80 towards the \$1,000 which you gave to assist in "Operation Coffee Cup."

JMS:d1
Encs.

The check is Moorman's payment for operation CUP and the note is receipt. The reference to 'Operation Coffee Cup' in Short's note refers to a joke name for the operation coined by his deputies.



St. Petersburg Times — JACK REED

Sheriff John Short refused to provide list.



St. Petersburg Times — JIM GOFF

John Moorman helped finance operation.



St. Petersburg Times — JACK REED

John Moorman stands beside cruiser he purchased himself.

Sheriff, backer share more than views

By JACK REED and LUCY MORGAN
St. Petersburg Times Staff Writers

Whenever he feels like it, John T. Moorman steps out the door of his Zephyrhills home, climbs into a Pasco County sheriff's cruiser and sets off to patrol a subdivision.

Moorman, 50, is one of 256 deputies in Sheriff John M. Short's department. But he is hardly typical.

He refuses to accept a paycheck. He works his own hours. He drives a cruiser that he bought himself. And when he wants to get away, he flies to Las Vegas

and a \$200,000, split-level home he owns there.

MOORMAN CAN afford to be different. As heir to stock in a livestock feed company, he banks \$1-million a year in dividends.

Sheriff Short hired Moorman, a self-proclaimed "eccentric" with virtually no law enforcement experience, three years ago. He gave Moorman a badge, a gun and — by some accounts — a place in the highest councils of the department.

When Short launched a secret investigation of about 30 prominent persons in

late 1981, for example, Moorman was a pivotal figure. He reportedly financed the ill-fated operation, and some of its targets were men who had earned his enmity. (See story about the operation, Page 3).

Short says he hired the millionaire "because the guy was interested in making Pasco County a safer place to live."

BUT THERE IS more to the Short-Moorman relationship than a kindred philosophy. Moorman is also the sheriff's

biggest financial supporter and, at times, his private banker. For example:

- ✓ When Short ran for re-election in 1980, Moorman was his most generous contributor, handing over \$2,000 — the legal limit for the primary and general election campaigns.

- ✓ When Short needed money in 1981 and 1982, Moorman lent him \$48,150, charging what Moorman calls "the lowest interest allowed by law" without becoming a gift.

- ✓ When Short bought a 1982 Volkswagen eight months ago, he bought it from Moorman — for \$600. Short then resold the car for \$4,700. Short says the car had been wrecked and he had about \$3,200 in it when he sold it.

- ✓ When Short decided to sell his faltering travel agency in March 1982, it was Moorman who bought it, without an inventory or appraisal.

- ✓ And when Short needed a home, he bought a two-story house on five acres from Moorman for \$60,000, half its taxable value. Seventeen months later, Short sold the property for \$133,000.

SHORT acknowledges that Moorman is a generous friend and close adviser. But he and Moorman stoutly deny that Moorman's money bought him the right to play deputy.

If that were the case, adds Moorman, "I'd quit."

The lap of luxury

A fastidious man with a slight paunch and closely cropped mustache, Moorman came to Pasco in 1978.

Moorman grew up in the warm lap of luxury. Born in Menominee Falls, Wis., Moorman was adopted when he was five months old by Charles A. and Fabiola Moorman, a childless couple in Quincy, Ill.

The family owned Moorman Manufacturing Co. Inc., a highly successful feed and grain company in Quincy.

Charles Moorman died in 1948 and willed his adopted son 5,000 shares of stock in the family business. Mrs. Moorman went on to take an active role in the business and died in 1977, leaving most of her \$45-million estate to charity.

OVER THE years, the family turned over the operation of the growing business to others, but retained the stock that began paying handsome dividends in the mid-1970s.

business, but was not denied a share of its considerable profits. His stock holdings are now earning over a million dollars a year.

Moorman is vague when asked about his financial worth.

"I really don't know how to phrase it because that sort of thing shocks people too much," he says. "My income would shock people. My income I consider to be obscene."

'Sympathetic to law enforcement'

Obscene or not, Moorman's income has allowed him to move from place to place, from interest to interest.

In the late 1960s, he moved from Quincy to St. Petersburg, where for five years he ran a watch repair shop. He added a Las Vegas residence to his holdings in 1976.

St. Petersburg eventually lost its allure ("I had worn out on boats and golf and fishing and that sort of thing"), and Moorman moved on to Zephyrhills in 1978.

IT WAS THERE, in November 1979, that Moorman met the man whose financial angel he was to become — John Short.

The sheriff was running for re-election. When a neighbor of Moorman's, a deputy, spoke highly of Short, Moorman says he contributed \$1,000 to the campaign and Short "came over (to Moorman's house) to get the contribution."

Short made Moorman a special deputy in May 1980, and he sponsored Moorman to the police academy at Pasco-Hernando Community College for basic training. The training began Sept. 15, 1980. Four days later, Moorman contributed another \$1,000, making himself Short's biggest contributor.

Moorman became a regular part-time deputy in December 1980.

Moorman says he has "always been sympathetic to law enforcement . . . I've always helped in the cause, but I was just a normal business person."

In fact, Moorman has been close to law enforcement for years. In Las Vegas, he supported a candidate for sheriff and was a reserve deputy in Pinellas County in 1976-77.

Many of the other deputies resent Moorman and quietly question the wisdom of having a deputy who has a special relationship with the sheriff and can work when he wants to.

'Social work'

Moorman refers to his law enforcement duties as "social work," and his methods are often unorthodox.

When he encounters a down-and-out family that may need government assistance, he says, he sometimes gives them money "to get them to the next county, trying to save our county some money."

To gather criminal intelligence, he says, he once "paid a man to sit in a bar for two or three months and just listen. That resulted in three arrests."

ANOTHER TIME he wrote a check to a deputy's brother for rent on a trailer where two women confidential informants were staying.

"I can occasionally use my own money to aid an investigation, if necessary, to expose somebody," he said. "And I will, in a minute."

And when sheriff's officials grew concerned about drug smuggling in Pasco, Moorman reportedly offered this recommendation: Buy a World War II era fighter plane to shoot down smugglers' planes. (His suggestion was not taken.)

Moorman cheerfully acknowledges that he is unusual. "I may be eccentric, I'm not crazy," he once said.

For example:

✓ Despite his obvious interest in politics, he is not a registered voter in Florida or Nevada, the states he has called home for the last 15 years.

✓ He calls himself a lifelong Republican, yet allies himself with Short, a Democrat. (Other politicians who have received contributions from Moorman include Gov. Bob Graham, another Democrat; Republican Pasco County Commissioners Sandra Werner and James Hollingsworth, as well as former Gov. Claude Kirk, who was also a Republican at the time.)

single, saying it was "very punitive for a man in my position to get married." Now he says he will publish a singles mag-

azine because "single people are discriminated against."

(Moorman already publishes one magazine — a slick-paper publication called *Old Acquaintance Finder*. It is distributed free and includes page after page of people who are trying to find acquaintances from the past.)

✓ When he decided, years ago, that he would like to explore for oil, he spent weeks at a well site in Tennessee watching the drilling. But "after I learned about it, I decided I didn't want to get in it," he says. "From the standpoint of getting oil all over me and running a bulldozer, I determined I didn't want any part of it."

✓ Another passing fancy was flying. He earned a pilot's license, bought a plane and flew everywhere, he says. "I'd go out to the airport and if anybody was going anywhere I'd go with them." He grew tired of that, he says, when it got to the point "where I had nowhere to go."

Some are not amused

When Moorman left St. Petersburg for Pasco five years ago, it was partly because "I had no windmills to joust down there."

The Don Quixote image is one that Moorman seems to think apt. But others who have crossed his path are not amused.

One of those is Robert F. Phillips. Before moving to the Zephyrhills area, Moorman bought a house and about six acres of land from Phillips.

AFTER THE transaction, Moorman accused Phillips of a variety of property and zoning violations. Moorman was constantly calling deputies out with minor complaints against his family, Phillips said. One day, he said, a deputy showed up and told Phillips, "Mr. Moorman is upset. If you want to contact him, contact him through his lawyer."

The most serious squabble was over a pond on Moorman's property.

Phillips, now living in Wauchula where he is a pastor, said Moorman was upset because he thought he was buying all of the land surrounding a pond on the property. But at high water levels, the pond spilled over onto land Phillips still owned.

"It was a pure obsession with him," Phillips explained. "He told me he once lived on a pond and he had no way of controlling it. People skied and fished near his property and he had no way to run them off."

Moorman bought an additional strip of land alongside the pond from Phillips. He then sued Phillips for damages over the original land deal. Midway through a July 1981 trial in the case, a circuit judge ruled in favor of Phillips and assessed \$7 in court costs against Moorman.

Also drawing Moorman's wrath in the land squabbles was Walt Klymenko, then the county zoning administrator. Klymenko, Moorman said, refused to enforce the county's zoning laws.

Klymenko later went to work in the county property appraiser's office. But Moorman didn't forget him.

According to a hand-written memo dated Aug. 4, 1983, Claude E. English, a field inspector in Property Appraiser Ted Williams' office, said the following encounter took place:

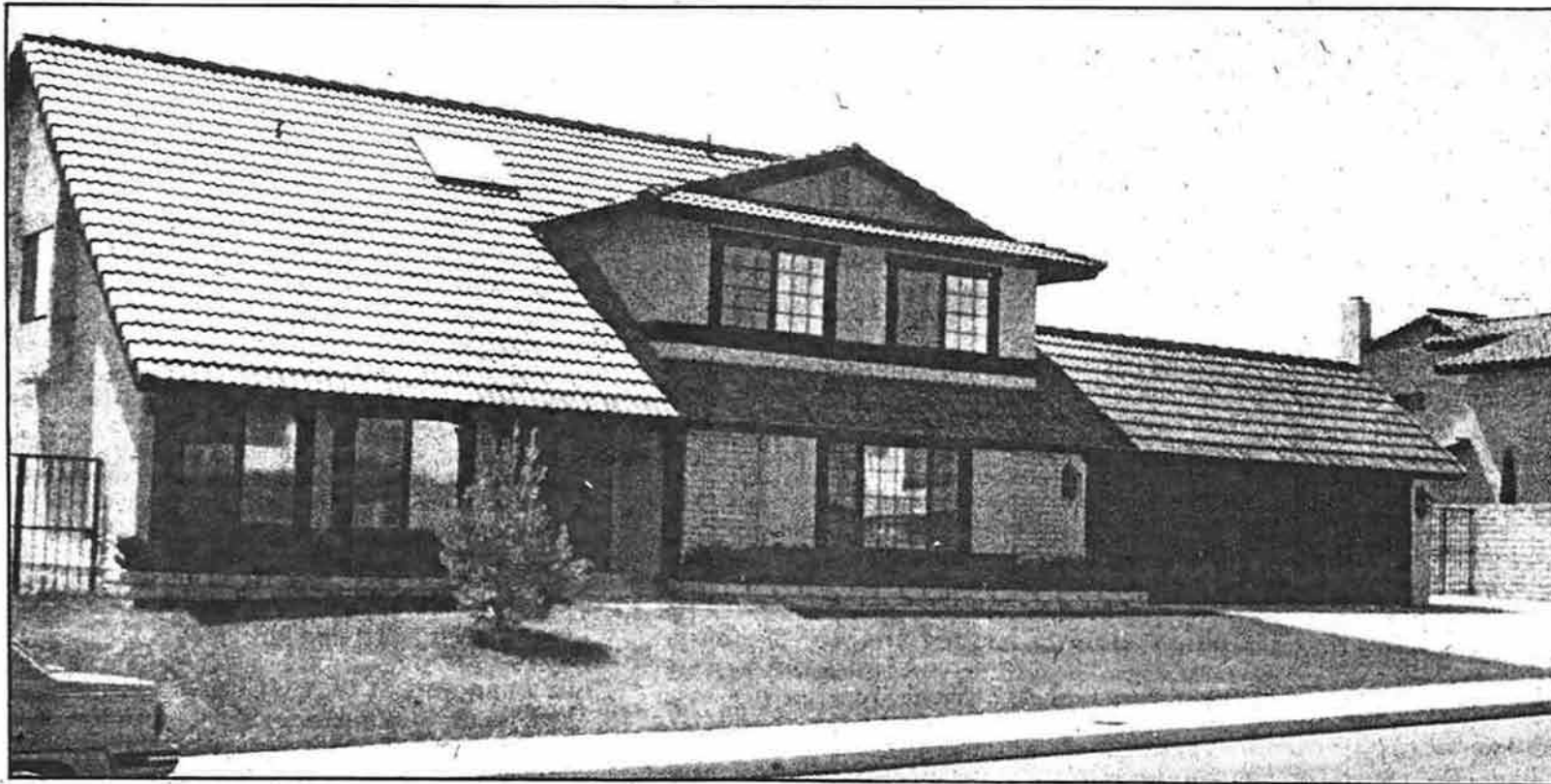
ENGLISH HAD DRIVEN to Moorman's property to verify a building permit for a mobile home Moorman had placed there. "When I got on the property, Mr. Moorman . . . was washing a vehicle belonging to the Pasco County Sheriff's Department," English stated.

"He approached my vehicle and said, 'I thought you were Walt Klymenko. I was going to shoot you.'"

Moorman denies that he used those words with English. "I told him very plainly, 'Do not send Walt Klymenko to this property. I don't want him out here,'" Moorman said. "I'm not going to shoot anybody."

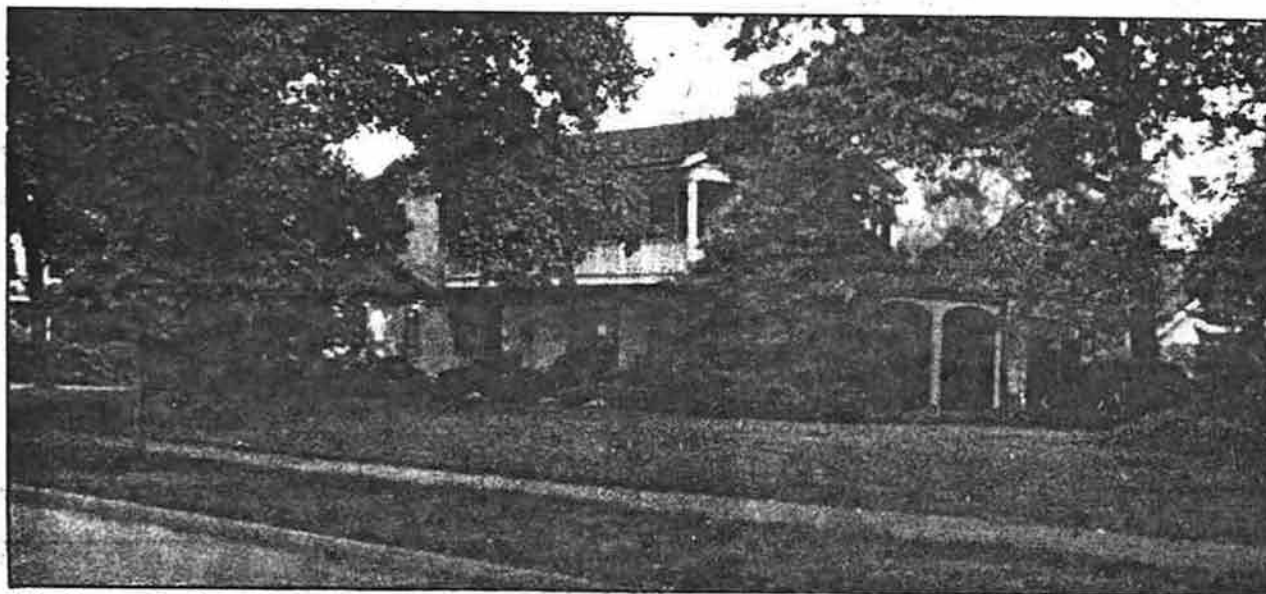
Whether threatened or not, Klymenko said he is astounded that Moorman carries such a grudge against him. "I don't know Mr. Moorman," he said. "I never met him. To this day, I don't know why there is such an animosity."

8



John Moorman's home in Las Vegas.

St. Petersburg Times
— LUCY MORGAN



The house in Quincy, Ill. where John Moorman grew up.



The sign of the business founded by John Moorman's family in Quincy, Ill.

'Operation CUP' later appeared

By LUCY MORGAN
St. Petersburg Times Staff Writer



MIKE PRILLIMAN



LEWIS ABRAHAM

DADE CITY — The script called for the two undercover sheriff's detectives to pose as high rollers — free spending, mysterious men who described themselves as "seafood dealers."

Ronald Bayless, a former Pinellas County sergeant, and Ronald Mock, a former Tampa narcotics detective, were veteran law enforcement officers in their mid-30s when they accepted Pasco County Sheriff John M. Short's offer to help clean up a serious drug smuggling problem in East Pasco County.

The two detectives became the key players in "Operation CUP," a secret undercover operation that existed in late 1981 and early 1982.

BAYLESS, NOW in private business in St. Petersburg, says Short told him that he was having serious problems with a group of prominent people who had been getting away with serious crimes.

"He said it was a small, closeknit community that had been hard to infiltrate," Bayless recalled.

Sheriff Short now refuses to discuss investigative details of the operation.

Details of the operation were laid out for the detectives at a meeting near Zephyrhills shortly after

Mock and Bayless were hired on Nov. 30, 1981.

Bayless and Mike Edwards, another former detective who was present at the meeting, say most of the talking was done by Short and John T. Moorman, a wealthy part-time deputy and close associate of the sheriff.

They gathered around a picnic table spread with doughnuts and coffee and began discussing people who were allegedly smuggling drugs and committing other crimes in Dade City and Zephyrhills.

Operation CUP involved two undercover sheriff's detectives who were to pose as seafood dealers to help clean up a drug smuggling problem in East Pasco County.

OTHERS PRESENT at the meeting were Maj. Gil Thivener, chief of operations for the department; detective Boyd Caudill, head of the department's selective enforcement unit, and de-

strange to undercover man

tectives Jim Brady, Marco Stanley, Joe Moore, Art Johnson and Debbie McKendree.

A lot of names were mentioned during the meeting, Bayless said, but most of them didn't mean much to him.

After the meeting, Caudill and Stanley drove Bayless and Mock around the area for their first look at the places where they were to look for the "bad guys."

As they drove around, Bayless said, Caudill and Stanley pointed out the real estate offices of Dade City businessmen Lewis Abraham and Mike Prilliman.

"BUT THE NAME they mentioned the most was Charlie Waller," Bayless said. He said the two detectives repeatedly told them that Waller, Abraham and Prilliman were heavy narcotics traffickers. They also said Waller was a big gambler, he said.

Bayless said Stanley also mentioned Robert P. Cole, a man Bayless later realized was the chief Pasco County assistant for State Attorney James T. Russell.

In a separate encounter, Edwards said, Stanley gave him a list of about 30 targets that included Cole's name.

To an undercover cop, it was the dream assign-

ment: hang out in a few bars and get paid for living like high rollers.

But Bayless says he and Mock didn't realize that a high roller in Dade City — a small, conservative community in eastern Pasco County — isn't even close to their image of a real "high roller."

IN RETROSPECT, Bayless said, he can see that they never had some of the information that would customarily be given to detectives in a similar investigation.

No written reports were ever given to the two detectives to document the past behavior of the targets.

"That was the strange thing," Bayless said. "We never had any of the things we should have had on an investigation like that."

Bayless said Short later became upset at them because they were unable to make cases against the targets.

AS THE investigation neared an end in March 1982, Bayless said, the detectives met and discussed the possibility of using some drugs as bait.

"The major (Thivener) had a theory that if we could show someone some dope then maybe we could do some good," Bayless said. "Someone asked, 'Isn't that entrapment?' and Short said, 'I don't care if you entrap them a little bit.'"

editorial

Short's privately financed investigation is frightening

The revelation that Pasco County Sheriff John M. Short conducted a privately financed undercover criminal investigation of persons who appear to be his political opponents has frightening implications for the constitutional rights of every resident of Pasco County.

It is an unbridled misuse of police power with overtones of a Gestapo-like inquisition of political "crimes." It runs counter to every precept of a democratic society or, for that matter, of common decency.

THE OMINOUS warning of this shocking story is clear: If the civil rights of these innocent people, many of whom are respected members of our county, can be so flagrantly abused, then no one in Pasco County is safe from a similar threat.

Apart from the questionable motivation of "Operation Clean Up Pasco" (CUP), the use of private funds to finance a criminal investiga-

tion is alarming — especially when the source of the money has a personal ax to grind against some of the targets of the probe.

Law enforcement agencies have investigative funds which come from public sources. There is no need for private financing — unless the agency wants to conceal how the funds were used. Concealment, of course, is necessary if the funds are to be spent for improper or illegal purposes. There is no way to hold an agency accountable for expenditures of private funds; indeed it is difficult to prove even the existence of such financing.

STATE ATTORNEY James T. Russell is looking into CUP, as indeed he should. He should pursue the matter vigorously — not because his own prosecutors were targets of CUP, but because of CUP's implications for the security of every citizen of the county. The state attorney's office should serve as a bulwark

to protect the citizenry against the abuse of police power.

Perhaps a grand jury should be empaneled to work with the state attorney's office. The combination of Russell's office and a grand jury exposed corruption in Pasco County government in 1982, leading to the indictment and imprisonment of former County Commission Chairman Barry Doyle. The grand jury also called attention to shortcomings in the county's utility acquisition program and to inefficiencies in various departments of county government.

IN ADDITION, the FBI might want to review CUP to see if there are any prosecutable violations of the civil rights of any of the targets of CUP.

Maybe Pasco County does need to be "cleaned up," as the CUP premise suggests. But it is not innocent, law-abiding citizens who need to be cleansed. Rather it is those in authority who would trample on our precious constitutional rights — especially the right of people to be free from the terror of licentious police power.

Short denies using target list in probe



Inside the Pasco County Sheriff's Department:

A SPECIAL REPORT

12-6-83

By JACK REED
St. Petersburg Times Staff Writer

Pasco County Sheriff John M. Short denied Monday that he ever used the sheriff's office to investigate people he doesn't like.

In a press conference Monday afternoon and earlier on a radio phone-in show, Short attacked the accuracy of a story published in the *St. Petersburg Times* Saturday.

That story said that Short's office named 15 prominent East Pasco residents as subjects in a secret investigation of alleged drug smuggling activities in 1981-82. The targets included two prosecutors in the state attorney's office and members of a taxpayers organization that opposed increases in the sheriff's 1981 budget.

Some of the targets had earned the enmity of Short or John T. Moorman, a millionaire part-time deputy who helped finance the investigation with a \$1,000 contribution.

Short said he had called all of those mentioned in the story as targets and said, "I feel for those folks, I feel for their families."

He added: "Never have I attempted to use my position to harm anyone just because we don't agree."

In denouncing the story, Short:

✓ Denied that there was a list of targets and said that eight persons named in the *Times* article were never investigated.

✓ Contradicted an earlier assertion by the sergeant who ran the investigation that no arrests came out of the investigation. Because of the operation, he said, the sheriff's office has served 102 arrest warrants for 257 charges and will soon issue another 127 warrants.

✓ Blamed the story on a "sour grapes" attitude by two "disgruntled" former employees who worked in the investigation and on an "overzealous" *Times* reporter.

✓ Described the *Times*' efforts to look at public records in the sheriff's office as "harassment" and accused *Times* reporter Lucy Morgan, who wrote the story, of being "after me for years."

✓ Denied that Moorman was heavily involved in the financing or planning of the investigation.

Began in December 1981

In its story Saturday, the *Times* reported that the investigation began at a meeting in December 1981 on Moorman's property outside Zephyrhills. Moorman said he dubbed it Operation CUP (which stood for "Clean Up Pasco").

None of the targets has ever been publicly linked to drug smuggling or any other illegal activity, and now Pasco-Pinellas State Attorney James T. Russell is investigating the secret operation.

In addition, several of the investigation's targets said Monday that they will ask the U.S. attorney's office to determine if their civil rights were violated (See story this page).

Although Short staunchly defended his office on Monday, comments of some of those involved in the investigation and in-

formation in sheriff's office files contradict some of Short's assertions.

Some 'were never mentioned'

Attending the press conference in the lobby of the sheriff's office were about 75 people — many of them sheriff's employees who applauded when Short opened and closed the session.

Also in the audience was John Mulry, an investigator for State Attorney Russell.

Mulry took notes and recorded the sheriff's comments.

Short provided reporters with a list (titled "Cleared") of eight names that he said "were never mentioned during the 'infamous' meeting originating Operation Cup."

(The *Times* did not report that all of the targets were named at the first meeting on CUP. The *Times* got the names from interviews with present and former sheriff's office employees.)

Of those eight listed by Short, five were never investigated. They are, according to Short: Bill Eiland, Zephyrhills police chief; James Huckaby, a Dade City car dealer; Walt Klymenko, a former county zoning official; Phil Van Allen, an assistant state attorney, and Otto Weitzenkorn, owner of a Dade City department store.

THE NAMES OF three others did come up, he said, but they weren't investigated, either.

Ed Madill, a retired Dade City businessman, was named because of a conversation with undercover officers, but he was never investigated, Short said. Tom Easterling, a Dade City realtor, was identified as a possible source for a rental apartment from which to run the investigation, Short said.

Robert Cole, Pasco's chief assistant state attorney, was mentioned at the CUP meeting, but only "in a joking manner," said Maj. Gil Thivener, who said Monday that he supervised the operation.

Moorman contradicted that statement in an interview last week, however. He said Cole was mentioned because he is a friend of Charles Waller, a Dade City defense attorney who was a CUP target.

"Waller represented most of the bad guys of any substance," Moorman said. "If I were Bob Cole, I think that's not a position I'd allow myself to get into."

State Attorney Russell has said Short told him that Cole was a target. But Short said Monday that he couldn't yet reveal why he told Russell that.

A seeming contradiction

When first questioned about Operation CUP, Sgt. Boyd Caudill, the man who directed the investigation, said it ended with no arrests because it was merely an intelligence gathering operation.

Monday, Caudill seemed to contradict himself. He said that two men were convicted of drug-related charges arising from Operation CUP.



Sgt. Boyd Caudill, who ran the investigation, said two men were arrested on drug-related charges as a result of the investigation.



John Mulry, an investigator with the state attorney's office, attended the press conference and took notes.

Maj. Thivener went even further. He attributed to CUP every drug-related arrest made by the sheriff's special enforcement unit since late 1981.

However, Thivener said later Monday he did not have the names of those arrested. He had gotten only the number of arrests from the special enforcement unit to use in the press conference, he said.

Thivener said that Operation CUP "is an ongoing investigation" and could continue indefinitely.

But Ron Bayless, a former undercover detective involved in CUP, said he doubted it was still an active investigation.

"I thought CUP ended two years ago," he said Monday afternoon. "He (Short) is just trying to throw dirt on the fire."

'Sour grapes'

Sheriff Short was critical of Bayless and Mike Edwards, another former detective quoted in the *Times* about CUP. Short said he learned Sunday that Edwards once "lied under oath" and gave confiscated drug paraphernalia to his girlfriend.

Reached later, Edwards called the first allegation "b---s---." The other, involving the drug paraphernalia, was thoroughly documented during a 1979 internal affairs investigation that led Short to suspend Edwards for five days.

A report from Short's own files says that Edwards "displayed honesty" in reporting the situation and admitted violating department policy.

EDWARDS RESIGNED from the department to open a private detective agency in April 1981 but was rehired a few months later — shortly before Operation CUP began — and remained with the department until December 1982, when he took another job.

Short termed Bayless, now a businessman in St. Petersburg, as a "guy looking for another place to go when he got here."

But Bayless said: "I merely answered questions that were asked about Operation CUP. I have nothing to gain from taking any side."

Personnel files at the department indicate both Bayless and Edwards left on good terms with the sheriff and received pay in lieu of unused leave time, a privilege that is not customarily granted to deputies who are forced to leave.

'Abuse of journalistic powers'

In criticizing the *Times*, Short also took issue with an editorial in Sunday's *Pasco Times*. The editorial called Operation CUP "an unbridled misuse of police power with

overtones of a Gestapo-like inquisition of political 'crimes,'" and suggested that the state attorney take the matter to a grand jury.

"Sunday's editorial was, in my opinion, the worst abuse of journalistic powers I have ever read," Short said, reading from a written statement.

He noted that Lucy Morgan, who reported the story, is married to Richard Morgan, the *Pasco Times'* editor of editorials and called them a "double whammy."

He also said *Times* reporters who have recently requested public records from the sheriff's office are "like storm troopers running up and down the halls making demands."

"I find myself in a position I don't feel like I've been in before," he said, "and that is having to justify doing my job."

The sheriff hinted that he might file a lawsuit against the paper.

The Moorman contribution

The subject of several questions at the press conference was absent — Deputy Moorman.

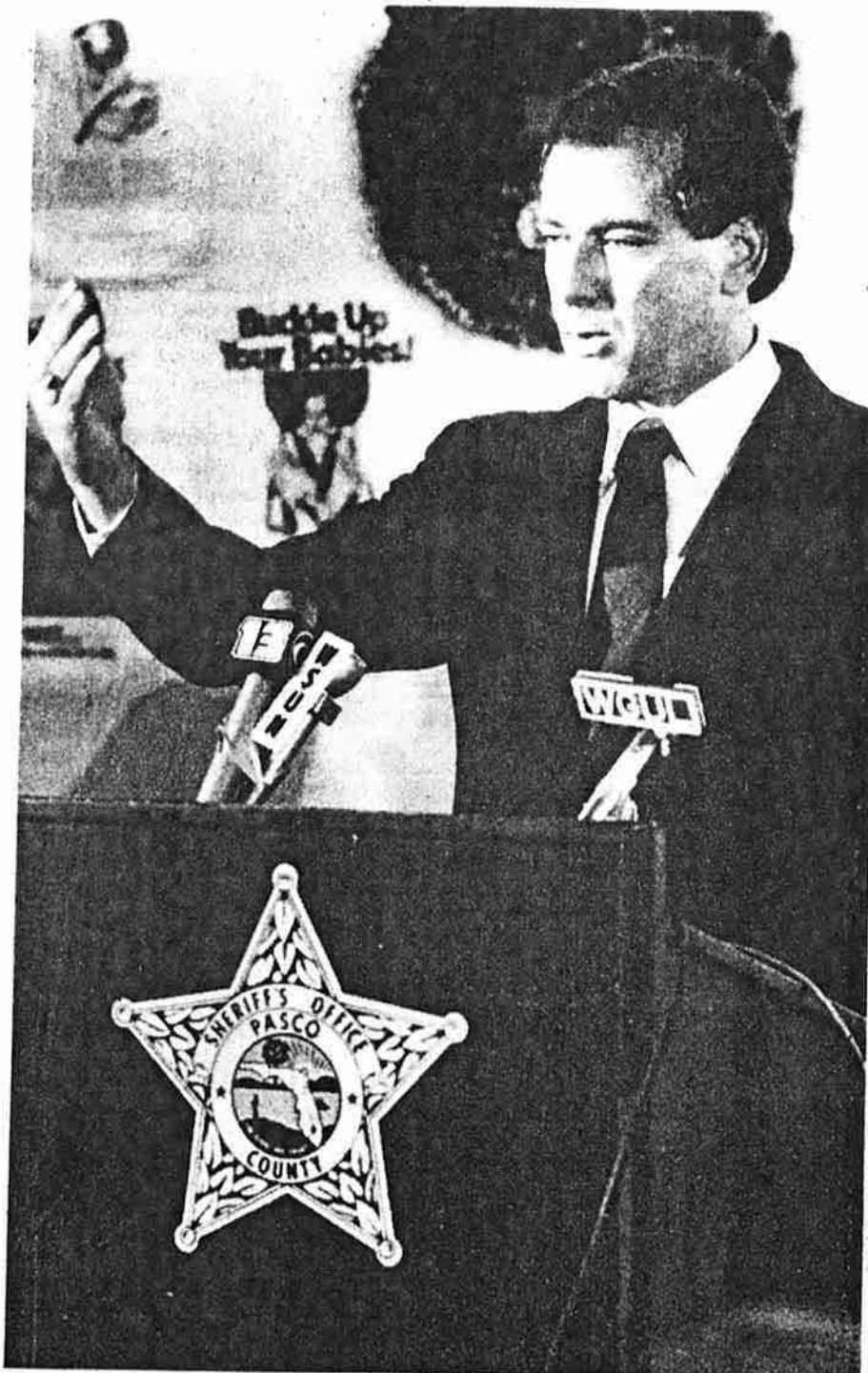
But Short downplayed Moorman's role in Operation CUP.

The 50-year-old heir to feed company stock that pays him \$1-million a year in dividends, Moorman has been a part-time deputy for Short since 1980 and his financial angel.

Moorman refuses to accept any pay and bought his own marked cruiser which he parks at his home. He has loaned Short \$48,150, bought Short's money-losing travel agency and sold Short a house for half its taxable value.

Short said Moorman did contribute \$1,000 to CUP but "no money was put into the account for investigative purposes."

But Moorman told the *Times* earlier that he wrote a check for \$1,000 cash and gave the money to Marco Stanley, a detective working on CUP. He later got a receipt for the money signed by Short, he said.



Pasco Times — JIM GOFF.
Sheriff John Short denied a *Times* story published Saturday that said he used his office to conduct a secret investigation of 15 East Pasco County residents.



Short held the press conference in the lobby of the sheriff's office.

Pasco Times — JIM GOFF

Targets of Operation CUP will ask for investigation

By LUCY MORGAN
St. Petersburg Times Staff Writer

Several prominent East Pasco men targeted by the Pasco County Sheriff's Department in a secret drug smuggling investigation say they want U.S. Attorney Robert Merkle to determine if their civil rights were violated.

The men said Monday that they will ask Merkle to investigate the conduct of Sheriff John M. Short and his department during that 1981-82 operation.

"I'm going to do whatever it takes to clear my name and get to the bottom of who said this and why," said Dade City lawyer Charles Waller.

"If Sheriff Short did this for personal gain, I want to hold him to the promise he made on the radio today (on a phone-in show) and that was to resign from office," added Larry Hersch, Waller's law partner.

ACCORDING TO former detectives who participated in the secret investigation, Waller, Hersch and at least 13 others were listed as targets in the operation — named Operation CUP for "Clean Up Pasco."

None of the men was ever charged in the investigation, which appears to have violated long-standing law enforcement policy that requires officers to have reasonable grounds to suspect a person of criminal activity before launching an investigation.

Several of those targeted were members of a taxpayers association that opposed Short's budget increase in 1981. Others had incurred the enmity of John T. Moorman, a wealthy, part-time deputy and close Short associate who helped finance Operation CUP.

Under federal law, it is a felony to "injure, oppress, threaten or intimidate" any citizen from exercising rights guaranteed by the Constitution or federal law.

VIOLATION of the law carries a maximum 10-year prison term and a \$10,000 fine.

George Tragos, chief of the criminal division for Merkle, said Monday he cannot confirm or deny whether his office will conduct an investigation.

Waller said he and several others are also considering civil action against the sheriff.

Waller said Short has called those named in a Saturday story that described the undercover



Maj. Gil Thivener attributed all drug-related arrests since 1981 to Operation CUP.

operation in an effort to convince them that they were never investigated.

Otto Weitzenkorn, a Dade City businessman who was also identified as a target of the investigation, said Monday that he does not believe the sheriff.

Advised that the sheriff accused the *Times* of placing his name on the list of targets, Weitzenkorn said: "I imagine (State Attorney) James Russell has evidence to the contrary."

Weitzenkorn said Short called him Monday, but that he did not return the sheriff's call.

"I DON'T HAVE anything to say to him," Weitzenkorn said. "He's squirming. There is no question the man is in a box and can't get out."

Businessman Ed Madill, another target, said he also received a call from Short, but suggested that the sheriff talk to Waller.

Madill said Waller, attorney for the Pasco Taxpayers Association Inc., will be the spokesmen for several of Operation CUP targets who are members of the group.

Waller offered to make statements under oath for Merkle and State Attorney Russell so they can satisfy themselves that he has never been involved in the drug smuggling business.

"Then I suggest they put the sheriff's office personnel under oath and ask them," Waller added. "Somebody is lying and we need to find out who it is."

RUSSELL HAS subpoenaed the records of Operation CUP and taken sworn statements from all of the deputies who participated in the investigation since learning of it from the *Times*.

On Monday, Russell declined to comment on his investigation, but one of his investigators attended and tape recorded a press conference held by Short.

Waller said he has previously complained about sheriff's department surveillance on his home and office. He said several persons have warned him that the sheriff's department was out to get him.

12-7-83

SHERIFFS IN THE SPOTLIGHT

In Pasco, bank loans may violate Code of Ethics

This story appears in some Times regional editions.

By JACK REED
 St. Petersburg Times Staff Writer
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On Sept. 14, Sheriff John M. Short conducted two transactions with The Bank of Pasco County, one as sheriff and the other as a private businessman.

As sheriff, he opened a new payroll account at the Dade City-based bank by depositing \$173,965.

As a partner in a new business enterprise, he signed a \$320,000 personal mortgage loan from the bank to build a funeral home in Elfers.

More than once, Short's public and private financial dealings have overlapped, creating a potential conflict of interest that may violate the state's Code of Ethics for elected officials.

A review of the sheriff's investments shows that:

✓ Six of the financial institutions that have held sheriff's department money have also made personal loans to Short since he became sheriff in 1977.

✓ On three occasions, personal mortgage loans to Short came at about the same time the sheriff's office made large deposits with the lender (See illustration, this page.) At one of those institutions, Short and his wife are also small stockholders.

Short denied Tuesday that his department's large accounts helped him get personal loans from the same financial institutions. "Absolutely not," he declared. "I don't know of any way that would help me get a loan."

Officers at each of the banks involved in Short's public and private transactions also deny that Short got the loans because he invested public money with them.

But most also acknowledged that a sheriff, or any influential person in the community, does have an advantage over other loan-seekers.

"We depend on his department for protection," said Robert Talley, president of Liberty Savings and Loan. "It behooves me to be on good relations with the sheriff."

A five-fold increase

The availability of personal loans has been vital to Short, who during his seven years as sheriff has seen his net worth increase nearly five-fold. He has made most of his money through real estate transactions.

In 1977, after his first year in office, Short listed a net worth of \$62,169 on his annual financial-disclosure report.

Despite a modest savings account and an annual salary of about \$29,000, Short's holdings increased dramatically over the next two years. In 1979, he got mortgage and personal loans totaling \$220,000 and listed property holdings valued at \$255,000.

By the end of 1982, Short was earning \$42,456 in salary and reported his net worth as \$290,185.

According to state laws, an elected official should not have a private "contractual relationship" with a financial institution that is handling the official's public business. The state Commission on Ethics has ruled that a personal loan is a contractual relationship with the financial institution.

Code of Ethics

(THE ETHICS Commission can't investigate such matters unless it gets a complaint. Nor can it reveal the existence of a complaint until the investigation has been completed. If the commission finds that a public official has violated the law, the maximum penalty it can impose is removal from office and a \$5,000 fine).

During an interview Tuesday, Short said he has read the Code of Ethics and believes he has no conflict of interest. "I'm busy trying to enforce the law and being sheriff," he said.

Short then called in Norman Palumbo, the sheriff's attorney, who concurred that there is no conflict of interest "as long as (the sheriff's office gets) the best rates and it's competitive. It's a business decision."

But a close look at the sheriff's departmental investments raises questions about how those business decisions are made.

Tax revenues each month

Like other constitutional officers in the county, Short receives tax revenues each month to conduct his official duties. Last year, his department drew an average of at least \$650,000 a month.

Some of the money is put into checking accounts, but the money not spent during the month is invested until needed.

For example, in August 1983 the sheriff's office had nine accounts in five local financial institutions. During the past two years, Short has also invested large amounts of his office money in certificates of deposit for 30 or 60 days.

The sheriff returns interest earned on the money to the county's general fund.

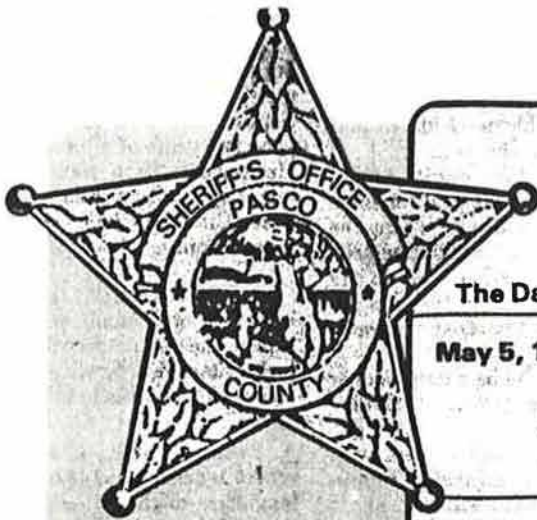
UNTIL RECENTLY, Short had no formal, written procedure for deciding where to deposit sheriff's office money. His top aides made recommendations, Short said, and he usually made the final decision. He did not always choose the institution offering the highest interest rate, he added.

In some instances, the sheriff's staff phoned financial institutions for their interest rates, but a written record of the calls was not always kept. According to documents provided by the sheriff's office, 13 of the 15 calls to financial institutions for savings rates since 1982 were to institutions that have given Short personal loans.

After the Times inquired about his office accounts, however, Short changed the procedure. In November, he began asking for written bids from all financial institutions in the area and awarding money to the one offering the highest interest rates.



Pasco Sheriff John Short denied that his department's accounts helped him get personal loans. "Absolutely not. I don't know of any way that would help me get a loan," he said.



On three occasions, Sheriff Short got personal loans from institutions that received sheriff's department funds at about the same time

John Short's Financial Transactions

The Date	The Sheriff	The Financial Institution
May 5, 1981	Transferred \$198,424.29 from a sheriff's department account at Merrill Lynch into an account at Florida Federal Savings, which one day later gave Short a \$41,300 personal mortgage loan
March 25, 1983	Deposited \$200,000 in department funds in a new account at Liberty Savings and Loan, which 16 days earlier had given Short a \$31,500 personal mortgage loan
Sept. 14, 1983	Deposited \$173,965.69 in department funds in a new account at The Bank of Pasco County, which the same day granted the sheriff and two business partners a \$320,000 commercial loan

"We formalized a procedure we used to do on an informal basis," said Charles A. Zerrip Jr., Short's financial director.

Six made personal loans

Since he became sheriff, six of the local banks and savings and loans that got sheriff's department money have made personal loans to Short. (One bank, Ellis Security Bank, gave Short two mortgage loans in 1979, but has not received department money.)

The six institutions are: The Bank of Pasco County, Ellis First National Bank of Dade City, Exchange National Bank of Pasco County, People's Bank of Pasco County, Florida Federal Savings and Loan, and Liberty Savings and Loan.

The dates of some of those personal loans closely coincide with the dates that the lenders got business from the sheriff's office.

For example, Short got car loans totaling more than \$12,000 from People's Bank of Pasco County in April and October of 1982. His office invested a total of \$200,000 in certificates of deposit at People's Bank in December 1981 and August 1982.

"In my dealings with Johnny (Short), he has never asked for a special deal," said Gerald Archibald, president of People's Bank.

WHEN SHORT closed his department's payroll account at Ellis Bank of Dade City and opened a new one at The Bank of Pasco County on Sept. 14, it ended a long-standing practice. Department employees had been paid by checks drawn at Ellis Bank since 1978.

Short said The Bank of Pasco County, which is based in Dade City, became more convenient when it put a branch office in West Pasco last summer.

"We weren't dissatisfied with Ellis; it was just an inconvenience," added financial director Zerrip.

On the same day the new account was opened, The Bank of Pasco loaned \$320,000 to Republic Service Corp. to build a funeral home.

Short, Republic's secretary-treasurer, signed the mortgage. He owns a one-third interest in the funeral home (See documents, this page).

Both the sheriff and bank officials deny any correlation

between the new account and the loan.

"The timing of when the account came in is totally irrelevant," said Hjalma E. Johnson, president of The Bank of Pasco. "That loan is not preferential in any way."

Short said he did not know the loan for the funeral home would be approved by The Bank of Pasco County when he agreed to open the new payroll account.

Florida Federal

Short's relationship with Florida Federal involves another dual transaction.

On March 5, 1981, the sheriff's office closed a savings account with Merrill Lynch & Co. and deposited the \$198,424 into an existing Florida Federal account that was paying 5 1/4 percent interest. It was one of two deposits that day that totaled \$300,000.

The Merrill Lynch account was paying 13.6 percent interest on that day, said Larry Wall, a Merrill Lynch branch vice president.

The next day, Florida Federal granted Short a \$41,300 mortgage loan so he could build a duplex in Port Richey. The day following that, the sheriff's office withdrew \$200,000 from its account at Florida Federal and invested it in a certificate of deposit at another financial institution, according to office records.

"There is in no way any connection," said Florida Federal branch manager Len Stovall. "I don't check the balance on (the sheriff's accounts)."

Zerrip said he made the decision to close the Merrill Lynch account because he thought he could get a better interest rate and the "funds were not accessible."

"Did I come down and ask you to do it?" Short asked Zerrip in a reporter's presence.

"No, sir," Zerrip replied.

Liberty Savings & Loan

On March 9, Liberty Savings and Loan in Port Richey loaned Short and his wife Georgia \$31,500 to buy a house in Moon Lake Estates that cost the Shorts \$28,500, according to public records.

Sixteen days after getting the loan, the sheriff's office closed its Florida Federal account and put \$200,000 into an interest-bearing account at Liberty Savings.

St. Petersburg Times

Who decided to switch the money from Florida Federal to Liberty Savings? Short said he did.

He explained that he made the change to get more interest on departmental money. At Liberty Savings, the money was put in a money market account that earned better interest than the office was getting in a regular savings account at Florida Federal, the sheriff said.

The interest at Liberty Savings was 9.5 percent at the time, Zerrip said.

BUT WAS THE sheriff's office earning more that it could at another savings institution? No one knows, because Short and his assistants said they didn't ask any other banks or savings and loans for their rates.

Two weeks after a reporter asked Short about the transactions with Liberty Savings, the sheriff revealed that he owns 30 shares of stock in the savings and loan. On Tuesday he said his wife also owns 30 shares and his children 10 shares.

Short said he has never reported ownership of the stock on financial disclosure forms because he invested only \$300 — \$10 per share when he bought it. The law requires public officials to list any asset valued at \$1,000 or more. But officials are not required to report a spouse's stock holdings.

A Liberty Savings official said in November that the stock was worth about \$15 a share.

Short said he will not profit personally from his decision to invest his office's money at Liberty Savings.

After opening the account, Short said, he called someone at Liberty Savings and said that if the account "causes my few shares to increase . . . to calculate that out and donate that money to the United Way."

Short said he has not heard back from Liberty Savings on the proposal.

Liberty president Talley said he did not discuss that plan with Short. "We don't have one account that I know of that affects stock one way or another," he said.

'Weren't really shopping'

The state Code of Ethics says public officials can do official business with a financial institution in which they are stockholders, but only under certain conditions.

Such a transaction is allowed if "it shall appear in the

records of the agency" that the public official "has not favored such bank or banks over other qualified banks."

Short and his financial aides said they cannot remember who suggested the change to Liberty Savings, or why.

"We weren't really shopping (for a new savings account) at the time," said Lee O. Henley, the major of services who oversees the financial side of the sheriff's operations.

But the new account pays more interest than a regular savings account and makes it easier to transfer money to Dade City to put in the payroll and operating accounts, Henley said.

HENLEY SAID HE could not say that the Liberty Savings account was the best available in Pasco County.

"We didn't shop around," he said. "The word came down to this office that the (Liberty Savings account) was available."

Did that word come down from the sheriff? "I really don't know," Henley said.

Short said the idea of opening an account at Liberty Savings came up when "somebody saw an ad in the paper." He said he doesn't remember who saw the ad or what it said except that it mentioned a high interest rate.

Liberty president Talley said he had sought the sheriff's account. He said he suggested it to Short whenever he spoke with him. But he made no more effort to get Short's department money than that of any other county office, Talley said.

"I did not call John Short or go out and say, 'I've got to have this account,'" Talley said. "We call on all the various departments with funds available. Any (government) account I can get is desirable to me."

As of November, the only government account Liberty Savings has opened is for the sheriff.

Short approved the investment of another \$700,000 in a certificate of deposit at Liberty Savings on Oct. 10.

The certificate expired Nov. 7. By then, Short had a new procedure for investing department funds.

Short wrote letters to financial institutions in the area asking for their interest rates. Each of the institutions responding offered a higher rate on six-month certificates of deposit than Liberty Savings, and the sheriff's office chose a new savings and loan.

The story on Sheriff Short up to now

Pasco County Sheriff John M. Short suddenly finds himself caught up in a furor over a secret undercover operation his department conducted in 1981-82.

The *St. Petersburg Times* disclosed the operation in a story on Saturday. It reported that the investigation — called Operation CUP for "Clean Up Pasco" — focused on a number of prominent East Pasco residents who had earned the enmity of Short and

John T. Moorman, a wealthy, part-time deputy who helped finance the operation.

Among the targets were two prosecutors in the Pasco-Pinellas state attorney's office and several members of a taxpayers' group that opposed the sheriff's budget increase in 1981.

On Monday, Short called a press conference to denounce the story as inaccurate and say that he has never used his office to investi-

gate people he dislikes.

Meanwhile, several of the men targeted in the secret operation said that they will ask the U.S. attorney's office to determine if the Sheriff's Department violated their civil rights.

Pasco-Pinellas State Attorney James T. Russell is already investigating Operation CUP. He has subpoenaed records of the operation and taken sworn statements from all of the deputies who participated in it.

The Bank of Pasco County

FDIC

P.O. BOX 127 DADE CITY, FLORIDA 33526
 FIVE CONVENIENT OFFICES LOCATED AT DADE CITY, SAN ANTONIO, ZEPHYRHILLS.

LAST STATEMENT DATE
 9/14/83

ACCOUNT NUMBER
 1900188

CURRENT STATEMENT DATE
 9/30/83

CHECKING STATEMENT

JOHN M SHORT
 PASCO COUNTY SHERIFF
 PAYING ACCOUNT
 4055 MOON LAKE ROAD
 NEW PORT RICHEY, FLORIDA 33552

BALANCE LAST STATEMENT	TOTAL AMOUNT CHECKS	NUMBER CHECKS	NUMBER DEPOSITS	TOTAL AMOUNT DEPOSITS	SERVICE CHARGE	BALANCE THIS STATEMENT
.00	199,272.12	421	2	328,662.23		130,390.11
				DEPOSIT	DATE	BALANCE
				173965.69	9/14	173,965.69
139.00	148.53	268				
285.78	285.90	293.09				
308.26	312.62	313.18				
313.32	315.64	320.56				
326.79	333.17	335.61				
341.21	346.39	347.12				
358.57	360.06	364.80				
381.64	386.99	388.76				
391.41	394.99	398.80				
400.62	402.88	408.25				
410.06	413.13	425.41				
425.61	429.48	462.82				
465.32	466.07	471.70				
473.69	487.67	495.02				
498.00	498.40	512.30				
512.78	515.20	516.77				
521.92	525.54	543.03				
551.75	552.02	562.55				
567.21	568.42	574.41				
578.21	589.67	601.27				
602.82	603.91	610.31				
612.55	626.91	627.66				
629.97	644.64	663.23				
647.04	706.57	710.53				
711.32	720.81	727.87				

On Sept. 14, Sheriff Short opened a new payroll account at the Bank of Pasco County by depositing \$173,965 in Pasco County Sheriff's Department funds. That same day, Short and two business partners obtained a \$320,000 personal mortgage loan from the same bank to build a funeral home.

St. Petersburg Times

REPUBLIC SERVICE CORPORATION
 COMMERCIAL PROMISSORY NOTE
 THE BANK OF PASCO COUNTY WITH TRUST DEPARTMENT

September 14, 1983

INTEREST BEARING NOTE
 and no/12/83... Three hundred Twenty Thousand
 \$320,000.00

INTEREST CALCULATION OPTIONS
 12.75% until September 14, 1984 then
 The Bank of Pasco County Base Rate. The Base Rate is discretionary.

EX: THE BANK OF PASCO COUNTY BASE RATE. The Base Rate is discretionary.

PRINCIPAL AND INTEREST PAYMENTS
 INTEREST BEARING NOTE
 Interest only on amounts advanced during 12 months construction period.

GENERAL TERMS
 This note is secured by the following specific collateral:
 all property as described in mortgage dated September 14, 1983

John M. Short, Secretary-Treasurer

O.R. 1280 PB 0852

Business booms in the sheriff's office

by JACK REED and LUCY MORGAN
 St. Petersburg Times Staff Writers
 1983, St. Petersburg Times

When Pasco County Sheriff John M. Short wants to buy or sell a piece of property or find a business partner, he often turns to his employees.

While building his personal wealth, the sheriff has done business with at least eight subordinates and surrounded himself with fellow entrepreneurs.

The sheriff says it's all proper — heriff's business comes first.

But a closer look at the mixture of public business and private enterprise shows that:

- ✓ In becoming a land speculator, mortgage lender, landlord and corporate officer with the help of his employees, Short may have violated the



Inside the Pasco County Sheriff's Department:

A SPECIAL REPORT

state Code of Ethics for public officials.

- ✓ One of his most profitable transactions was with a deputy who was allowed to help finance and set up a secret investigation (see story, 9-B).

- ✓ A jail director who was criticized by a superior for letting outside business

interests harm his job performance apparently escaped punishment. One of his outside interests was a delicatessen in a building owned by the sheriff (see illustration, 8-B).

- ✓ The sheriff hired a former funeral director to be his department's

special projects coordinator. One of their projects, which they discuss during work hours, is a funeral home (see story, 1-B).

Short says that he has been able to separate his official duties and his private transactions with his employees.

As long as it never interferes with the office that I run, there is no problem with that," he says.

Short also says that "many sheriffs" and other elected officials do business with subordinates because they are "people they know and trust."

Yet Florida law prohibits a public official from having a work relationship that "will create a continuing or frequently recurring conflict between his

12-11-83

private interests and the performance of his public duties."

In interpreting that law in 1982, the State Ethics Commission said that "an ongoing business relationship with a subordinate" can cause conflicts for a public official, since it could impede the official's "duty of impartially evaluating the subordinate's job performance."

\$1.15 an hour

Since he took office on Jan. 4, 1977, the 38-year-old Short has seen a remarkable growth in his personal wealth.

When he began his law enforcement career 20 years ago, he had little more than a high school diploma. His first job, as dispatcher for the New Port Richey police department, paid \$1.15 an hour.

By 1972, Short had risen through the ranks to become acting police chief at \$4.28 an hour. Four years later he was elected sheriff, a post that will pay him \$44,000 this year.

During his first year as sheriff, Short earned barely enough to make ends meet, according to a financial statement he filed in a 1977 divorce.

With everyday living expenses subtracted from his sheriff's pay, he had only \$10.74 a week left over, Short said in his financial statement. Yet a judge ordered him to pay alimony and child support payments of \$650 a month through 1979.

Despite his heavy financial obligations from 1977 to 1979, Short's business activities boomed. In 1979, he listed property valued at \$255,000, including 12 rental units with an income of \$8,969 that year.

Last year, Short listed a net worth of \$290,185.

Short attributes his success to a good business mind and knowledge gained from "the school of hard knocks."

Being sheriff with a staff of 360 has helped, too. Short has hired some employees whose finances or business skills outside the office have been helpful to him.

At other times they have caused problems.

The sheriff's men

Among the sheriff's department employees who have done business with the boss are:

- ✓ **Mark Deeb, a part-time deputy.** He is building a funeral home in which Short holds a one-third interest. Deeb, 29, also built a duplex at cost for Short in 1981.

- Deeb, the owner of a construction company, has been a deputy since 1980. His hours are flexible, he said, and when he works he makes "six (dollars) something an hour." He doesn't fill out a time card, he said, but reports his time to a secretary by phone.

In 1981, Deeb built a duplex for Short in Port Richey. It was "an experiment" with a new blueprint, he said. "I charged him what it cost me to build it."

Deeb said he is being paid more than \$225,000 and making a profit (which he declines to reveal) on the funeral home he is building. When Short and his partners were looking for a contractor, "apparently my name was brought up because I did do work (before) for John Short," he said.

Deeb said he sees no conflict in his relationship with Short, who is also a friend. "There are no favors with John Short," he said. "If you do something for him, you do it because you want to."

- ✓ **Maj. Lee O. Henley.** In 1981 he bought a four-acre lot adjacent to his home in Hudson from Short for \$26,000. Henley said he bought the land so his elderly parents could live nearby.

He said he tried to buy the lot from the previous owner, but the \$36,000 price tag was too steep. "The sheriff was kind-hearted in letting me buy it," Henley said.

Henley administers the sheriff's office finances but says he has not let his personal transaction with Short interfere with his job. "Nothing influences my professional decisions," he said.

acres in Hernando County for \$20,000. They later sold half the property for \$17,500, with Short and Thivener each holding half of a \$15,750 mortgage.

A month after their first transaction, Short and Thivener bought two triplexes for a total of \$70,000. Short said he would have bought the rental units alone but he had to come up with \$14,000 as a down payment. "I didn't have the money," he said. "Gil Thivener agreed to go in that with me and we put in \$7,000 each." Seven months later, they sold the triplexes for a total of \$100,000.

Thivener, who is in charge of the sheriff's detectives and uniformed personnel, declined to comment.

✓ **Deputy Joe Moore.** He bought a duplex from Short in February 1983, and a month later Moore's mother-in-law purchased a house and three rental apartments from the sheriff.

Shirley R. Demarest, the mother-in-law, and her husband Gerald paid \$100,000 for the property, which Short had bought for \$79,000 in 1978. It is a coincidence that he sold to an employee's in-laws, Short said. "I assume they saw an ad (for the property)," he said. "They never did say, 'Joe sent me.'"

Moore declined to comment.

The sheriff's tenants

When Short opened an office building in 1980, one of his first tenants was River's Edge Deli, a business owned by two other employees — Kenneth Modzelewski, a planner who later became director of the jail, and Donald Montague, a patrol deputy.

They paid Short about \$400 a month, Modzelewski said.

Modzelewski, 31, also bought and sold real estate, rented apartments and taught classes at Pasco-Hernando Community College. And Montague has worked as a house painter and operated video game rooms.

Both men's off-duty businesses have been the subjects of departmental investigations.

In an interview last week, Modzelewski denied that he had a direct business relationship with Short. He said he and Montague each owned half of the deli, but that their wives operated it.

"My wife and Montague's wife entered into a lease agreement (with Short) and rented physical space for a business I financed," he said.

Montague could not be reached for comment.

Short was good to his tenants. During his 1980 reelection campaign, he spent \$182 at River's Edge Deli to feed campaign workers and \$300 for a victory party after the Democratic primary election.

The business relationship between Short and Modzelewski continued even after Modzelewski became the subject of an internal investigation in the summer of 1981.

A Sept. 1, 1981 report by Maj. Thivener criticized Modzelewski's job performance in running the jail and said Modzelewski tried to sell a house and car to an inmate.

Thivener concluded that Modzelewski used "poor judgment." Because of Modzelewski's outside business interests, it "would appear that very little time would be left for the 24-hour operation of corrections."

Sheriff's spokeswoman Cindy Kuhn said last week that Short put jail operations under Thivener's control because

sheriff. In fact, he said the sheriff has never mentioned it.

Less than two months after the critical report, Short gave Modzelewski a raise of \$55 biweekly.

Since then, Modzelewski has sold the deli but has otherwise added to his outside interests. They now include a real estate agency with four salespeople, a home building firm and a page-long list of rental houses and apartments.

None of Modzelewski's outside interests seems to have hurt his career. In 1982, he was promoted to a new position, assistant to the major of services, where he makes \$21,500 a year.

His supervisor, Maj. Henley, said he has no complaints with Modzelewski's business activities because they have not interfered with his job performance.

An elderly widow

Deputy Montague, the other owner of the deli, was twice investigated by the department when his video game room dealings caused problems. He was also sued by another departmental employee who hired him to paint his house.

In November 1982, an internal affairs investigation determined that Montague entered into an improper financial relationship with an elderly widow after being dispatched to her house when she threatened to commit suicide.

The investigators said Montague accepted jewelry and borrowed \$450 from the woman and then refused to repay it.

After bank officials handling the woman's trust account talked with Sheriff Short, Montague told departmental investigators that he had earned the money doing repairs at her home.

Montague later conceded that he borrowed the money and agreed to repay it, the investigators said. He finally repaid the debt after the bank threatened to file suit.

"He (Montague) helped me through a very difficult time," the woman said in an interview last summer. But "he's a son of a b---- who ought to be off the police force."

Montague's personnel file reflects no action taken against him for the offense. Short declined to discuss the matter Friday.



LEE O. HENLEY



GIL THIVENER

... employees bought land from sheriff.

The Pasco sheriff's story up to now

In his seven years as Pasco County sheriff, John M. Short has become one of the county's most popular, powerful officials.

In recent days, however, the *St. Petersburg Times* has disclosed that:

✓ Short's department investigated a number of prominent East Pasco residents in a secret undercover operation in 1981-82. Some of the targets had earned the animosity of Short and John T. Moorman, a wealthy part-time

deputy who helped finance the secret investigation.

✓ Short has gotten personal loans from six financial institutions that have sheriff's department accounts. On three occasions, Short's personal loans came from institutions that received department funds at about the same time.

Some of the residents targeted in the undercover operation contend that their civil rights were violated, and the overlapping of

Short's personal and public financial dealings may violate the state's Code of Ethics.

The sheriff says that he has done no wrong. He says that he has never used his office to investigate people he does not like. And he denies that his department's large accounts helped him get personal loans.

The sheriff also denounced the *Times* and declared, "As long as the truth comes out, I have nothing to fear."

Doing business with the boss



Pasco County sheriff's official Kenneth Modzelewski (left) has a lot of private business interests outside of the department. For about three years, he and another sheriff's employee owned a delicatessen in a building they rented from Sheriff John M. Short (right).

In a report to the sheriff on Sept. 1, 1981, Maj. Gil Thivener sharply criticized Modzelewski — then director of the sheriff's corrections bureau — for "bad decisions" and "extremely poor judgment." He also said that Modzelewski's "outside obligations" left "very little time" for his duties at the jail.

Just seven weeks later, however, Sheriff Short authorized a pay raise for Modzelewski. Modzelewski now says that the sheriff has never mentioned the critical memorandum to him.



SHERIFF'S OFFICE
PASCO COUNTY
INTER-OFFICE MEMORANDUM

TO: SHERIFF JOHN M. SHORT

DATE: 9-1-81

FILE:

SUBJECT: JAIL INVESTIGATION

FROM: MAJOR G. THIVENER

REFERENCES: Allegations against Director Ken Modzelewski

On Friday, August 21, 1981, you instructed me to look into the management and alleged trustee problems that were occurring in the Corrections Bureau, and as a result of interviewing witnesses with Detective W. Thomas, the following allegations have been made by present and former female trustees. I have tried to concentrate on those allegations of significance, and in doing so, separate them from the hodge-podge of jailhouse gossip.

Allegation: That D... dealing in real estate...

This was covered in a previous report submitted by Detective W. Thomas.

During the course of this investigation, it has been determined that good rules and management were not followed; the trustees were allowed the run of the jail, so to speak; each shift... because... enforced. It has become obvious during this investigation that the entire investigation was precipitated as a result of bad decisions made by both Warden J. Donahue and Director K. Modzelewski, along with extremely poor judgement and the apparent lack of interest after 5:00 PM. It should be noted that Director K. Modzelewski holds a valid real estate license, is the owner of apartments and single family homes, manages a delicatessen, and teaches classes at PHCC. As a result of these outside obligations, it would appear that very little time would be left for the 24 hour operation of Corrections.

GT/mas

PASCO COUNTY SHERIFF'S DEPARTMENT
EMPLOYEE ACTION FORM

Please enter the following action
October 23, 1981

NAME: Kenneth Modzelewski
 New Employee
 Change of Status
 Termination
 Resignation
 Retirement

FROM: Bureau Corrections Pay Rate _____
 Job Title Director Corrections

TO: Bureau Corrections Pay Rate _____
 Job Title Director Corrections

If Change of Status, check appropriate

Promotion
 Demotion
 Transfer
 Merit Increase
 Longevity
 Leave of Absence
 Leave of No Pay
 Leave of A

EXPLANATION: C.O.L.

AUTHORIZED BY: John M. Short DATE _____

Copies: (1) Personnel (2) Payroll (3)

PCSD 1-0006
3/28/78

12-11-83

24



St. Petersburg Times — JIM GOFF

Industrial Waste Service rented space in a Port Richey office building owned by Pasco County Sheriff John M. Short.

Sheriff rented to firm with questionable ties

By JACK REED
St. Petersburg Times Staff Writer

Wearing the hats of public official and private landlord as Pasco County Sheriff John M. Short does can be embarrassing at times.

When Short's former captain Joe Donahue was indicted by a federal grand jury in March for accepting bribes from Vincenzo "Jimmy" Acquafredda, a garbage company with ties to Acquafredda was renting an office from Short.

Federal authorities say Acquafredda is affiliated with the

Gambino organized crime family.

In 1981, Industrial Waste Service (IWS), a Miami-based garbage company, bought Acquafredda's garbage permit to operate in Pasco and hired his two sons, Michael and William Acquafredda, as garbage truck drivers.

In January 1983, IWS rented space in Short's Port Richey office building.

Two months ago, a few days after a reporter asked Short for documents on all his tenants in the office building, IWS moved its office to Tampa, apparently in a hurry.

"They were there Friday," said a fellow tenant, "but when I got here

Monday they were gone."

They left behind an overturned desk and an answering service to handle calls.

After the move, Short said he had no rental documents on IWS because "they didn't have a contract. They were on a month-to-month basis."

Did he know about the company's connection to Acquafredda?

Short would not talk with a reporter about the matter last week, but he did pass along a typed note: "I dropped the ball. I should have rented to a deputy."

12-11-85



Pasco Sheriff John M. Short, left, and Roger Michels have business connections outside the department.

Public duties, private business overlap in Pasco

By JACK REED and LUCY MORGAN
St. Petersburg Times Staff Writers

On the afternoon of Nov. 9, people passing the Pasco County sheriff's office in New Port Richey saw a hearse parked out front. It remained there for about three hours.

Inside, no one was dead.

A spokesman for Crain S&S Sales, a funeral home supply company, says a company salesman was merely showing his wares to Sheriff John M. Short and Roger Michels, the sheriff's assistant director of administration.

The funeral business is one of several outside interests of Michels, 48, a longtime friend who ran Short's two

campaigns for sheriff and then joined Short's department in September 1981.

MICHELS, WHO had 29 years in the funeral industry but none in law enforcement, was given a new position that seemed tailored for him.

His first title was special projects coordinator — a job in which he was expected to do a little bit of everything, according to Michels.

On the side, Michels has had special projects of his own. He owns a rustic resort in the mountains of North Carolina, and he sometimes sells men's suits, recon-

ditioned television sets and candy to colleagues.

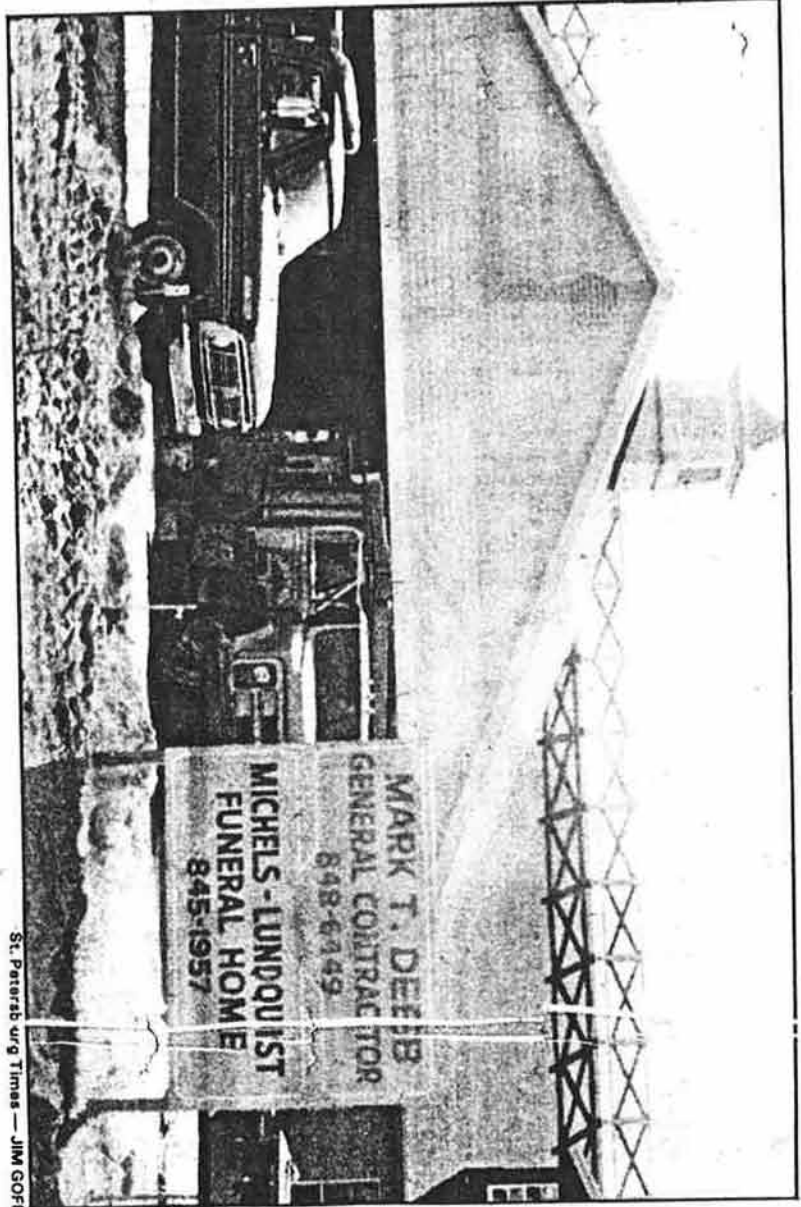
The suits and television sets are not a business, Michels said; he sells them as a favor to friends.

Michels says that his private business interests do not interfere with his public duties. "I put in a full day (at the sheriff's office) doing what I'm supposed to do," he said.

But there is some overlap.

RECORDS OF long-distance telephone calls

Short has one-third interest in the corporation that is building this funeral home.



St. Petersburg Times — JIM GOFF



Inside the Pasco County
Sheriff's Department:

A SPECIAL REPORT

Michels passed out a detailed prospectus on Republic Service Corp. and asked for investments in what was to become a chain of funeral homes. Local businessmen familiar with the meeting say Michels could not raise the required capital and turned to Short for help.

Business from 1-B

placed on sheriff's office phones show calls to both the Georgia company that makes the suits and to his North Carolina resort (see illustration).

Michels also frequently takes leaves of absence, often to North Carolina, to handle business matters. Since June 1982, he has taken 35 days of leave, 11 of those without pay because he had used up his vacation time.

Though Michels denies it, he also appears to be actively involved in a funeral home that is under construction in southwest Pasco.

Sheriff Short has a one-third interest in the corporation that is building the funeral home. One of his partners is Andrew Lundquist, a former funeral home employee of Michels'. The other is Michels' wife Sonja.

In September, the three partners — who are doing business as Republic Service Corp. — took out a \$320,000 loan to start their new business.

THOUGH HE acknowledges having an assortment of outside business interests, Michels says flatly that one of them is not the funeral home.

He was asked to resign by his last employer, North Funeral Home in Holiday, and he won't discuss it. "It's nobody's business," he said.

As part of his financial agreement with North, he signed a written pledge that he would not become a business competitor before January 1985. He is honoring the agreement, he said.

"I'm not in the funeral business," Michels said.

But the hearse parked outside the sheriff's department last month is only part of the evidence to the contrary. For example:

✓ Michels says that the \$29,000 that his wife initially invested in the corporation came from their joint savings account.

✓ He says he is also legally responsible for his wife's share of the \$320,000 mortgage loan given to the corporation's officers by The Bank of Pasco County. "I had to sign the mortgage papers as the spouse," Michels said.

✓ He acknowledges visiting the funeral home "several times" while it is under construction. He says he phones his wife, who is living in North Carolina and managing their resort there, about the funeral home "two or three times a week." And he says that he and Lundquist have "talked about it quite a little bit, but I don't think you could say it was advice."

✓ Plans for the funeral home were first announced by Michels at a meeting in New Port Richey about two years ago.

Michels passed out a detailed prospectus on Republic Service Corp. and asked for investments in what was to become a chain of funeral homes. Local businessmen familiar with the meeting say Michels could not raise the

required capital and turned to Short for help.

✓ In the Holiday Rotary Club, Michels has retained his designation as the club's active funeral director.

✓ Mark Deeb, the contractor building the funeral home, said he understands that Mrs. Michels was made a corporate officer to circumvent her husband's legal agreement with North Funeral Home. "That is how they get around it," Deeb said.

In the past, Sheriff Short has also said that Michels is not involved in the funeral home. But Short would not talk with a reporter about it last week.

Short has also said that he expects to make a lot of money in the funeral business. But on a radio phone-in show last week, he said he would not take an active role in the business.

"I don't own a funeral parlor," he told one caller. "I'm a simple little investor in a corporation that is building a funeral home."

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DATE: 04/09/82
FILE: 02561FLORIDA DEPARTMENT OF GENERAL SERVICES
DIVISION OF COMMUNICATIONS
MESSAGE DETAIL REPORTPREPARED BY AMIC
PAGE 1,562

SUNCOM: OUT OF STATE

REPORT PERIOD 02/01/82 - 02/28/82

DEPARTMENT: SHERIFF DEPARTMENTS
AGENCY: F01PRO1 PASCO COUNTY SHERIFFS DEPT

PHONE NUMBER	DATE	CALLING CITY	STATE	AREA CODE	NUMBER CALLED	CALLED OR CITY NAME	MINUTES	TIME
544-0000	02/08	NEW PORT RICHEY	FL	202	324-3000	DIST. OF COLUMBIA	1	10:10
544-0000	02/08	NEW PORT RICHEY	FL	512	552-6767	TEXAS	9	12:01
544-0000	02/08	NEW PORT RICHEY	FL	803	283-2084	SOUTH CAROLINA	1	12:48
544-0000	02/10	NEW PORT RICHEY	FL	404	466-4851	GEORGIA	2	09:05
544-0000	02/10	NEW PORT RICHEY	FL	609	641-0111	NEW JERSEY	1	11:58
544-0000	02/10	NEW PORT RICHEY	FL	206	382-3000	WASHINGTON	10	13:22
544-0000	02/10	NEW PORT RICHEY	FL	916	924-4800	CALIFORNIA	1	11:15
544-0000	02/10	NEW PORT RICHEY	FL	901	528-2345	MISSISSIPPI	1	11:15
544-0000	02/10	NEW PORT RICHEY	FL	212	555-1711	NEW YORK	1	11:15

534-0000	04/08	DADE CITY	FL	800	432-1111	TEXAS	5	08:53
534-0000	04/20	DADE CITY	FL	214	226-7611	TEXAS	23	13:40
534-0000	04/20	DADE CITY	FL	512	552-6767	TEXAS	1	12:01
534-0000	04/26	DADE CITY	FL	704	926-3321	NORTH CAROLINA	3	10:00
534-0000	04/27	DADE CITY	FL	404	647-8151	GEORGIA	32	15:52

TOTAL: F01DC01

144

544-0000	11/05	PORT RICHEY	FL	713	232-5000	TEXAS	1	15:29
544-0000	11/13	PORT RICHEY	FL	704	926-0891	NORTH CAROLINA	4	10:42
544-0000	11/17	PORT RICHEY	FL	303	849-2414	COLORADO	1	10:12
544-0000	11/17	PORT RICHEY	FL	504	685-5106	LOUISIANA	4	10:11
544-0000	11/17	PORT RICHEY	FL	504	685-5106	LOUISIANA	1	10:11

Not all the long-distance phone calls placed on telephones in the Pasco sheriff's office are for sheriff's business. Three calls — a record of one is shown here — were placed to a clothing company near Atlanta where sheriff's official Roger Michels buys men's suits for resale. One call went to a rustic resort that Michels owns in Maggie Valley, N.C. and another went to a Maggie Valley real estate company two weeks before Sheriff John M. Short bought a vacation home site there. The toll report compiled by the state includes only one-fifth of the calls actually made by the sheriff's department.

Deputy helped Pasco sheriff make huge personal profits

By JACK REED
St. Petersburg Times Staff Writer

A wealthy, part-time deputy who figured prominently in a controversial secret investigation helped Pasco County Sheriff John M. Short make thousands of dollars in a series of personal transactions.

In those transactions, the sheriff risked almost none of his own money while gaining a profit — at least on paper — of about \$76,000.

The deputy is John T. Moorman, an eccentric millionaire hired by Short soon after he contributed to the sheriff's 1980 re-election campaign. Moorman appeared in the news earlier this month when the *St. Petersburg Times* disclosed that he helped finance the secret investigation in 1981-82.

AMONG THE targets of that investigation — called Operation CUP for "Clean Up Pasco" — were several prominent people who had earned the animosity of either Short or Moorman.

Short and Moorman deny that Moorman's money helped secure him a prominent place in

'I'm going to say in capital letters, "It was a great deal."'

— John Short

the sheriff's office. But there is no denying that Moorman — more than anyone — has contributed to Short's dramatic rise to financial prosperity in recent years.

In quick succession, the sheriff:

- ✓ Moved his travel agency from West Pasco to Zephyrhills in November 1981 with the help of a loan from Moorman, then sold the apparently faltering business to Moorman four months later for \$20,000.

- ✓ Bought a large home from Moorman in March 1982 for \$60,000 — half its appraised value — and sold it 17 months later for \$133,000.

- ✓ Sold a duplex to another deputy for \$3,800 more than he paid for it. The deputy apparently raised the down payment by mortgaging property that Moorman had given him as a gift.

On paper, Short gained at least \$76,000 on the three transactions. And though he says that he put some money into fixing up the

house, he readily acknowledges that he benefited. "I'm going to say in capital letters, 'It was a great deal,'" he said.

BUT SHORT the sheriff and Moorman the deputy also say that there was nothing improper in their private transactions, that neither man gained anything that he did not deserve.

"I'm at the same place now at the sheriff's department that I was" before — "a deputy on the street," Moorman said.

His relationship with Moorman is proper, Short said, since it was handled "correctly, above-board, and no favors to anyone."

The travel agency

The men's first transaction came in late 1981, a year after Short was re-elected with the help of \$2,000 in campaign contributions from Moorman and \$1,000 from Gail Meyer, a friend of Moorman's who lived with him and said she was unemployed.

Short and his wife Georgia had opened a travel agency called Fantasy Star Travel in January 1981. The business apparently had troubles, however; Short reported that it lost \$6,849 in 1981.

IN NOVEMBER 1981, the Shorts moved the travel agency from Port Richey into a Zephyrhills office they bought with Moorman's help.

Moorman, who lived in a big house outside Zephyrhills, loaned Short \$7,000 for the down payment on the \$34,000 mortgage loan "because I didn't have the money," Short said.

By then, Moorman had been a part-time deputy for more than a year. But no typical deputy was he. He collects no paycheck, patrols whenever he feels like it, drives a cruiser that he paid for himself and — as his role in the now-controversial Operation CUP demonstrates — apparently enjoys a place in Short's inner circle of advisers.

At the time of the loan, the sheriff and Moorman discussed becoming partners in the travel agency, Short said. The partnership never materialized, but Moorman soon acquired the business from Short.

The \$60,000 house

In March 1982, Moorman sold his big house and moved down the street into a new mobile home. The person who bought the house was John Short.

It was no ordinary piece of property. The



St. Petersburg Times — JIM GOFF



Sheriff John M. Short moved his travel agency, left, with help from a loan given him by John T. Moorman, above. Short later sold the business to Moorman for \$20,000.

two-story house sits on 5½ acres, with a private pond and a barn — all appraised for the past two years at \$119,000.

Short and Moorman both say that they originally agreed to a selling price of \$100,000, then lowered it to \$60,000 after Moorman removed a half-acre square of land that he valued at \$40,000.

'I'm at the same place now at the sheriff's department that I was before — 'a deputy on the street.'

— John Moorman

BY THE TIME the transaction was finally consummated, however, it was even sweeter for the sheriff. According to Moorman and Short:

✓ Short turned the travel agency over on March 12, 1982, and Moorman accepted it as a down payment on the house: Moorman put a \$20,000 value on the business without an appraisal or inventory. That reduced Short's cost to \$40,000.

✓ The sheriff had to make no other down payment.

✓ He got a personal loan from Moorman

for the \$40,000 at favorable terms. Moorman says that he made the loan at 10 percent interest, and that Short has to pay only interest (amounting to about \$1,000 every three months) until the loan comes due in 10 years.

The 10 percent interest is "the lowest interest allowed by law" without being considered a gift, Moorman said. "I lose half of (the interest) to (federal income) taxes anyway, so it didn't make much difference to me."

The \$40,000 mobile home

After Moorman carved out the half-acre and put a \$40,000 value on it, the land was appraised for tax purposes at \$8,424.

Moorman gave the half-acre to Joe Moore, a Pasco deputy for the past five years. Moore, 38, had been living on the land in a used mobile home donated by Moorman.

Moore and Moorman had become friends in 1979. When Moorman called the sheriff's department once, it was Moore who responded.

MOORMAN SAID he took a liking to Moore and his family and moved them into the mobile home while Moorman was still living in the nearby house. "Joe was living on the property just sort of as a watch dog," Moorman said. "I traveled a lot. While I was gone his children fed the animals."

It was deputy Moore who introduced Short to Moorman.

A year after Moorman gave him the prop-

erty, Moore mortgaged it for \$11,000. Three days later, he put \$7,800 down on a duplex owned by Short.

Short had bought the duplex for \$35,000, held it for two months and, according to the sale documents, sold it to Moore for \$38,800.

Short said that his wife Georgia arranged the sale and that he protested. "I said I didn't want to sell it to him," Short said. "(Georgia) said, 'What right do you have to deny a person . . . under the United States Constitution . . . that right to buy?'"

Through a sheriff's department spokesman, Moore declined to comment last week.

Returning the favor?

Records in the sheriff's department indicate that Short apparently tried to help Moorman, too.

According to a March 4, 1982 memo, Fantasy Star Travel — the travel agency that Short sold to Moorman eight days later — was chosen by the Florida Sheriffs Association to handle flight arrangements for sheriffs' personnel all over the state who were attending a national sheriffs' convention in Las Vegas. (A travel agency generally gets about 10 percent of the price of tickets it sells.)

It is not certain how many sheriffs booked flights through Fantasy Star. The Sheriffs Association says it threw out its records earlier this year.

But Kathy Kuester, the official with the sheriffs' association who arranged travel to the conference, said she thought Short was connected to Fantasy Star. "I was told Sheriff Short had something to do with it," she said. "I truthfully don't know if he owned it or not."

SHORT ACKNOWLEDGED that he referred "several sheriffs" to Fantasy Star. He said he does not remember how many used the agency or who they were.

He also said the travel agency "did not make any profit" from the Florida Sheriffs Association convention because four tickets bought by sheriffs' personnel were booked through Braniff. When that airline went bankrupt, he said, the travel agency was never reimbursed for the tickets.

Short also put Fantasy Star on his office's list of travel agencies to use for official trips in 1983. But the office bought no tickets from Moorman's agency, Short said.

The Reporters



LUCY MORGAN



JACK REED

Fifteen years ago, when Pasco County was just beginning to boom, Lucy Morgan became the *St. Petersburg Times*' first fulltime reporter in the county.

She spent a dozen years in Pasco as a general assignment reporter and photographer, covering everything from civic club luncheons to congressional elections.

Four years ago, her duties changed. The state is now her beat, and her stories on drug smuggling and corruption in Dixie and Taylor counties made her runner-up for a Pulitzer Prize in 1982 and won two top awards from the Florida Society of Newspaper Editors.

Morgan, 43, is married to Richard Morgan, editor of editorials for the *Times*' Pasco, Hernando and Citrus County editions. They have four children.

Jack Reed says he got interested in journalism a decade ago,

when he edited a newsletter for a state agency and "got in trouble for telling the truth."

After graduating from the University of South Florida, he was a social worker for three years, then earned a master's degree and taught English at the University of Central Florida.

He became a reporter for the *Tallahassee Democrat* in 1979. His stories on an elderly couple who lost their home for inadvertently failing to pay \$3.05 in property taxes won prizes from the Robert F. Kennedy Foundation and Florida Press Club.

Reed, 38, has been a reporter in the *Times*' Pasco bureau for two years, covering courts and the grand jury investigations of former County Commission Chairman Barry Doyle and a county utilities scandal.

Times reporters Judy Brennan and Charrie Hazard also contributed to these reports.

"The policy of our paper is very simple — merely to tell the truth."

Paul Poynter, 1875-1950

Nelson Poynter, 1903-1978

editorials

Need for professionals

In the last four days, several stories about the unprofessional conduct of two Florida sheriffs have been published in the *St. Petersburg Times*. The stories are alarming tales of the misuse of police power.

Saturday's newspaper carried the astonishing revelation that Pasco County Sheriff John M. Short had conducted a secret, undercover investigation of a number of prominent people whom he apparently considered to be his political enemies. A millionaire part-time deputy, who also seemed to have a personal ax to grind against some of the people investigated, said he helped finance the operation with a \$1,000 check.

Short denied Monday that he used his office to investigate his enemies. Yet, none of the targets of the probe has ever been linked publicly to drug smuggling or any other illegal activity. There was no reason to suspect them of committing crimes. The likely purpose of the investigation, it would seem, was to gather information that might be used against the sheriff's political opponents.

THE SECRET operation was a flagrant violation of the civil rights of innocent citizens and should serve as a warning to all the residents of Pasco County. As long as there is a sheriff in charge who apparently has no compunction about trampling on citizen's constitutional rights, no one in Pasco can feel safe from a similar threat.

The use of private funds to finance a criminal investigation is another alarming aspect of this story. John T. Moorman, a very wealthy man who is the sheriff's biggest financial supporter and sometimes private banker, literally bought a badge and the investigation for a couple thousand dollars. Short allows the part-time deputy, who won't accept a paycheck and has no law enforcement experience, to play police officer whenever he feels like it in a marked cruiser he bought for himself.

All law enforcement agencies get money for criminal investigations from public sources. There is no need or justification for private financing. The only motivation for using private funding is secrecy. The difficulty of proving the existence of such a financial arrangement makes it virtually impossible for the public to hold the sheriff accountable for the way the money was spent.

FURTHER DISCLOSURES of Short's

banking conduct as sheriff are reported in today's edition of the *Times*.

On Sunday and Tuesday, the newspaper revealed new aspects of another story that smacks of cash register justice. Sarasota County Sheriff Jim Hardcastle, who has been indicted and suspended from office, acknowledged that he had kept only sketchy records of how his department used \$79,000 paid to a special narcotics unit fund by drug defendants. He also said he took some department records home with him (which he later returned) and threw others away.

The records dealt with the narcotics unit fund. At least 33 persons charged with drug law violations received probation or light sentences after agreeing to pay money to the fund, a setup that gives the appearance that well-to-do lawbreakers could buy their way out of jail.

Hardcastle said Tuesday that some of the money from the fund was used to buy prostitutes for suspected drug smugglers and for undercover detectives participating in criminal investigations. Other local law enforcement agents said they knew of no such incidents. But if it is true, it would be a case of a law enforcement organization committing a crime to snare a criminal.

However, Hardcastle was not indicted for his handling of the special narcotics fund. A grand jury charged him with grand theft two weeks ago, saying he misused one of his department's airplanes to fly his wife and another couple on a three-day pleasure trip to the Bahamas.

THE BIZARRE conduct of Short and Hardcastle points out the need for professional law enforcement officers, particularly in large counties. When sheriffs are elected rather than appointed, there is a greater chance of political corruption, abuse of power and unprofessional conduct.

A sheriff can be appointed, rather than elected, if the county charter is changed or a special law is passed, either of which would require voter approval. In all of Florida's large counties, residents would be better assured of professional law enforcement if the county commissions appointed a sheriff with experience and a proven record.

Pasco and Sarasota counties would be good places to start such a campaign for better law enforcement.

12-17-82

Sheriff is challenged to lie detector tests



Lewis Abraham challenges sheriff.



John Short doesn't respond to challenge



Charles Waller says sheriff lied.



Otto Weitzenkorn also was on radio show.

By JACK REED and LUCY MORGAN
St. Petersburg Times Staff Writers

DADE CITY — A Dade City realtor who was one of the people targeted by the Pasco County Sheriff's office in a secret, privately financed drug investigation asked that his name be cleared during a live radio show Friday.

But Sheriff John M. Short, the guest on the phone-in show, said he can clear no one until his staff has researched all documents in the sheriff's office.

In an emotional phone call broadcast Friday morning by WDCF in Dade City, realtor Lewis Abraham asked Short either to deny that the sheriff's office ever investigated him or to submit himself to an examination that would determine if Short is lying.

"YOU PICK the time, the place, the television coverage and the lie detector test machine man that's going to operate it," Abraham told Short, "and I'll get on that machine and answer any questions that you ask me about my dealing in drugs and you do the same thing."

"You've got me in the mud, or somebody has, and I'm going to get out because I'm just as innocent as the day I was born of any drug dealings whatsoever."

On the other end of the line, Short did not respond to the challenge. In an earlier call from Abraham during the program, Short said: "I intend to contact you myself

personally and discuss something with you, but I do not want to do it in public."

ABRAHAM SAID after the radio program that he had received 25 telephone calls, "all supportive," but none from Short.

Operation CUP was an undercover investigation that targeted a number of prominent East Pasco citizens in late 1981 and 1982. Short said CUP investigated drug smuggling and other illegal activities in the county.

None of those mentioned as targets have ever been publicly linked to any illegal activities. Several of the targets were members of a taxpayers' group that opposed Short's 1981 budget increase. Most had incurred the enmity of Short or John T. Moorman, a wealthy part-time deputy who helped finance the investigation.

CUP stands for "Clean Up Pasco."

ALTHOUGH Short confirmed Friday that there was an investigation called CUP, he said he has "never been shown a list" of targets. And Short tried to put some distance between himself and CUP.

He said he has been meeting with Maj. Gil Thivener and Sgt. Boyd Caudill, the officers in charge of CUP, and trying to determine "why it was not more successful than it was."

And Short told one caller: "I can tell you that I have not personally investigated anyone."

Please see SHERIFF, Page 12

Sheriff from Page 1

But Short put his name on a document to a state agency to obtain a picture of at least one of those targeted in Operation CUP.

SHORT SENT a signed affidavit to the Florida Department of Highway Safety and Motor Vehicles February 2, 1982 stating that Dade City lawyer Charles Waller was the subject of a narcotics investigation (see document, above). Short asked for a copy of Waller's driver's license photo to use in the investigation and said he was requesting it for Cpl. Marco Stanley, one of the CUP investigators.

Waller, attorney and spokesman for the taxpayers group that opposed Short's budget in late 1981, was irate when advised of the docu-

'We now know the sheriff lied. He told me in front of witnesses that I had never ever been under investigation by his department.'

— Charles Waller

ment Friday. The *Times* had earlier identified him as one of the Operation CUP targets.

"We now know the sheriff lied," Waller said. "He told me in front of witnesses that I had never ever been under investigation by his department."

Otto Weitzenkorn, one of those on the target list for Operation CUP, also questioned Short on the radio phone-in show Friday. Weitzenkorn, a Dade City businessman, was "cleared" by Short earlier this month as one of eight persons who was not investigated. Weitzenkorn told Short: "I read in the paper that you released me. What I don't understand is what I'm released of."

SHORT'S EXPLANATION Friday of CUP's purpose and scope seemed to contradict earlier accounts of the investigation given by Short and his aides. On:

✓ **SEPT. 9** — Sgt. Caudill, who headed CUP, told the *Times* that it was an intelli-

gence-gathering operation that resulted in no arrests. Caudill said he had a list he "made up of things to do on certain people" involved in CUP, and he confirmed that he saw another list "where someone listed everybody's name who was brought up" during planning sessions. He would not reveal the names on the list.

✓ **SEPT. 21** — Short declined to confirm what CUP meant. Asked if it meant there was no more dirt in Pasco, he replied: "No, there is plenty of it. We just couldn't get to it."

✓ **SEPT. 23** — Sheriff's spokeswoman Cindy Kuhn said most of the financial records of Operation CUP had been destroyed along with other obsolete records.

✓ **SEPT. 28** — Short told reporters that three people arrested the day before on cocaine charges were the first arrests made in Operation CUP. He said CUP began about 18 months earlier.

✓ **DEC. 2** — Short said about CUP: "I have seen the list of names from our intelligence files. I can't reveal the names on the list." And Short denied that his office had "a target list."

He said CUP had two phases, beginning with meetings in late 1981, and that CUP has never been shut down. When a reporter read a list of names targeted in CUP, Short said, "I will not confirm or deny any name on your list that was in our intelligence files. The names on your list ... I am not admitting anything."

✓ **DEC. 6** — In a press conference called in response to a *Times* story on CUP, Short said he had "cleared" eight of the 15 targets named in the story as never having been investigated, although three of those names did come up.

Maj. Thivener, who oversaw CUP, said 102 people had been arrested under Operation CUP. In fact, Thivener attributed to CUP every drug-related arrest made by the sheriff's special enforcement unit since late 1981.

✓ **DEC. 15** — Thivener provided a list of 111 people arrested in the CUP investigation, since September 1981. The list may not be accurate, Thivener noted at the top of the list, because "some defendants may be fugitives and some may have been overlooked."

✓ **DEC. 16** — On the Dade City radio program, Short seemed to differentiate between the original CUP investigation and later investigations. "Operation CUP was in 1981," he said. "It starts and it stops. Each time we start out with a new year with new numbers. Whether you

put the name of 'CUP' on it or not is a matter of a name."

And Short said deputy Moorman — who helped finance CUP — also contributed information during the first CUP meeting. "To the best of my knowledge the two people that (Moorman) had information on, both of those people were arrested and both of them were convicted," Short said.

In an interview with the *Times* on Dec. 2, however, Moorman said his role was limited. "I don't think I contributed any names, and if I did they are people who are still under active investigation," he said.

Short said Friday that the *Times* should have appeared on the radio show to answer questions about the names of CUP targets it

'Operation CUP was in 1981. It starts and it stops. Each time we start out with a new year with new numbers. Whether you put the name of "CUP" on it or not is a matter of a name.'

— Sheriff John Short

printed. "I believe they were invited to be here, and they would be the most appropriate people to ask where they got those names," he said.

"The *St. Petersburg Times* did not accept an invitation to appear on the radio program with Sheriff Short because it would be inappropriate for our reporters to engage in debate with him," said *Times* managing editor Andrew Barnes.

"Our responsibility to our readers is to give them the fullest report possible, on our new pages, and we have done that," Barnes said. "Sheriff Short's attempts to characterize this work as a personal confrontation between the *Times*, its reporters and himself is simply not responsive to the issues at hand."

"We would be remiss if, by joining in a dialogue with the sheriff, we allowed him to obscure the real issue here, which is the way he directs the Pasco County Sheriff's Department. The facts on this issue, which we have printed, speak for themselves."

- Florida, 2-B
- Update, 15-B
- Obituaries, 15-B

Form to be used by Law Enforcement Agency Requesting Print from
 DRIVER LICENSE NEGATIVE FILM FILE

Mail Request in DUPLICATE to:
 DIRECTOR, FLORIDA HIGHWAY PATROL
 NEIL KIRKMAN BUILDING
 TALLAHASSEE, FLORIDA 32301

REQUESTING AGENCY:

Date 02/02/82

Pasco Co. Sheriff's Office, S.E.U.
(Name)
410 E. Meridian
(Address)
Dade City, FL 33525
(City & State)

4981 C06

PRINT OF DRIVER LICENSE REQUESTED ON FOLLOWING SUBJECT:

NAME Charles Douglas Waller ALIAS
(Complete Name, if Available)
 DRIVER LICENSE NUMBER W460-144-43-143-224 DATE OF BIRTH 04/23/43

DESCRIPTION w/m
 STATEMENT OF CASE narcotics investigation
(Type Investigation)

AGENCY'S CASE NUMBER 81-0210 PRINT REQUESTED FOR Cpl. Marco Stanley
(Name of Officer)

Pursuant to Florida State Statutes 322.142(5), this is to certify that the above described case involves an active felony investigation conducted by this Department and a photograph of licensee is not otherwise available. I further certify that the photo will be used for law enforcement purposes only.

SIGNATURE John R. Short
(Head of Enforcement Agency)

FACSIMILE SIGNATURE NOT ACCEPTABLE

Sheriff Short told one radio program caller Friday: 'I can tell you that I have not personally investigated anyone.' But Short did sign this affidavit filed with a state agency to obtain a picture of at least one of those targeted in Operation CUP. It stated that Dade City lawyer Charles Waller was the subject of a narcotics investigation.



Inside the Pasco County Sheriff's Department:
A SPECIAL REPORT

State looks at Short's dealings

St. Petersburg Times Staff Writer



James Russell studies sheriff's documents.

Some of the personal property transactions of Pasco County Sheriff John M. Short are under investigation by the Pasco-Pinellas state attorney's office.

A spokesman at a Dade City title company confirmed Friday that documents from three of the sheriff's transactions were subpoenaed earlier this week by State Attorney James T. Russell.

RUSSELL'S INVESTIGATORS are apparently interested in Short's dealings with John T. Moorman, a wealthy, part-time deputy who helped Short make thousands of dollars in a series of personal transactions in 1981 and 1982.

As the *St. Petersburg Times* disclosed last Sunday, the sheriff risked almost none of his own money while gaining a profit — at least on paper — of about \$76,000 in those dealings with Moorman.

The subpoenaing of Short's personal records indicates a widening of Russell's interest in the sheriff.

Earlier this fall, the state attorney subpoenaed records compiled by the sheriff's department during a secret undercover operation that targeted a number of prominent East Pasco residents (see story at left). Russell has also questioned the sheriff and the deputies — including Moorman — who took part in that now-controversial operation.



Millionaire deputy John Moorman.

State from Page 1

ALTHOUGH HE works part-time and refuses to accept a paycheck, Moorman enjoys a special place in the sheriff's department. He works whenever he feels like it, has close access to the sheriff and helped finance the secret undercover operation.

An eccentric millionaire, Moorman was hired as a part-time deputy by Short in 1980, shortly after he contributed to the sheriff's re-election campaign.

In the months that followed, the sheriff:

- ✓ Moved his travel agency to Zephyrhills with the help of a loan from Moorman, who four months later bought the apparently faltering business from Short for \$20,000.
- ✓ Bought a large home on five acres from Moorman for \$60,000, half its taxable value, then sold it 17 months later for \$133,000.
- ✓ Sold a duplex to another deputy — Joe

Moore — for \$3,800 more than he paid for it. Moore apparently raised the down payment by mortgaging property that Moorman had given him as a gift.

Moorman and Short have both said that their transactions are proper and have had no effect on their relationship as sheriff and deputy.

IN AN INTERVIEW earlier this month, Moorman said that investigators from Russell's office had accused him of giving property to Short — an accusation he denied. Moorman also said that the investigators "were screaming and ranting and raving when I left."

Florida law says that it is unlawful for a person to offer a gift to a public official or for the official to accept it if the gift is intended to influence the official's public duties. Conviction on a charge of unlawful compensation carries a maximum penalty of five years in prison.

Richard Dibble Jr., the manager of Pasco

Abstract Co. in Dade City, said Friday that the state attorney's office delivered a subpoena Monday and picked up the property documents Thursday.

THE DOCUMENTS, described by Dibble as "the closing statement, the contract and any instructions we had on conditions of the sale," involved Short's purchase on Nov. 25, 1981 of a house in Zephyrhills from Charles and Gayle Avery. The house is used as an office for the travel agency that Short later sold to Moorman.

Dibble said files in two other property transactions involving Short were subpoenaed from Sunstate Title Agency in Dade City. But a spokeswoman for Sunstate would not discuss the matter, saying "we're not at liberty to say" anything about the subpoena.

Sunstate prepared sales documents on Moorman's gift of property to deputy Moore and Short's sale of the duplex to Moore.

State subpoenas financial documents

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Please see STATE, 14-B

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STATE
from 1B



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HURRY! HURRY! HURRY! HURRY! HURRY! HURRY! HURRY! HURRY! HURRY! HURRY!

Expert: Pasco sheriff mishandled death cases

By LUCY MORGAN
St. Petersburg Times Staff Writer
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Critical evidence in the violent deaths of two well-known men was destroyed during crime-scene investigations conducted by the Pasco County Sheriff's Department, according to an expert hired to review the two cases.

Because the investigations were substantially flawed, the expert says, serious questions remain about the deaths of former Pasco sheriff's Capt. Joseph H. Donahue and Tampa car dealer Ernie Haire.

The expert is James E. Halligan Jr., a veteran crime-scene analyst and founder of Florida's state crime lab (see biography, 9-B). He and his firm, Forensic and Security Consultants Corp. of Tallahassee, were hired by the *St. Petersburg Times* to review reports, sketches and photographs of the two deaths.

Donahue, who was facing federal charges for sharing sheriff's department secrets with undercover agents posing as organized crime figures, died of a bullet wound in his home last April 19. His death was ruled a suicide by Pasco sheriff's officials. (See story, this page.)

HAIRE WAS shot to death by his estranged wife during an argument in their Lake O'Lakes home in East Pasco on Dec. 18, 1982. Mrs. Haire was charged with first-degree murder, but was acquitted by a jury. (See story, 9-B).

In both cases, Halligan said, far too many people were allowed inside the crime scenes and the investigators were inadequately trained or qualified for that important, sensitive work. As a result, critical pieces of evidence were destroyed or ignored, he said.

In both cases, Halligan added, Pasco Sheriff John M. Short should have sought the assistance of the Florida Department of Law Enforcement (FDLE), which provides qualified crime-scene teams for free to any law enforcement agency in Florida that requests one.

In his analysis of the two crime scenes, Halligan also said that:

- ✓ The crime scenes were never properly delineated or searched.
- ✓ Some photographs of the general crime scenes were inadequate — and others that should have been taken were not.
- ✓ The autopsy photographs were improperly taken and "of little or no value."
- ✓ There was "very poor coordination" between the sheriff's department and emergency medical service personnel.



Inside the Pasco County Sheriff's Department:

A SPECIAL REPORT



JOHN SHORT

... declined to be interviewed



JAMES RUSSELL

... also critical of sheriff.

The state attorney agrees

Pasco-Pinellas State Attorney James T. Russell — the man who has to go into court with evidence provided by the Pasco Sheriff's Department — agrees that the Donahue and Haire crime scenes were mishandled.

"If it hadn't been for the medical examiner and a blood spatter expert we hired, we wouldn't have had any evidence of a wrongful death" in the Haire case, he said.

His staff has had repeated problems with crime-scene investigations in Pasco, Russell said, and the inexperience of investigators there is a problem he faces each time a case is prepared for trial.

"**USUALLY SHERIFF'S** departments try to develop crime-scene experts," he said. "That hasn't happened lately in Pasco County."

Pasco sheriff's officials declined to be interviewed about their crime-scene investigations, but agreed to answer written questions from *Times* reporters.

In a written response, Maj. Gil Thivener defended the performance of the department's investigators.

He described them as veteran, well-trained professionals and said that the only people allowed inside the two crime scenes after the sheriff's department arrived were officials who needed to be there.

Thivener acknowledged that the department did not seek outside assistance in either investigation — only reviews of certain pieces of evidence and his department's work.

Sheriff Short himself did not respond to the *Times'* questions about the crime-scene investigations.

Crucial to the solution

Investigations at the scene are crucial to the solution of



Maj. Gil Thivener defended the department in a written response to questions from the *Times*.

any potential crime. It is there that physical evidence — everything from bloodstains to strands of hair — is collected, processed and taken to a laboratory for further analysis.

At the scene of major crimes, authorities agree, the investigation should be handled by technicians who are specially trained for that delicate work.

When Donahue and Haire died, however, the technicians at the scene were poorly trained and their work was sloppy, Halligan said.

As a result, Donahue's death — though ruled a suicide by the sheriff's department — remains shrouded in mystery, and key evidence in the Haire death was obliterated.

THE DAY Donahue died, Short blamed his death on a *Times* story that revealed Donahue had lied about once working for the New York City police department. The story had been published that morning.

But Short did not immediately disclose the contents of

a note found by Donahue's telephone — a note that suggests that Donahue had decided to testify against the sheriff and other public officials (see illustration, 8-B).

Short publicly revealed the existence of the note a month later — after Donahue's family went to the state attorney's office and questioned its disappearance.

Moreover, Donahue's wife and daughter say they don't believe that Donahue killed himself (see story, this page). And experts like Halligan raise questions about the positioning of Donahue's arms and legs and about the gun found nearby — questions that the crime-scene investigation leaves unanswered.

At the scene of Haire's death, meanwhile, evidence that apparently would have become pivotal at the trial of his estranged wife was lost.

During the trial, Mary Haire testified that her husband pulled a gun on her as she knelt at a safe containing financial documents and jewelry. She said she reached into the safe for a second gun and shot her husband.

Prosecutors tried to show that Haire was the one kneeling at the safe and that Mrs. Haire came up and shot him from behind.

After acquitting Mrs. Haire, jurors were highly critical of the way sheriff's officials handled the case. The jurors noted that critical items at the crime scene had been moved, making it impossible to tell who was kneeling at the safe.

Too many people

In conducting his analysis of the two crime scenes, Halligan studied copies of the reports, sketches and photographs compiled by the Pasco Sheriff's Department during its investigations.

The *Times* also furnished Halligan with photocopies of documents in the personnel and training files of the investigating officers and crime-scene technicians involved in the two cases.

In his analysis, Halligan said that in both cases Pasco sheriff's officials permitted too many people inside the crime scenes.

"In a case such as this, only two crime scene technicians working as a team" should be allowed, Halligan said. At least 16 persons entered the Donahue crime scene and 21 persons entered the Haire crime scene, sheriff's records show.

THE OFFICIALS at the two crime scenes were also inadequately trained or qualified, Halligan said. He criticized the department for what he called "the outdated and ineffective policy of assigning untrained and unqualified investigators and identification technicians" to crime-scene work.

Records in the state's Police Standards Bureau in Tallahassee indicate that, as of last month, 34 Pasco sheriff's deputies have taken the basic, 40-hour crime-scene procedures course approved by the state.

Only one of those 34 deputies currently works as an identification technician, and he worked on neither of these cases. A detective assigned to the Haire case — and no one assigned to the Donahue case — had taken the state-approved course.

The sheriff's department could have sought the assistance of the FDLE, which provides crime-scene teams at no charge. But it did not. In fact, the department has seldom called the FDLE's crime-scene team to the county since Short became sheriff in January 1977.

Halligan and State Attorney Russell were particularly critical of the department's failure to seek outside help in the death of Donahue — a former sheriff's official who was under federal indictment for providing protection for gambling and other crimes being committed by organized crime figures in the county.

"If something like that happened in my department, I'd call for outside help right away," Halligan said.

Shooting was ruled suicide, but was it?

By LUCY MORGAN
St. Petersburg Times Staff Writer
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Joseph H. Donahue was dead on his bathroom floor, his legs neatly crossed and his hands poised on his chest.

Beside the body was a Smith & Wesson service revolver engraved with the date he left the Port Richey police department to become a top-ranking officer for Pasco County Sheriff John M. Short.

THE CHAMBER of the gun was open and four live rounds of ammunition were scattered in a pool of Donahue's blood.

Short's investigators ruled it a suicide, but authorities outside the sheriff's department raise issues that remain unresolved. They cite:

✓ The posed appearance of Donahue's legs, arms and hands.

✓ The sloppy investigative techniques of Pasco sheriff's officials, who never obtained tests that could have confirmed that the gun actually fired the fatal bullet.

✓ The failure of the sheriff's de-

partment to seek an independent investigation of the shooting.

"It appears that they (sheriff's officials) jumped to the conclusion that it was a suicide before they did any work," said James E. Halligan Jr., a veteran crime-scene analyst hired by the *St. Petersburg Times* to review the case.

"Overall the picture is consistent with a self-inflicted wound," Halligan said. "But because of all the things that were not done, a lot of information is out that we would have to have to eliminate the possibility of murder."

A sunny spring morning

It was Tuesday, April 19, 1983 — the day before his daughter's birthday. In the kitchen, Donahue had the ingredients for chicken cacciatore and the birthday cake he was going to make for the occasion.

Three weeks earlier, Donahue had been indicted on federal racketeering charges with reputed Mafia chieftain Santo Trafficante and others.

And Donahue had apparently

agreed to testify against the sheriff and other public officials.

HIS WIFE Ellie says she is not sure what Donahue knew.

"He told me he was going to testify and tell everything he knew," she told the *Times* during a recent interview. "I didn't ask him what it would be; I figured he would tell me if he wanted me to know."

Donahue's morning paper, the *Times*, was neatly folded on his bed. It contained a story that showed his claim of a 20-year career with the New York City police department was phony. He had been a plumber in Queens.

Donahue's father-in-law and a neighbor discovered the body as they collected the family mail in the middle of a sunny spring morning.



JOSEPH DONAHUE

... died in April.

an apparent suicide in May 1981, and a New York mobster arrested at Kings Court in January 1981 was found dead in New York in October 1982.)

When Pasco sheriff's deputies arrived to investigate, they were confronted with the death of a former captain who was charged with selling the secrets of his department to undercover FBI agents posing as organized crime figures.

He was also the third man to die who had been associated with Kings Court, a bottle club operated by the undercover FBI agents. (The owner of the club, New Port Richey lawyer Richard J. Milbauer, was found dead of an apparent suicide in May

NEVERTHELESS, no outside state or federal agency was called in to review the scene where Donahue died.

Instead, criminologist Halligan says, untrained and inexperienced investigators attempted to handle a situation that was beyond their level of expertise.

Into Donahue's house trooped sheriff's deputy after sheriff's deputy. At least 16 persons entered the house before the afternoon was over.

The body they observed looked almost posed, but investigators apparently took little note of the neatly crossed legs and the perfectly symmetrical position of the arms and hands.

That "should have been a red flag to investigators that they needed to work harder," said H. Dale Nute, another veteran crime-scene analyst and associate of Halligan.

On a kitchen counter, investigators found notes apparently written by Donahue as he talked with his attorney on the telephone.

"You must answer all questions," the note stated. "Information about sheriff — information about public officials."

Defending its work

The sheriff's department defends its work at the Donahue crime scene.

In a written response to questions from the *Times*, Maj. Gil Thivener said that the position of Donahue's body shows that "it was physically impossible for someone else to have shot him." He did not elaborate.

Nothing at the scene suggested that the death was anything but a suicide, "and this is consistent with the findings of the medical examiner's office," Thivener said.

After the "first deputies on the scene" confirmed that Donahue was dead, he said, the only people permitted inside the crime scene were "the detectives and technicians with legitimate functions to perform there."

from an outside agency, Thivener added, certain pieces of evidence were reviewed with the Florida Department of Law Enforcement (FDLE) and reports on the investigation were sent to the FDLE, FBI and state attorney's office "for review."

The *Times* asked sheriff's officials what testimony Donahue could have offered about public officials and the sheriff. But the department did not answer the question.

The case officer

The case officer assigned to the investigation was Charles Troy. He had been a detective for 78 days when Donahue died.

Despite the fact he had 13 years' experience in Connecticut and Florida, Troy had little prior experience in murder investigations. In Connecticut he had been an accident investigator for the traffic division of the Greenwich police department. Short hired him in May 1981 as a uniform patrol deputy and made him a detective on Jan. 31, 1983.

Sgt. Tom Pisut, head of the department's identification section, was sent to the scene with technicians Curtis Page and Lester J. "Chick" Little.

Pisut and Page had never taken a basic crime-scene course, according to records on file with Florida's Police Standards Bureau.

Little, the photographer at the scene, is not certified as a police officer in Florida. He retired from the Suffolk County, Long Island police department in 1972. He has prior training in photography and fingerprinting and supervised a crime scene unit in New York.

A FEW HOURS after Donahue died, Pisut and Capt. Dan Noda test fired Donahue's gun to see if it was operational.

"This is a very serious error in policy and procedure," Halligan said. "Not only is he (Pisut) not qualified as a firearms examiner, but he has destroyed any chance for a qualified examiner to conduct an examination of a possible murder weapon."

Halligan said the weapon should have been carefully recovered, protected and submitted to the FDLE laboratory for latent print and firearms examination.

The failure to submit the gun and fragments of the bullet that killed Donahue for testing made it impossible to determine whether the gun found at the scene actually killed Donahue.

The bloody carpet

When the photographs were taken and Donahue's body was removed, Rebecca Franklin, a neighbor and longtime friend, was one of those who helped clean up the bathroom.

Ms. Franklin says one of the deputies gave her two pieces of bloody carpet and told her to "take this and get rid of it."

Photographs taken by the sheriff's department indicate that the one of the two pieces of carpet was at Donahue's feet and the other one was near his head.

Ms. Franklin says no one ever interviewed her after Donahue's death although she had known him for more than 20 years and once worked in the sheriff's department identification section.

"I don't think Joe committed suicide," Ms. Franklin said.

THE SHERIFF'S department reports do not mention the disposal of the rugs, and Pinellas-Pasco State Attorney James T. Russell says he was not aware that they were thrown away.

Halligan and FDLE officials say the missing rugs and the chair that was near Donahue's head should have been tested to determine if any gunshot residue remained. Such tests would have been an additional factor indicating that Donahue was lying on his back at the time the gun was fired.

In his response to the *Times*' questions, Thivener acknowledged that the carpets were thrown away. He declared them "of no evidentiary value since photographs and samples had already been taken." The deputy let the neighbor throw the carpets away "to spare the family unnecessary grief," he said.

The open chamber

Two days after Donahue's death, Detective Troy went to the Tampa office of the FDLE and asked two veteran

agents there to review the work done by the sheriff's department.

The FDLE agents were Manny Pondakis and Rick Look. In a written report, Pondakis noted the unusual nature of the gun's open chamber and the failure of investigators to recover a number of items that should have been examined by experts.

Pondakis and Look also questioned the fact that Donahue's gun had been test fired without submitting it to a scientific lab for examination.

The two agents recommended that the gun be taken to the FDLE's lab for an examination that would include tests for any defect that could have resulted in the open chamber.

THE AGENTS sealed the gun in an evidence container and filled out paper work for an FDLE lab examination that would include an examination for defects or foreign particles that might be left inside the barrel.

The gun was never delivered to the FDLE lab. It remains today in the custody of the sheriff's department. It has never been examined by an expert laboratory.

Without an expert examination of the gun and a bullet fragment found at the scene, it would be impossible to tell whether the gun found lying on the floor next to Donahue actually fired the fatal shot.

In his written response to questions from the *Times*,

Thivener said the department is satisfied that Donahue's death was a suicide. He noted that tests performed on Donahue's right hand indicated that Donahue had recently fired a gun.

Thivener said the gun's chamber was open when deputies arrived. He said the deputies determined "by testing" that the gun was not defective and "how the cylinder could have partially opened." He did not explain what he meant about the open cylinder.

The "testing" mentioned in sheriff's department reports consisted of firing the gun and a determination that the gun would fire with the chamber partially open if the hammer was cocked first. Neither of the officers who participated in the test is a firearms expert.

FDLE officials said that the information supplied by Detective Troy *could* be indicative of a self-inflicted gunshot wound, but that they would not reach any conclusion without an independent investigation.

FDLE Supervisor Doyle Jourdan conveyed an offer to do an independent investigation to Short on April 22, 1983. A report of the telephone call in FDLE files indicates that Short told Jourdan he merely wanted the FDLE to review his department's investigative efforts and make suggestions.

Short rejected the FDLE's offer to conduct a complete investigation.

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You must answer all questions

Information about Sheriff --
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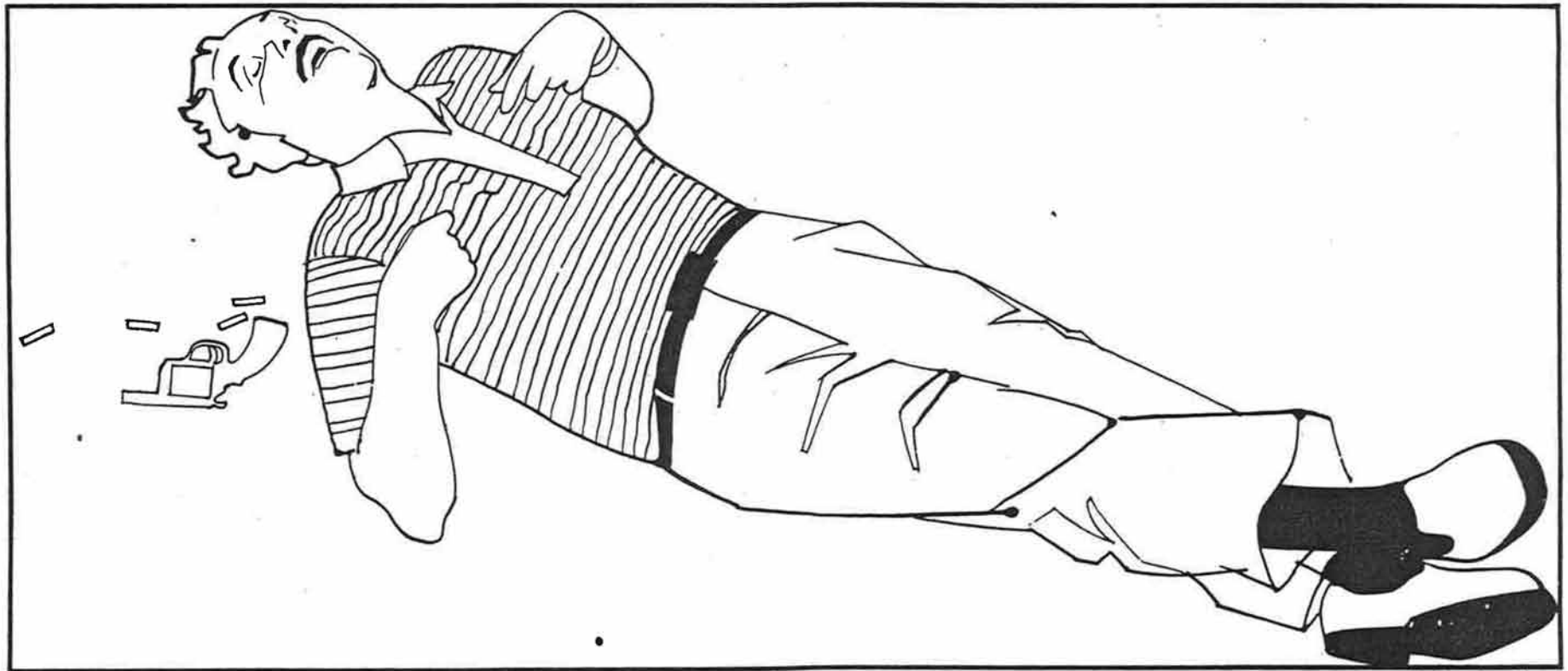
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To meet w/ Attorney Bill Taylor & U.S. Attorney
Cris Hoyer (Mr. Taylor) will call about Appointment

Marshall Office 228-2146
F.B.I. Office 228-7661
Mr Bill Taylor 223-2411

Att. " A.D.T. " office

These notes were found on the top sheet of a legal pad next to Joseph H. Donahue's phone on the day the former Pasco Sheriff's Department captain died. The notes refer to his scheduled arraignment on federal racketeering charges (upper right); his plans to obtain a second mortgage on his home to finance his legal defense (middle of the page), and an appointment with his attorney (Bill Taylor) and Assistant U.S. Attorney W. Christian Hoyer (bottom). The notes also show that Donahue was discussing his possible testimony about the sheriff and public officials. Hoyer is a prosecutor with the Justice Department's Organized Crime Strike Force.



St. Petersburg Times

This drawing shows precisely the position of Joseph H. Donahue's body, his gun and bullets as they were discovered after his suicide. The drawing was made from crime scene photographs that, if published, might cause some readers distress. The black dot at the

right temple locates the bullet wound. The Pasco sheriff's office — which ruled that Donahue's death was a suicide — says that the position of the body shows that it was "physically impossible for someone else to have shot him." But expert crime-scene

analysts retained by the *Times* say that the neatly arranged legs, arms and hands are unusual. That "should have been a red flag to investigators that they needed to work a little harder," says one expert.

10 10-05

Widow questions investigation by Pasco sheriff of husband's death

By LUCY MORGAN
St. Petersburg Times Staff Writer

Ellie Donahue says she does not believe her husband killed himself.

She has spent the past eight months trying to determine what happened on the April morning he was found with a bullet wound in his head.

Mrs. Donahue says she has taken the house apart, looking everywhere for a note or some indication of what happened.

"I don't believe Joe did it," she told the *St. Petersburg Times*. "Even though I didn't know Joe as well as I thought I did, I know he would have left a note. We were married 12 years."

A trim, short-haired woman with a husky voice, Mrs. Donahue, 46, is a longtime New-Port Richey city employee.

SINCE APRIL she has lost 38 pounds and says worry and wondering what happened keep her awake at night.

"Sometimes I go to the cemetery and try to get something from the cemetery, but it doesn't work that way," she says. "I know Joe did some things that were wrong, but he didn't deserve to die."

Mrs. Donahue has questioned the investigation conducted by Pasco County Sheriff John M. Short and has been trying to get Donahue's service revolver back.

She wants to have the gun examined by an expert but says Short and his deputies have refused to return her telephone calls.

Once the gun has been examined, Mrs. Donahue says, she plans to give it to her daughter Jackie, who has enrolled in the Pasco Police Academy for basic training so she can begin a career in law enforcement.

Mrs. Donahue says she would feel better if Short had called in an outside agency to handle the investigation.

At first she thought her husband's death could have been a suicide, Mrs. Donahue says, but now she is convinced it was not.

He 'didn't act depressed'

Her opinion is shared by daughter Jackie, 22, and at least two neighbors who are close friends of the Donahue family.

"He certainly didn't act depressed," says one neighbor who played cards at Donahue's house the night before he died. "It seemed like he was in good spirits for all that had happened."

If Donahue pulled the trigger, some of those close to him believe he did it under duress.

"He must have been threatened or

Ellie Donahue says investigators never asked family members if Joseph Donahue had been depressed and never conducted any in-depth interview with family and friends.

thought his family was threatened," says the neighbor.

IN THE THREE weeks between Donahue's indictment and his death, those around him say Donahue did not appear to be worried about testifying as a prosecution witness.

Mrs. Donahue says her husband was not worried about prison and had remarked that federal prisons are much better than state and county jails.

There are a number of things that make her suspicious about what happened, Mrs. Donahue says.

First and foremost is the absence of any detailed notes. She says Donahue always kept notes and must have documented whatever he knew.

"If he had notes, someone took them," Mrs. Donahue says. "They (sheriff's deputies) were in the house for five hours and wouldn't let any of us in."

She says investigators never asked family members if he had been depressed and never conducted any in-depth interview with family and friends.

Months after her husband's death, Mrs. Donahue says, she demanded and got a number of items seized by deputies the day Donahue died. She says the sheriff has refused to return the gun or a newspaper that was logged in as evidence.

Maj. Gil Thivener said in a written statement Friday that he is holding Donahue's gun "because of the controversy being waged in the newspapers about the incident, and in blunt language to cover my butt until everything is over and done with."

THIVENER SAID he kept the newspaper "out of consideration for the widow."

Thivener said that deputies attempted to interview Mrs. Donahue after the shooting, but ended the interview when she became "emotionally upset."

Mrs. Donahue says the deputies who came to her home a day after

Donahue's death merely asked her date of birth and left a card in case she needed something.

Thivener said "numerous other people were extensively interviewed."

What happened to the money?

Mrs. Donahue and her daughter say Donahue did not tell them in advance about the indictment but did talk a little bit after he was indicted.

"I know Joe was wrong," she says. "I don't think he was involved with the Mafia. I think what he was involved in was local. He did say he never met (reputed Mafia chieftain Santo) Trafficante." Trafficante and others were indicted along with Donahue.

When they picked Donahue up at the federal courthouse in Tampa after his arrest last spring, Mrs. Donahue says, she told her husband she would stand by him if he did something wrong as long as he did not cover up for somebody.

"I asked what happened to the money," Mrs. Donahue says, recalling the \$2,400 that federal officials charged Donahue with taking from undercover agents.

"He said it went into John Short's campaign fund," she says.

In 1980 Short reported receiving \$100 from "Anthony Rizzo," who was described as the owner of the Kings Court Tennis Club. He was apparently referring to Anthony Rossi, the name used by undercover FBI agent Ed Robb during the three years he lived and worked in Pasco County.

SHORT ALSO reported receiving another \$100 from the Kings Court Club, \$100 from Donahue and another \$100 from Ellie Donahue.

Mrs. Donahue says she never donated money to Short.

Short, in a written response to questions about the donations, said he never personally received any campaign money from Donahue. He said contributions were handled through "normal campaign channels."

"If I had to guess," he said, "I would say that probably Joe gave a donation of \$100 from himself and the same amount from Ellie."

Short also said he believes that "Joe actually brought five contributions in for the campaign, three from himself and Ellie, one for Kings Court and one from Tony Rizzo. On three of the five occasions, I was anywhere from 300 to 2,000 miles away at law enforcement seminars."

Short also asked why the questions about campaign contributions are being raised now instead of when Donahue was alive to answer them.

Jackie Donahue, left, and Ellie Donahue don't believe that Joe Donahue committed suicide.

St. Petersburg Times
— DAVE MORRISON



Crowd at crime scene hampered investigation of murder case

By LUCY MORGAN
St. Petersburg Times Staff Writer
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Chaos reigned around the bullet-riddled body of Tampa car dealer Ernie Haire.

A sobbing, hysterical wife, attorneys, deputies, family members, an emergency medical crew and volunteer firefighters all scurried around inside and outside the house.

There was so much confusion in the sprawling Land O'Lakes house where Haire died that authorities can never be certain what happened.

"Everybody and his brother was there that owned a sheriff's badge," a Pasco County Emergency Medical Services employee said as she described the scene in an April 1983 deposition. "There were people going in all different directions back and forth in the house."

HAIRE WAS shot six times during an argument with his estranged wife on the afternoon of Dec. 18, 1982.

Mrs. Haire said she was kneeling at a closet safe and shot her husband with a gun she grabbed from the safe as he held a gun on her.

Pinellas-Pasco State Attorney James T. Russell charged Mrs. Haire with first-degree murder. He said that it was Haire — and not his wife — who was kneeling at the safe, and that Mrs. Haire shot him from behind.

A Pasco County jury found Mrs. Haire not guilty.

Jurors told reporters later that the way sheriff's deputies handled the case left them unable to determine who was at fault in the shooting. Because the body, two guns and other items had been moved, jurors complained, it became impossible to determine who had been kneeling at the safe.

James E. Halligan Jr., an expert hired by the *St. Petersburg Times* to review the case, agrees with the jurors.

"Any physical evidence present in the immediate vicinity of the Haire residence would have been destroyed, contaminated or never found," Halligan said. "There was no security established whatsoever."

Halligan said 21 persons entered the Haire crime scene during the investigation, including several possible suspects who had free access to the scene.

"**IT IS NOT** clear why all of these police officers were inside the scene," Halligan said. "They could have served a function outside the scene as security guards."

Halligan said it is particularly troubling that the first deputy on the scene allowed several people to check the body, including two volunteer firefighters who were not trained as emergency medical technicians.

The firefighters, members of the Land O'Lakes Volunteer Fire Department, moved the body and other evidence, which made it impossible to determine what happened.

The firefighters moved the body after one of them said he thought he had felt a pulse. Medical Examiner Joan Wood later determined that Haire died immediately after one of the six bullets struck him in the heart.

("You can find a pulse in this table if you're scared enough," one of the trained emergency medical technicians explained later.)

Deputy James Jenkins, the first man at the scene, said in sworn testimony last April that Mrs. Haire picked up one gun from a closet and handed it to him when she saw him looking at a gun lying near Haire's body. Instead of leaving the guns in place, Jenkins said, he took them and locked them in his cruiser before the department's crime-scene

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investigators arrived.

TESTS FOR gunpowder on Mrs. Haire's hands were conducted at the scene *after* she had washed her hands twice. In the confusion, no one told Mrs. Haire not to wash her hands.

Halligan said two rough sketches made of the Haire scene were incomplete and conflicted with each other. Also, photographs were of poor quality.

The poor handling of the crime scene and the department's failure to perform a scientific examination of the scene made it impossible to reconstruct what actually happened inside the house, Halligan said.

In a response to written questions from *Times* reporters, Maj. Gil Thivener, operations chief for the department, defended the department's performance.

Thivener said the medical personnel arrived *before* the deputies and moved the body and gun in a "lifesaving situation."

That contradicts what Deputy Jenkins said under oath last April, however. He testified that he was the first person on the scene, and that the volunteer firefighters arrived "right behind me."

JENKINS ALSO testified that he did not warn Mrs. Haire against washing her hands, adding: "I don't think she did."

In his written response to the *Times'* questions, Thivener said that when the second deputy arrived at the scene, he "stayed with Mrs. Haire and was later informed by her that she had washed her hands prior to the arrival of anyone."

Thivener said department members did meet with "all emergency (medical) personnel and fire department personnel" after the Haire shooting "to insure the adoption of measures which would prevent any destruction" of future crime scenes.

12-18-83



Pool photo

During her trial, Mary Haire demonstrated how her husband held a gun on her while ordering her to empty a safe.

The expert

James E. Halligan Jr., 62, is a veteran of more than 30 years in the crime laboratory.

He earned bachelor's degrees in both chemistry and police science at Michigan State University in 1948-49, worked as a Pinkerton private investigator for a year, then spent nine years as a microanalyst in the Wisconsin state crime laboratory.

He moved to Tallahassee in 1958 to set up Florida's first state crime lab for the agency that is now called the Florida Department of Law Enforcement (FDLE).

He remained there, testifying as an expert witness in more than 200 cases, until 1981.

Since leaving FDLE, Halligan has been an officer for Forensic and Security Consultants Corp., a Tallahassee firm that assists insurance companies, lawyers and criminal defendants.

He also holds a master's degree in criminology from Florida State University. He is a fellow of the American Academy of Forensic Sciences and a charter member and past chairman of the Southern Association of Forensic Scientists.



James E. Halligan works for Forensic and Security Consultants Corp. of Tallahassee.

The story of the Pasco Sheriff's

When John M. Short became sheriff in January 1977, it seemed like the beginning of a new era in law enforcement for Pasco County.

To many, Short was the perfect sheriff for the rapidly growing county — polished, politically astute and experienced in law enforcement. He became one of Pasco's most popular and powerful officials.

Earlier this month, however, the *St. Petersburg Times* began a series of disclosures about the sheriff's performance in office. It has reported that:

✓ Short's department targeted a number of prominent East Pasco residents as possible drug smugglers in a secret undercover operation in 1981-82. Some of the targets had earned the animosity of Short and John T. Moorman, a wealthy part-time deputy who helped finance the secret investigation.

✓ Short has gotten personal loans from six financial



institutions that have sheriff's department accounts. On three occasions, Short's personal loans came from institutions that received department funds at about the same time.

✓ Short has had private business dealings with at least eight of his subordinates. In a series of real estate transactions with one subordinate, Short earned a profit, at least

Department up to now

on paper, of about \$76,000. Another employee, a longtime funeral home administrator, is helping the sheriff establish a new funeral home. Still another was criticized by a supervisor because his business interests harmed his job performance — then given a raise by Short seven weeks later.

Some of the residents targeted in the undercover operation contend that their civil rights were violated, and the overlapping of Short's personal and public financial dealings may violate the state's Code of Ethics. The Pinellas-Pasco state attorney's office is investigating both the undercover operation and some of Short's personal property transactions.

The sheriff says that he has done no wrong.

He says that he has never used his office to investigate people he does not like. He denies that his department's large accounts helped him get personal loans. And he says

that his private business dealings with employees are proper, in no way affecting his decisions as their boss.

Short, 38, has been in law enforcement his entire adult life. A native of Freeman, W. Va., he moved to Pasco at age 12 and graduated from Gulf Comprehensive High School in 1964.

That same year, he went to work for the New Port Richey police department, advancing from dispatcher to chief. He was elected sheriff in 1976 and re-elected four years later.

As sheriff, he once declared, he has transformed the sheriff's office "from an archaic and troubled organization into a respected and responsible" one.

In a story in another newspaper last week, Short was quoted as saying that he resents being "grilled for doing my job."



Inside the Pasco County Sheriff's Department:

A SPECIAL REPORT

Pasco sheriff creates policy on business links

By JACK REED and JEFF TESTER
St. Petersburg Times Staff Writers

NEW PORT RICHEY — Pasco County Sheriff John M. Short said Friday he will put some of his business dealings with employees under the control of an accountant.

In an unannounced press conference Friday morning, Short said he has created a policy that will change the way he and other employees do business with each other outside of work.

Short also said he has requested a "management audit" of his office that he compared with the county government's "Cody Plan," which led to a sweeping restructuring of county government.

The announcement came 12 days after the St. Peters-

burg Times detailed Short's business dealings with a handful of his employees. Since becoming sheriff, Short has borrowed money from employees, bought property from them, sold to them and acted as their landlord.

Two weeks ago, Short defended his practices saying he was able to separate his official duties and his private transactions with his employees. "As long as it never interferes with the office that I run, there is no problem with that," he said then.

Friday, Short seemed to be changing that position.

"I am not going to have any more widespread partnerships in the sheriff's office anymore," he said Friday.

"There's nothing wrong with (doing business with employees)," Short said. "But because of the amount of emphasis in print in the major newspapers, it must not only be proper, but it must appear to be proper."

According to his comments Friday and a policy statement released later in the day, Short will:

✓ Turn his business dealings with employees over to an accountant "to handle" for him.

✓ Require his employees to get their supervisor's approval before doing business with another employee.

✓ Request a "management audit" of his office by the National Sheriff's Association and a "jail audit" by the National Institute of Corrections.

Business dealings with employees

Short's financial net worth has grown rapidly since he became sheriff — from \$62,169 in 1977 to \$290,185 at the end of 1982. A substantial number of his business dealings have involved his employees.

Please see SHERIFF, 12-B

Sheriff from 1-B DEC 24 1983

Some of those employees include:

✓ Major's assistant Ken Modzelewski and deputy Donald Montague, who rented office space from Short to operate their jointly owned delicatessen. During that time, Modzelewski was criticized by his superior for letting outside business interests interfere with his job. But Short took no disciplinary action against Modzelewski and gave him a merit raise seven weeks later.

✓ John T. Moorman, a millionaire deputy who provided Short with one of his most lucrative deals. In March 1982, Short bought a large house near Zephyrhills from Moorman for \$60,000, half its appraised value. And 17 months later, Short sold the house for \$133,000.

As part of that deal, Short sold his travel agency business to Moorman for \$20,000 without an appraisal or inventory. In the past two years, Moorman has loaned Short \$47,000 in unsecured personal loans.

Moorman also helped finance a secret investigation in 1981-82 — called Operation CUP for "Clean Up Pasco" — that targeted several prominent people who had earned the animosity of either Short or Moorman.

✓ Maj. Gil Thivener, who holds half of a \$15,750 mortgage on property they jointly owned and sold. Short holds the other half. Short and Thivener also bought two triplexes together and sold them seven months later for a profit of \$15,000 each.

✓ Maj. Lee O. Henley, who bought a four-acre lot next to his Hudson home from Short for \$26,000.

✓ Mark Deeb, a part-time deputy, who built a duplex for Short at cost in 1981. Deeb was chosen recently to build a new funeral home for Republic Service Corp., in which Short is an officer and one-third owner.

Sonja Michels — the wife of Roger Michels, Short's

longtime friend and top aide since 1981 — is also a one-third owner in the funeral home. A funeral director for 29 years before joining the sheriff's office, Michels denies that he is involved with the funeral home. But he also said he has co-signed the \$320,000 mortgage loan and regularly discussed the business with the other partners.

Accountant not yet chosen

Short mentioned Republic Service Corp. and his business transactions with Thivener and Moorman during the Friday press conference. "I will put this business into the hands of a (certified public accountant) or an accountant to handle," Short said.

He said he had not yet chosen an accountant.

Asked for more explanation of his new business arrangements, Short said he could provide more details later. But when a reporter asked for an interview later Friday, Short's press spokeswoman Cindy Kuhn said, "He doesn't have anything to add to what he said this morning."

Short's employees will have to get approval before having outside business interests with other employees, according to a policy statement dated Dec. 20. "Such transactions will be approved if no potential conflict is posed," Short said in the statement.

Short also sent a memo to his bureau commanders Friday ordering them to determine the number of hours employees devote to outside businesses and the names of their associates.

In a letter to the National Sheriff's Association, Short requested an audit and assessment of the office's performance to begin Jan. 2.

Short said he will ask the association to look at "the structure of the (sheriff's) organization (and) manpower allocation, including manpower for crime scenes."

The sheriff's office will have to pay "a small fee" for the audit, he said, but he did not know how much it will cost.