

SAVING THE STARS & STRIPES

185-year-old Star-Spangled Banner gets face lift.

▶ **INSIGHT**

LET THE PARADES BEGIN

Lehigh, Bonita, Cape get a head start on celebrating.

▶ **LOCAL**

FOURTH FILLED WITH FIREWORKS

We've got the complete list of area fireworks shows.

▶ **LOCAL**



BONITA NAPLES EDITION

Sunday NEWS-PRESS

SUNDAY, JULY, 4 1999

LEE COUNTY, FLORIDA

ONE DOLLAR

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WEATHER

86 ▼
75 ▲

Partly cloudy, 80 percent chance of rain.

■ **WEATHER / 12A**

INSIDE TODAY



Americans take Wimbledon by storm

Lindsay Davenport has worked her way to the final round of Wimbledon, as well as earning the title of No. 1 ranked women's tennis player. Meanwhile, Andre Agassi and Pete Sampras will face each other in an all-American men's final.

■ **SPORTS / 1C**

Business casual still a hit here

In some parts of the country, casual dress days at work are getting a second, more critical look. Some managers said the practice has created more problems than it has solved. But in Southwest Florida, the "business casual" look is booming — and not just on Fridays.

■ **BUSINESS / 1E**

Southwest Florida under flood watch

Lee and Collier counties remained under a flood watch today thanks to another torrential downpour. The rain continues to cause misery for many families in east Fort Myers and North Fort Myers.

■ **LOCAL / 1D**

Newscasters have come a long way

Now almost 50 percent of all television newscasters and reporters are women. That wasn't always the case.

■ **LIFESTYLES / 1F**

INDEX

- Ann Landers 12H
- Bridge 2F
- Classified 12ZH
- Crossword 3F
- Horoscopes 2F
- Lottery 2A
- Movies 5F
- News from the North 4A
- Obituaries 7D
- Travel 1-6G
- TV Television

CORRECTIONS

If you see an error in the News-Press, please call Harriet Simpson at 335-0394. Corrections appear on the first page of the section in which the error was made.

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Two schools seek longer academic year

Extra days proposed to boost scores of Lee's lowest performing schools

By **KIMBERLY MILLER**
News-Press staff writer

Two of Lee County's lowest performing schools are looking to extend their school year in an effort to improve test scores and student achievement.

Suncoast Elementary School — Lee's only failing school under the state's new accountability plan — and Suncoast

Middle School want \$100,000 in state money to give them time and resources to explore how an extended year would be beneficial.

If they get the money, and a plan approved by the state, the two North Fort Myers schools could add six weeks to their regular 180-day schedules in the 2000-2001 school year. The idea is important

enough, however, that at least one school board member wants to go ahead with planning even if the district doesn't get the state money.

"Somehow we have to reach the kids who just aren't getting there," said Lisa Pockrus. "We can get the planning done. The big hurdle

would be paying for it (extra days) the following year."

More than 15 years after the overwhelmingly negative national report "A Nation at Risk" recommended extending the school year, most schools continue to offer the traditional 180 days.

Several schools nationally have moved to year-round schedules, which don't add teaching days, but arranges them so students don't have the long summer break to forget what they've learned during

the year.

Few schools, however, have actually extended their school years. Money is likely the reason.

The National Association for Year Round Education estimates it would cost the nation's taxpayers an additional \$33 billion a year to lengthen the school year to 210 days.

Money set aside this year by the Florida Legislature will provide some resources for schools to explore additional days.

More than \$23 million is in

the state budget for the planning of how to implement an extended year. It is unclear how the state plans to pay for adding the days. The money will likely be disbursed in next year's legislative session.

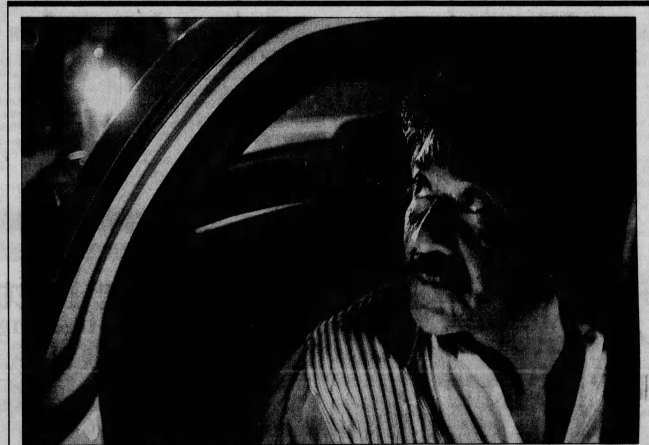
School administrators are anxious to get started even though the dollars are still uncertain.

"This would provide an opportunity for students to have more time for learning," said Principal Toni Sindler,

See **SCHOOL / 12A**



POCRUS



Photos by **BENJAMIN RUSNAK**

ARRESTED: Pablo Cisneros of Fort Myers was one of the first men to have his car seized by Fort Myers police for soliciting a prostitute. He ended up paying \$792 to get his car back 22 days after his arrest in May. He also was found guilty of solicitation, spent three days in jail and paid a \$40 fine.

Police seize cars to ebb crime

Fort Myers targets prostitution, drugs with new tactic

By **MAIDIE SLIMAK**
News-Press staff writer

She paces the sidewalk as cheerleaders from a Little League game at Lions' Park rise above the din of cars whizzing past on Cleveland Avenue.

Oblivious to the noise, she waits for an offer — \$20 for sex. It's the going rate in Fort Myers. Variations cost more.

Dressed in a shirt and jeans, the undercover Fort Myers officer doesn't wait long. A car cruises past slowly as the woman walks in front of the former New Life Fitness Center and the Royal Palm Motel — slow enough for Patrolwoman Nancy Mulligan to ask the driver what he wants.

His reply, picked up on a



Fort Myers police officers Mike Walsh, left, and Erico Doro, right, arrest Arthur L. Burke Jr. of Bokaella after he solicited an undercover officer during a prostitution sting last spring. The status of his case was not available.

microphone Mulligan weaves, flashes to a nearby surveillance car where every, "Hey baby, whatchu got?" is recorded.

The driver gets something tonight, although it's not what he wanted. Hagging aside, he lands a misdemeanor arrest for soliciting a prostitute and a trip to the Lee County Jail.

Why is Mulligan strolling and trolling Cleveland Avenue? The ordinance allows Fort Myers police to impound people's cars when they are arrested for drug and prostitution offenses. Owners must pay upward of \$500 to get their vehicles back.

The latest version for Fort Myers police is different than a state law that already allows

There appeared to be no proof presented that linked what was happening at Fawcett to other Columbia hospitals or to the county's leadership at the time.

"It's such a mixed verdict that

The two convictions were small in the scope of an investigation that saw FBI raids of Columbia hospitals and related offices in six states, sparked at least 11 state probes and led to an unknown number of civil lawsuits against the company.

But the mixed verdict could slow the U.S. Justice Department's enthusiasm for pursuing the case.

Michael Neeb, who was the hospital's chief financial officer, was acquitted.

The jury could not reach a verdict on Carl Lynn Dick, the chief financial officer at Columbia's Central Florida division, who was accused of conspiring. A decision is expected this week on whether prosecutors will seek another trial.

When the initial indictments were unsealed in Fort Myers in the summer of 1997, Wilson said the charges marked "phase one" of the government's sweeping investigation of Medicare and Medicaid overbilling.

Columbia probe isn't over, feds say

Prosecutor: More indictments possible

News-Press staff and wire

NASHVILLE, Tenn. — A federal prosecutor on Saturday said the investigation against Columbia/HCA Healthcare Corp. will continue and that additional indictments are possible.

Charles Wilson's comments came a day after a Tampa jury convicted two Columbia officials of defrauding the government through billing practices at a Charlotte County hospital.

Another official was found not guilty and jurors couldn't reach a verdict for a fourth.

"The government expected a clean sweep, but when you take everything into account, we're very pleased," said Wilson, U.S. attorney for the Middle District of Florida. "... the jury rejected the theory that cost reimbursement reports were exceedingly complicated and complex."

But the mixed verdict could slow the U.S. Justice Department's enthusiasm for pursuing the case.

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Chicago gunman targets minorities

Black ex-coach dies, six Jews wounded

Knight Ridder News Service

CHICAGO — The FBI on Saturday joined in the search for a gunman who, apparently targeting minorities, swept across three suburbs on Chicago's northern fringe Friday, killing black former Northwestern University basketball coach Ricky Byrdsong, wounding six Orthodox Jews, and firing at two Asian-Americans in a car.

Police say a white man, between the ages of 25 and 30, driving a blue, four-door sedan, fired on at least 10 people at six locations within a 10-mile radius over a period of several hours.

"We have shell casings from three locations," said Pat Camden, Chicago police spokesman. Preliminary reports on the casings, all apparently from the same .22-caliber pistol, coupled with eyewitness accounts indicate the shooter was alone, he said.

Police Superintendent Terry Hillard called the shootings racially motivated, but no officials stopped short of calling the

shootings a hate crime. "We're not saying it's not a hate crime," Camden said. "What we are saying is at this particular moment in the investigation, the elements for a hate crime are not there."

As of Saturday, police said they hadn't arrested anyone but were preparing a composite drawing of the alleged shooter based on the eyewitness accounts.

Of the people who were fired upon, only one, 42-year-old Byrdsong, was killed. Byrdsong, shot in the back with a .22-caliber pistol as he jogged with his children near his home in suburban Skokie, is in trouble. He was fired at at least seven times, police said, and died early Saturday at an Evanston hospital after surgery. The children were not injured.

He fired on at least seven Orthodox Jews walking home from Sabbath services. Six members of an Orthodox congregation were hit, three in one location and three others in three separate locations, police said.

Deputy's goal: Get back on duty

Attack leaves him much to overcome

By **MAIDIE SLIMAK**
News-Press staff writer

Lee County Sheriff's Deputy James Magas Jr. had no idea how much he had to lose before April 20, 1998 and how quickly it all could disappear.

The realization came as suddenly and unexpectedly as the blow that knocked him unconscious minutes after he stepped from his patrol car at the pavilion of Veteran's Park in Lehigh Acres.

His life since has been a series of small steps that have inched him closer to his main goal: Returning to the deputy job he has wanted since childhood. Magas, 29, doesn't remem-

ber what happened the morning he was hit over the head. But sheriff's investigators say that four minutes after parking his car to patrol the park on foot, Magas hit the panic button on his radio to alert communications that he was in trouble.

When help arrived, Magas' co-workers found him face-down in the pavilion. He had a brain-bruise so serious it left him unable to work.

Investigators still don't know who hit him. "We're still out there talking to kids, talking to adults and



MARK HUME/News-Press

WORKING HARD: Deputy James Magas Jr. is pulling duck weight at the Lee County Sheriff's office. Magas is recovering from a head injury he sustained after being attacked in Lehigh Acres last year.

See **DEPUTY / 12A**

Property owners can help cut crime

City can penalize them for inaction

By NADINE SLIMAK
News-Press staff writer

FORT MYERS — There were frequent drug arrests in 1997 and 1998 at 2450 Katherine St. until officials threatened to close the apartment complex under the city's nuisance abatement ordinance.

"We were out there buying dope every time we went on the property," Fort Myers police Sgt. James Mulligan said.

Under the city's nuisance ordinance, officials notify property owners of a series of arrests on their property.

If problems continue, the ordinance allows officials to hold a hearing with the property owner, then — depending on the findings — close the business, house or apartment complex for 90 days.

"Sometimes property owners call us and ask what they can do

and how we can help," Mulligan said. "Sometimes, they don't call at all."

Mulligan said his department has sent nearly a dozen letters to Fort Myers property owners about drug and prostitution activity on their properties in 1998.

One, the Deluxe Inn, 3358 Cleveland Ave., was shut down for 60 days. The owners chose not to reopen, Mulligan said.

Another was 2450 Katherine St., the location of 14 drug arrests in two years, according to police records. Owner Richard Leffert, a Sarasota resident, said he had no idea there was a problem until his property manager mentioned an upcoming nuisance hearing in passing.

Leffert said he was less than vigilant before he found out about the impending hearing. He said he had no idea there was a problem.

When Leffert first started addressing the problem, he said he had to evict six of his 12 tenants. Altogether he spent \$4,000 to \$5,000 to evict problem ten-

ants, add lighting at the complex and make other cosmetic improvements.

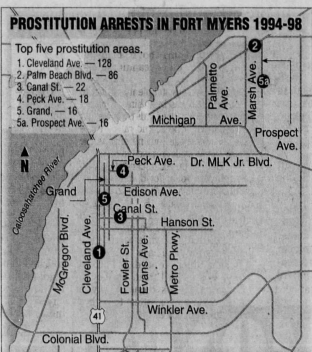
Mulligan said Leffert's effort to work with city police helped end the drug problems. The city subsequently stopped trying to shut his apartments down.

Leffert also credits Linda Steele with helping him clean up his complex.

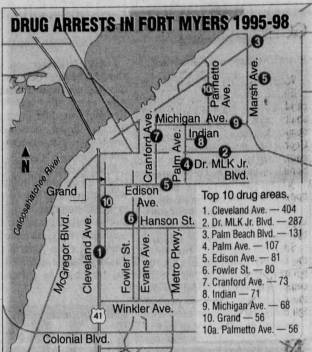
Steele watched with growing alarm the increasing drug sales and prostitution from property she already managed across the street from Leffert's building.

"It lowered our property values because there were drugs and prostitution and you name it there," Steele said. "If we help control other properties it will help us keep our properties clean."

Now, Steele screens potential renters for Leffert, carefully looking into criminal and credit histories.



SOURCE: Fort Myers Police Department, News-Press database. SHELDON L. SNEED/News-Press



SOURCE: Fort Myers Police Department, News-Press database. SHELDON L. SNEED/News-Press

CRACKDOWN: Police get tough by impounding automobiles

From Page 1A

them to seize cars used in certain crimes.

"The Florida law says we're taking it and keeping it and you're not getting it back," said Sgt. James Mulligan, who heads the unit that has so far impounded six cars. "But in prostitution, you can't take a car under the forfeiture law and for drugs, it has to fit a certain criteria... Detering is more the goal here."

Mulligan expects the number of impounded cars to jump as officers department-wide begin enforcing the ordinance. This month will mark the first for that to happen.

An 'all-day thing'

According to a News-Press computer analysis of drug and prostitution arrests, it's not likely police will have to look hard for customers.

"For prostitution, it's an all-day thing — it's the same for drugs," Mulligan said. "A lot of times, prostitution ties in with drug investigations or crack houses."

In the five years preceding the city's new ordinance, 2,444 people were arrested for felony and misdemeanor drug offenses. Ten percent of that had two or more arrests.

Over a four-year period preceding the ordinance, 348 people were arrested for misdemeanor prostitution offenses. Nearly one in 10 had two or more arrests.

Often areas show concentrations of both drugs and prostitution.

Nearly 400 locations had multiple drug arrests between 1995 and 1998.

Prostitution arrests were repeatedly made at 40 locations in the city between 1994 and 1998.

Another thing is clear as well: Although activity drops during certain times, drugs and prostitution are constant.

The least popular time of the day for arrests is between 4 a.m. and 8 a.m. During those hours, 1 percent of prostitution arrests were made and 3.7 percent of drug arrests were made.

The faces are often the same as well, according to the News-Press analysis.

Rebecca Ann Riffelmacher, 34, and Beverly Wanda Day, 35, were each arrested five times between 1994 and 1998 prostitution offenses.

Linda Louise Parker, 43, and Carlton Earl Ushaw, 43, were each arrested six times between 1995 and 1998 for drug offenses.

"We're not targeting these people, but they are there again and again," Mulligan said.

Of the 20 people arrested for drug offenses in the city four or more times between 1995 and 1998, all but a handful are serving jail or prison time or are on probation.

"A good number of them are residing in upstate (prisons)," said Assistant State Attorney Randy McGruther, who heads the felony division of the State Attorney's Office.

In most cases, it wasn't easy to get them to prison. It took repeated arrests or repeated probation violations to get them there.

It does take a repeat performance to finally reach jail or prison, McGruther said. Simple drug possession, after all, is usually a misdemeanor.



Photos by BENJAMIN RUSNAK/News-Press

BAITING A TRAP: Undercover Fort Myers police officer Nancy Mulligan walks the intersection of Cleveland Avenue and Canal Street as she waits to be solicited during a prostitution sting. Cleveland Avenue north of downtown is one of the most popular areas for prostitution.

Misdemeanors are punishable up to one year in a local jail. More often than not, probation is the sentence.

Felony level drug convictions are also likely to meet with probation time, according to sentencing guidelines the state adopted in 1983, McGruther said. The felony guidelines assign a certain score for each conviction in 10 categories.

It takes a minimum 44 points to reach prison. A basic cocaine possession charge lands an offender 16 points. Prior possession convictions add a mere 1.6 points to score.

In prostitution cases, numerous probation violations are usually the only way someone is sentenced to a jail term, said Assistant State Attorney Marshall Bower, who heads the office's misdemeanor division.

Six months is the maximum probation sentence prostitutes receive for their first conviction. One year is the maximum probation sentence for the second or subsequent prostitution convictions.

"It's a whole systematic issue," he said. "We're not going to change someone's way of life in six months."

That the number of arrests made each year is steady, indicates a similar level of police activity each of those years, Bower said.

Mulligan said he tries to focus operations where patrol officers have noted prostitution or drug activity or neighbors have made complaints. That's why he picked the Cleveland Avenue portion of U.S. 41 that runs through the city to set up his sting.

That corridor has the highest number of prostitution arrests, 128.

Prostitution, drugs linked

Prostitution is also linked to drugs — either for the women trying to make money for crack cocaine, or when both activities are concentrated in the same locations.

Prostitutes are often supported a habit when they sell their bodies, said Jim Yarnes.

After Choi's murder, his family returned to their native California. Police have since arrested the masked man accused of shooting the store



SOLICITING COMES WITH RISK: Johnny Lee Owen became the first person in Fort Myers to have his car seized for soliciting a prostitute. He paid \$600 to get his car back. He was found guilty of solicitation, spent three days in jail and paid a \$40 fine.

owner to death before he could even move toward the registers to hand over his cash.

"Prostitution and drugs go hand in hand," Mulligan said.

"Between 80 and 90 percent of (street) prostitutes are addicted to crack cocaine and are trading sex for crack or sex for money for crack," Yarnes said. "It's the oldest profession and it's going to exist. You can arrest as many people as you want, but more people will come in a replace them."

As manager of Cumberland Farms gas station and convenience store, 4387 Palm Beach Blvd., Ron Palmer has a front-row seat for the revolving door.

"We see prostitutes all day long," Palmer said. "They're in and out of the store at 5 a.m. and 6 a.m. They're always propositioning our customers. It drives a lot of our business away."

Police have made nearly 40 prostitution arrests in and around the gas station between 1994 and 1998 — more there than at any other single address.

That's not enough, Palmer said. "We never see any police

out here except when they do their sting operations," he said. "But when we call police, we're lucky if we see an officer."

The special investigations group — which targets drugs and prostitution — has never received a specific call from the gas station, Mulligan said. "He's not calling on our repeat offenders," he said. "But patrols do respond there."

So far this year, Fort Myers police patrols have responded to Cumberland Farms nearly 60 times, Mulligan said.

One thing, however, remains clear to Palmer: "It's not getting rid of the problem."

Treatment for addicts is the best way to handle the problem, Yarnes said.

A community effort

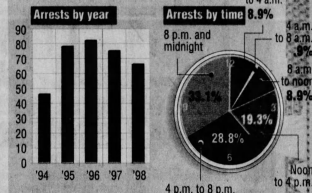
It will take a community-wide effort to handle the problem, Bower said. "The challenge is for a community to come together with a good intervention that works," he said. "Right now, there's not a community move to do that. Unless something affects a big portion of the community, people don't want to do much about it. We've seen that with juvenile justice... D.U.I. and



Seventeen rocks of crack cocaine were found in a vehicle driven by Marion O. McBride of Fort Myers after he was arrested for offering an undercover Fort Myers police officer \$20 for sex. Police did not confiscate the Dodge pickup he was driving because it was owned by his employer.

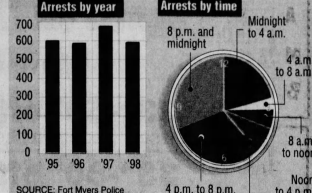
PROSTITUTION ARRESTS

There were 348 prostitution arrests between 1994 and 1998.



DRUG ARRESTS

There were 2,444 drug arrests in Fort Myers between Jan. 1, 1995 and Dec. 31, 1998. The arrests include all drug offenses.



SOURCE: Fort Myers Police Department, News-Press database. SHELDON L. SNEED/News-Press

domestic violence."

But Mulligan's job is not to look at the facility of arresting the same people in the same places over and over again. "The facility is seen in the repeat offenders," he said. "But our job is not to say, let's not do this anymore. Our job is to make the case over and over for as long as it takes."

Erin Sain said it's unlikely he'll be one of those repeat offenders. "I've stopped selling drugs," he said.

Sain, 20, had his car impounded after his May 4 arrest for trafficking in a controlled substance — he is accused of selling an undercover officer 332 pills of the designer drug Ecstasy — and possession of marijuana.

"I think it's bull," Sain said of the new city ordinance. "It's one thing to take the car and hold it. But I had to go four different places to get different pieces of paper to get it back."

Mulligan, a city official, has tried to simplify the process as much as possible. One reason officers throughout the department did not

immediately start enforcing the ordinance is because the process had to be worked out.

It cost Sain more than \$700 to get his 1998 Honda Civic back from the impound lot where it had been towed.

Another man expressed his distaste for the ordinance by paying the hundreds of dollars to get his car back in lodge charge, Mulligan said.

The costs break down to a \$500 fine, \$50 in court costs, an \$80 towing fee and \$10 a day in storage fees. The money goes to the city's general fund.

Those whose cars are impounded — like Sain — still have to deal with a separate criminal case.

Meanwhile, it's not yet clear how successful the new ordinance will be at reducing drug and prostitution arrests with fewer than 10 cars so far impounded.

"Probably the jury is still out," said the state attorney office's McGruther. "Only time will tell."

— Nadine Slimak can be reached at 335-0390