

# *emerald coast* **INSIDER**

VOLUME 2 - Issue 1 - Fall 2003 EDITION

THE INVESTIGATION MAGAZINE

## **WATERS OF DEATH**

**A Deadly St. Joe Company Cover-up?**

**HAIL TO ST. MARKUS, PART III**

FEDERAL COURT INDICTS CHURCH FINANCE OFFICER

**Love After Forty**

**Dictatorship In America?**

**Airport Slush Fund Exposed!**

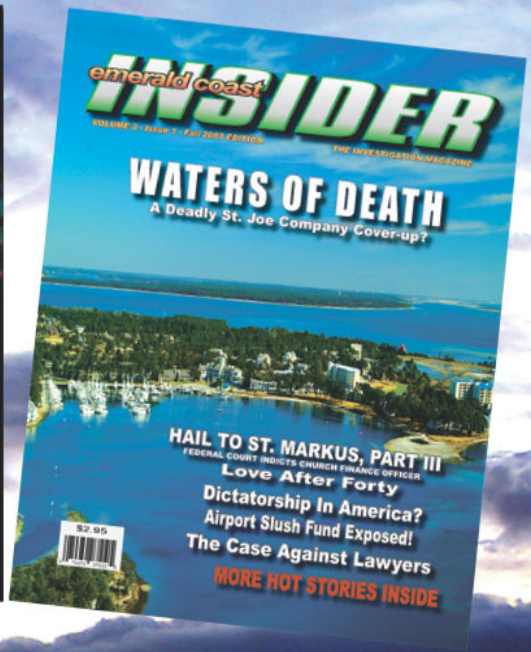
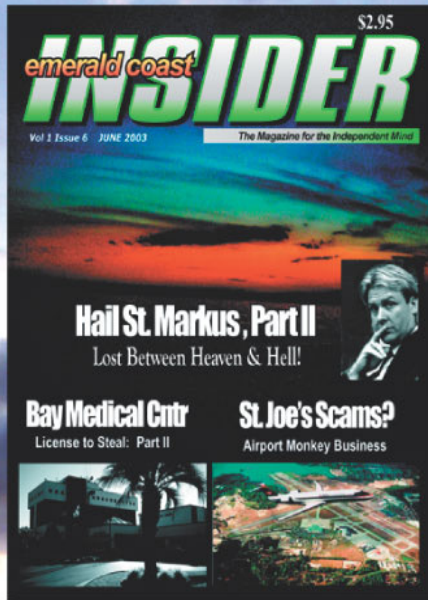
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## Faith of the Heart

By

Debbie Van Court

Publisher



Can it really be one year since the debut of our first issue dubbed the Emerald Coast Times? I would like to thank all of our readers who have subscribed to and purchased our publication that has transcended into the Emerald Coast **INSIDER MAGAZINE.**

We have received hundreds of subscriptions from Bay County, Atlanta, New York, Massachusetts, Mississippi, Tennessee, Miami and all over the Florida Panhandle.

We encourage our friends and subscribers to ask their friends to support and subscribe to the **INSIDER.**

Luckily, people everywhere have taken an active interest in the Emerald Coast's affairs, could this be due to the fact that they are in the process of relocating here? We believe this is the case, because the Emerald Coast is the fastest growing hot spot in the nation, we are ranked 6<sup>th</sup>!

We can't wait for 4-lane U.S. 98 to open the coast from one end to the other which will open information floodgates to a new-found era of prosperity.

We launched in September 2002, with a simple idea: Provide the reader with in-depth, no holds barred, uncensored investigative reporting. We wanted to provide our readers with an independent, strong-willed compass of facts, upon which to base important decisions of our time.

With limited advertising revenues in an area where the "Good Ole Boys," control the purse strings, we have managed to survive in spite of their continued attempts to derail us. We have done so in large part due to our independence, confidence and our strong will to succeed, because we believe that we are providing a community service.

Our in-depth reporting goes beyond what other media has the time or investigative resources to accomplish and we are in no way competing with them, due to the uniqueness of our magazine. WJHG-TV News Channel 7, recently featured us on their newscast crediting us with stopping the proposed Beaches Charter School.

When we discovered that the school finance officer was, David Martinelli, a convicted felon and refuted money launderer, whom we had intelligence information of forthcoming federal indictments; we felt that our obligation was to the people of Bay County and Florida to expose those facts. We did so by providing State Board of Education members with a copy of our story, just in time to thwart approval.

Times have not been easy, as we need more advertising from businesses willing to take a stand for independent journalism that will not be controlled by politicians and their cronies.

Much like that new 4-lane road and maybe a new airport, we all share a common bond on the highway to success, as we strive to bring you the inside story. Good Luck, let's all hope we arrive to a newfound era of prosperity.

*Debbie Van Court*

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# FEDERAL GRAND JURY INDICTS

## Church School Finance Officer

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BY

JOHN CAYLOR

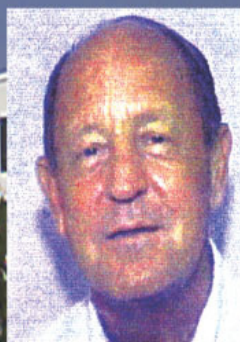
A federal grand jury in Pensacola has indicted Faith Christian Beaches Charter School, finance officer David Martinelli, his wife Virginia and business associate, Carl Carr, for money laundering.

Money laundering is the act of taking “dirty money,” obtained through criminal enterprises and hiding it in legitimate businesses or a church which is not usually subject to IRS tax audits.

The 3 year investigation was spear-headed by Bay County Sheriff’s Investigator, Steve Harbuck, who is known for breaking major cases.

The Trio’s indictment is precluded by a separate case by the IRS which had sought criminal justice subpoenas for business and personal records of Faith Christian Pastors, Markus and Scarlett Bishop. The Bishops have become multimillionaires by preaching that Jesus is all about money.

Continued on page 10



David Martinelli



Virginia



Carl Carr



# News & Views



## Editorial Opinion

By John Caylor

In Sicily, thieving politicians and mafia bosses lived off flourishing tax dollars for decades, until angry citizens awakened to stark realities that they had been swindled by smiling, baby kissing, criminals and con-men.

The Mafia and its puppets took Sicilian's tax dollars for proposed airports, roads and hospitals that were never constructed. For almost a century, people in Sicily and the United States have been ridiculed for pondering the existence of the Mafia.

In Sicily that changed when their children started dying from lack of adequate health care and Sicilians still found themselves maneuvering potholes the size of craters while driving on their highways. When they awoke from their long mob-induced stupor, they started hanging politicians and mafia bosses.

Organized criminal gangs have always existed in the human experience. In the book, "City Of God," Saint Augustine wrote, "they ruled by their sheer force of will and with impunity. It was discovery of

their evil deeds that did them in when the light of truth shown into the void of darkness they created."

It is with this in mind that we cast our eye to the immediate future. There are new developments on the horizon that will make or break our communities and affect our lives and freedom for decades.

### FIRESTORM OVER AIRPORT

The St. Joe Company and scheming politicians have apparently laid plans to relieve us of billions in tax dollars. The St. Joe Company has a documented history of being connected to the underworld of criminal activity.

In the past, St. Joe has lived off the public by engineering the sale of their properties to taxpayers for hundreds of millions more than they were worth.

It is no secret that St. Joe owns and controls a large stock of public office holders and in our upcoming edition of the **INSIDER** we are going to publish a "who's in St. Joe's pocket" section.

In the meantime, there is a firestorm debate raging in the Florida panhandle concerning relocation of the Panama City/Bay County Airport. The St. Joe Company says that it will donate several thousand acres for the airport development project provided the county coughs up the infrastructure. Development of the property would only benefit St. Joe, not to mention Governor Bush, whose 401K is with a St. Joe Company.

We do not want to stand in the way of progress. Given St. Joe's tainted past as an unloving monster land company and reckless corporate mongul, we are in a deep stage of thought.

The decision rests with the airport authority, whose members are appointed by Panama City and Bay county commissioners.

Jimmy Patronis, Jr. and Jim Smallwood are the board's newest members. Mr. Patronis, of the famous Captain Andersons restaurant fame, replaces Markus Bishop, who resigned after the **INSIDER** published stories concerning alleged lease fraud by him and the airport authority.

In our interviews with Mr. Patronis, we came away convinced that he has his heart and mind in the right place, but we also know he is a rising political star and temptation may be great when St. Joe dangles their seed money. We can only hope that Patronis keeps a cool head and his own sense of independence.

As for Jim Smallwood, former banker turned political maverick, we know where he is going. So do Bay commissioners Mike Ropa and George Gainer, who battled it out over his appointment.

Ropa won for Smallwood, who is known for his "no holds barred attacks" against corrupt politicians, and is set to replace St. Joe Company hack Don Crisp, as the authority's newest member. But, it's only money and so far the state has spent in excess of \$20 million just studying the need for a new airport? No wonder some of us feel like Sicilians. **Continued on page 21**



Bishop is Out



Crisp is Out



Bay County Commissioners Ropa and Gainer, "Square Off," over new airport authority appointments of Jimmy Patronis, Jr. and Jim Smallwood.



# Letters from Our Readers

## Glimpses

By Marilyn Blackwell  
Wewahitchka, Florida

According to the powers that be, Gulf County is on the move for the betterment of all its residents.

Property taxes have increased some 370-odd million this year, reaching a grand total of over one point three billion dollars. To the average citizen living on the beach or other waterfront properties, this means that property taxes will be prohibitively expensive—expensive to the point of driving some citizens from their own property.

Unless you are financially loaded, your waterfront residence might very well become a pipe dream.

In the past year, each Gulf County Commission meeting erected more approved plans for development; the majority of these developments are on or near the water.

A pertinent example is "Windmark," a 1610-unit development complete with a golf course, shopping center, and clubhouse; this facility was built in and around Panther Swamp, a wetland region named for obvious reasons.

But ridiculous property taxes and issues of deforestation/development are not the only problems slamming head-on into the lives of Gulf County residents; in a county planned under the concept of "betterment for all residents," many problems are slowly, and surprisingly, coming to light.

Many people have enjoyed, at some point, the bounty of St. Joseph Bay, a bounty which is shrinking. The damage to this environmental system is the inevitable result of commercial and residential expansion which forces equilibrium from said environments. And with thousands of homes, condominiums, and commercial structures planned, the fragile bay ecosystem could eventually become an irreplaceable loss.

Another glitch in the road to paradise is the Gulf County road system. Many roads—some of which were built by the Civilian Conservation Corps and traveled on by the public for between 30 to 50 years—have

been confiscated by that infamous St. Joe gorilla who seems to weigh more by the hour. This public property has a value of several million dollars, and no legal proceedings were filed in the interest of "liberating" the property from the residents of Gulf County. Repeated requests for information and action to the Board of the Gulf County Commissioner's office and the State Attorney's office have met with absolutely no results.

But most alarmingly, the health of Gulf County's residents themselves appears to be at stake. Cancer and other diseases linked to environmental pollution exist at frightening levels within the community; public requests for assistance with this issue have also been ignored.

In recent years, it has come to light that death certificates issued to individuals who have died from cancer were issued with no cause of death listed. To add insult to injury, the Gulf County Health Director has made two public statements blaming the county's high rate of cancer on the lifestyle choices of the county's residents.

This same health official has also issued public statements declaring Wewahitchka's Lake Alice as safe for children to swim in; this statement was made despite the fact that a storm-water drain runs directly into the lake, and that, according to the Department for Environmental Protection, there are leaking underground petroleum tanks within one and a half blocks of the lake.

These same tanks are submerged beneath the earth less than three blocks from the city well. In the Pt. St. Joe area, where cancer rates are also alarmingly high, the city wells sit near the old St. Joe Mill site, Arizona Chemical, and the Pt. St. Joe Waste Water Treatment Plant.

According to the report of a contractor who oversaw the dredging of the (large) lagoon at the WWTP, the structure was dredged down to native sand. This would, accordingly, seem to indicate that the lagoon is not lined.

I don't suppose there is much to worry over at the old mill site. After all, Smurfet Stone and the St. Joe Company have announced plans contemplating a joint

venture which would create a combination residential/commercial site over the location. Homes and shops over ground where a mill ran consistently for sixty years; ground over which hazardous chemical spills were reported to the DEP.

Land application sites are another health concern. One located on Highway 22 which receives sludge from Blountstown, Alligator Point Campground, Military Point lagoon, GulfAir, Lynn Haven, and Escambia County has been active for years.

You can't miss it, in fact: it often smells so bad that motorists must quickly roll up their windows. Another 2000 acre site is located off Highway 71 near Wewahitchka. The Port St. Joe Waste Water Treatment Plant has a request in to the DEP to operate a spray field on the side of the Intercoastal Waterway across from the plant in Pt. St. Joe.

Funding for needed social services within the community has been cut; just recently the offices for children's services in Wewahitchka was moved to Pt. St. Joe, and will only be staffed for one day per week.

Yet there seems to be no end in sight to grants issued for Gulf County coming from the state (Jeb Bush, Governor) and the federal government (George Bush, President). The grants are allocated to such trivialities as parks, landings, and new road, to name a few.

The events and infirmities currently festering within the "paradise" of Gulf County are both an insult and a threat to both the native people and the native environment.

The majority of citizens want a safe, healthy community to live in, a place with good schools and clean air and water, where their children can prosper. All of these things, within Gulf County, are being denied.

*Editor's Note: Marilyn Blackwell is a well respected Gulf County Environmentalist and political activist. We are proud to host her letter and invite all of our reader to write us concerning affairs and issues of importance throughout the Emerald Coast.*

# THE DEAD HAVE ARISEN!

## Is America on the Path to Dictatorship?

By

*John Caylor and Billy Outlaw*

In the 1840's, when expansionist ideals spurred a large cross-section of American citizens into a westward migration, government officials required a justification for the displacement of basic human rights among the habitat's indigenous residents.

This justification came in the label "manifest destiny," a concept which implied both divine right and divine instruction for the borders of America to expand, swallowing whole cultures that had existed for centuries.

This movement, and all of its atrocities, relied upon the common tactic of Christianity's dismissal of alternate values and religious systems, creating an "Us versus Them" attitude in respect to religion, ethnicity and nationality.

In short, manifest destiny created enemies out of neighbors, freeing the American populace of its guilt over gross acts of theft and genocide.

It is not a beautiful chapter in the history of this nation, but it is a vital one in light of the current political climate; as the adage says, "those who forget the past are doomed to repeat it."

This is a lesson and a page in history that the Bush Administration understands implicitly, and from a tactical standpoint. Indeed, it seems as if the dynamic of the last century's manifest destiny has become the dominant paradigm for the current Administration's reactions and interactions, both domestic and international: Us versus Them has become the new model for the American nation.

In the wake of the 9/11 tragedy, Bush has capitalized on the fear and distrust manifested through that act of terror, clumsily yet effectively manipulating a vast majority of the American public.

Under his regime, patriotism has given way to nationalism, and tolerance has given way to discrimination.

By holding Islam up as the dark shadow ghosting Christianity's light, and upraising the Middle East as an image of terrorism to accentuate America's moral superiority, Bush has created a state of implied conflict that draws attention away from the many woes of the current presidency chief among them the attacks launched against the constitutional rights of American citizens themselves.

Enter the Domestic Security-Enhancement Act, essentially an expanded and "improved" PATRIOT ACT; not content with the first incarnation of the



*In 1933, the Nazis burned their own Parliament Building and blamed the opposition.*

*This was Hitler's excuse to seize power and give the dreaded Gestapo carte blanche to begin their reign of terror.*

*Will Bush's new Homeland Security plunge America into Darkness?*

document, the current Administration recently drafted a sequel which expands powers that had already overstepped their bounds. And in a country whose citizens, in general, are laboring under the rhetoric of terror, condoning massive and unnecessary government intrusion into their personal lives, the act has, not surprisingly, failed to generate much public outcry.

Many citizens are unaware of the Act outside the context of a news topic, and have little idea as to the scope of its powers, or the extent to which these powers may be utilized to

*Continued on Page 8*

# Rhetoric of Terror Used to Cow Masses

## *Dictatorship From page 7*

assault any individual that displeases the current administration, whether they are connected with terror groups or not.

The physics of the DSEA are hidden beneath a garbled ocean of legal terminology and obtuse sentence construction.

It is a long document, and tackles such sticky issues as what defines a terrorist; how that term can be broadened to include American citizens who perform, knowingly or unknowingly, legal activities for any institution with proven terrorist ties; and the increased authority of the government to snoop into the lives of its citizens without proof or even reasonable suspicion.

The most dramatic purpose of the document, consequently, is to augment the many and unconstitutional ways through which the Administration may access and gather information in the interest of uncovering terrorists: the document's real call is to strengthen the infamous Section 215 of Bush's PATRIOT act.

The list of ways through which this manuscript robs citizens of their rights is startling. A press release issued by the American Civil Liberties Union (ACLU) entitled "What is Section 215" details the more spectacular examples, reprinted here:

\* Section 215 allows the FBI to order any person or entity to turn over "any tangible things," so long as the FBI 'specifies' that the order is "for an authorized investigation . . . to protect against international terrorism or clandestine intelligence activities."

Section 215 vastly expands the FBI's power to spy on ordinary people living in the United States, including United States citizens and permanent residents.

The FBI need not show probable cause, nor even reasonable grounds to believe, that the person whose records it seeks is engaged in criminal activity.

The FBI need not have any suspicion that the subject of the investigation



is a foreign power or agent of a foreign power.

The FBI can investigate United States persons based in part on their exercise of First Amendment rights, and it can investigate non-United States persons based solely on their exercise of First Amendment rights.

For example, the FBI could spy on a person because they don't like the books she reads, or because they don't like the web sites she visits. They could spy on her because she wrote a letter to the editor that criticized government policy.

Those served with Section 215 orders are prohibited from disclosing

the fact to anyone else. Those who are the subjects of the surveillance are never notified that their privacy has been compromised.

If the government had been keeping track of what books a person had been reading, or what web sites she had been visiting, the person would never know.

But how do these changes challenge your constitutionally guaranteed rights? The answer to that question is as simple as it is chilling: in any way possible under the rhetoric of the document. The press release continues:

*Continued on page 20*

# VICTIM OF FAITH

## Former Faith Christian Member Speaks Out Against Her Beloved Church

By Billy Outlaw  
State Editor

At the start of this assignment, I was confronted by an image which would prove strangely poignant in light of this article's subject matter: sitting in a parking lot outside a Panama City Beach eatery, I watched four crows squabble and peck over a meager scattering of trash littered around a dumpster.

It was this image that stayed with me during the interview of former Faith Christian Family Church member Rebecca Boswell, and it is this image which must serve as a prologue to her story.

Boswell's story is not an easy one; arriving at Panama City Beach in May of 1994 a recovering alcoholic, she sought a "promise of new life," an escape from the wilder elements of her earlier life in Atlanta.

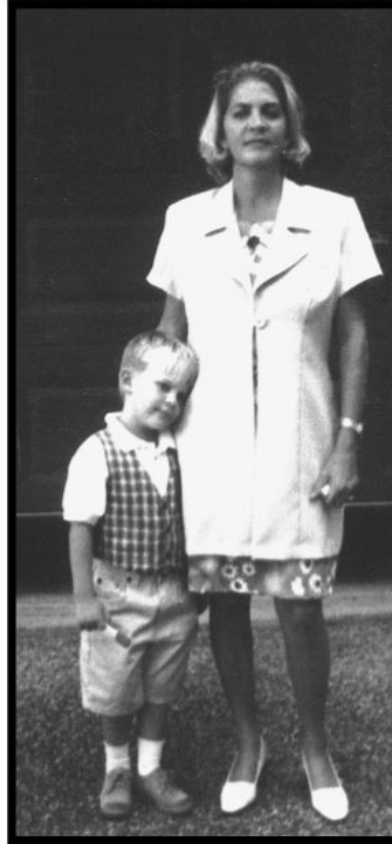
This search for peace quickly led Boswell to Faith Christian Family Church, where she was saved and eventually became a member— after completing a four step "indoctrination" which involved classes on issues such as tithing and stewardship.

Despite her current, and severe, difficulties with the church, Boswell is adamant that, in the beginning, Faith Christian Family was the real deal. Speaking of her former church, Boswell stated "They taught me the uncompromised word of God...I learned everything from pastor Marcus Bishop."

*I went to prison, and the whole church went to hell."*

But as Boswell's story unwinds, it becomes increasingly difficult to uncover any of the Christlike compassion that is allegedly the touchstone of the Christian faith. Toward the end of 1995, Boswell--then eight months pregnant--was involved in an auto accident.

After having the baby, a series of X-rays and tests uncovered damage to her back which was responsible for the chronic pain she had begun to experience. As a result, in February 1996 Boswell was placed on a combination of prescription pain killers and



Boswell and her son  
Easter Sunday 2001

muscle relaxers. Effective though it might have been at controlling pain, this treatment was to awaken sleeping dogs within Boswell's mind; speaking of the effect these medications had on her health, Boswell stated the following: "My addiction waited for me and I switched addictions...for two years my problem escalated drastically."

But what of her treatment within the church? By her own admission, both Boswell and her (now ex) husband had become central figures within Faith Christian Family's social structure. Boswell was particularly close to Markus Bishop, who seems to have been her main support throughout the progression of her drug crisis; talking of his involvement in her addiction, Boswell's initial claims seem positive enough: "I had tremendous respect and support from Markus Bishop himself...he's been in recovery himself, so we had that common bond."

According to her own testimony, Boswell's drug problem was common knowledge within the church, the members of which kept themselves removed from her personal life except to offer an encouraging voice of support. However, when Boswell's chemical addictions ran her afoul of the law, voices of encouragement, respect, and support melted away at a moment's notice, leaving her to face her demons in solitude. Arrested and sentenced to 24 months in jail for altering the refill number on a prescription for Tylenol 3, Boswell quickly confronted her own real value to the Faith Christian Family empire: money. "I never got one letter from the church the entire 19 months I was there...but they sent me tithes (requests). The only thing they ever did was send me a monthly calendar and tithes, because they want the money," she stated.

Money that Boswell was unable to provide. Incarcerated and with no regular income, she still dutifully mailed in her ten percent whenever money did find its way to her hands, trusting against the evidence in the compassion and respect she had once received. But as she was to discover upon her release from prison, Boswell's involvement with Faith Christian Family Church and the Bishop family was drawing to an injured close.

After being released from jail, Boswell was, she thought, ready to resume her spiritual life at the church; but it appears that despite his lack of direct communication, Markus Bishop was not ready for Boswell to return to the embrace of Faith Christian Family.

Instead, a shadow-game of phone calls and indirect statements was to be played out, in a ridiculous and ultimately injurious entirety; Boswell was asked to refrain from going to the church until Faith Christian Family pastor Markus Bishop "got back to town" and had been given a chance to "pray about it." This farce continued for two weeks until Boswell, running into church affiliates in a Panama City Beach restaurant, was given the verdict.

Continued on page 40

# Bishop Blames Dog for IRS Audit...

## INDICTMENTS

*From Page 4*

In the tax case, the Bishops sued the IRS in federal court to quash the subpoenas and U.S. District Judge Roger Vinson issued a resulting federal court order on March 18, 1999.

The judge's order clearly ruled for the IRS, the Bishop's immediately appealed to the 11<sup>th</sup> Circuit Court of Appeals in Atlanta, Ga. The appeal was denied and the IRS was granted the right to proceed with their investigation.

However, what is remarkable about the tax case is the basis and claims made by the Bishops in trying to get off the hook with the IRS.

U.S. District Judge, Roger Vinson, noted their hilarious claims in his order dated March 18, 1999.

The order reads, "Petitioners Markus Q. Bishop and Scarlet S. Bishop have filed a petition to quash a summons issued by the Internal Revenue Service. Faith Christian Family Church of Panama City Beach Inc. has moved to intervene and to quash summons. The IRS does not oppose the motion to intervene. As the entity summoned, Faith Christian Family Church has the right to intervene. 26 U.S.C. § 7609(b)(2). Accordingly, the motion to intervene is granted."

Judge Vinson's order further lays out the background of the case, as he continues, "the Internal Revenue Service ("IRS") is conducting an investigation as to the income tax liability of the Bishops for the years 1995, 1996, and 1997. An IRS summons was issued to Faith Christian Family Church of Panama City Beach, Inc. ("Faith Christian") on November 20, 1998.

A copy of the summons was served at the corporate office of Faith Christian on November 20, 1998, and notice of summons was sent to the Bishops by certified mail on that same date.

The Bishops and Faith Christian seek to have the summons quashed on a number of grounds, including: (1) the summons was

not served on Markus Q. Bishop, the officer to whom it was directed, or on the registered agent, officer, or director of Faith Christian; (2) the summons was issued for an illegitimate purpose, in that it was issued for discovery purposes; (3) the summons was issued in bad faith because the audit was based on false accusations of an informant; (4) the demands of the summons are unreasonable, in that the IRS already has the information sought in the summons, is seeking to reexamine records, and is requesting records that are not properly the subject of a summons; (5) the summons does not describe the records with reasonable certainty, is overbroad, and seeks privileged information; (6) the revenue agent who served the summons has a possible bias against the Bishop's and the church."



Television Evangelist Markus Q. Bishop



Bishop's Ex-Wife, Scarlett

for the years; 95, 96, and 97; (2) the information, books, records, and other data sought by the summons are relevant to the purpose of the summons; (3) with the exception of certain documents sent to the IRS by the

petitioners' attorney, the information sought in the summons is not in the possession of the IRS; (4) the summons was issued in compliance with the administrative steps required by the Internal Revenue Code."

Price states that she served an attested copy of the summons on Faith Christian by leaving the copy with Assistant Pastor LeDerick Smedley, at the corporate office of Faith Christian, and that Smedley stated he would give the envelope containing the summons to Markus Bishop. By presenting the sworn statement of Price, the IRS has met its initial burden under *United States v. Powell* 379 U.S. 48, 57-58,

*The Bishops contend that the summons was issued for an improper purpose. According to the petitioners, Revenue Agent Price acted in bad faith to further her personal agenda, in that the summons was issued to harass the Bishops, to gain information regarding the membership and finances of Faith Christian, and to perform a church tax inquiry in the guise of a personal audit. The Bishops maintain that Price is the financial advisor for another church in the area, and that Price instigated the audit to obtain information about Faith Christian.*

### In his affidavit, petitioner Markus Bishop states:

*"That on information and belief, he believes that Revenue Agent Price is seeking information regarding the finances and membership of the church to benefit her personally . . . . That in November 1997, he was involved in a dispute with a woman named Cathy Belcher over the whereabouts of Ms. Belcher's dog.*

*That within less than sixty days of this dispute, he was served with notice of the tax audit. That based on comments made by the Revenue Agent, and the information regarding the "confidential informant" the Revenue Agent claims to have met, it is his belief that the Agent is assisting Ms. Belcher in harassment of him and his wife, and the church as retaliation for the wrongs Ms. Belcher believes were done to her by him."*

*Continued on Page 11*

# Martinelli Hired Hit-Man!

Judge Vinson wrote, "The affidavit of Markus Bishop contains Bishop's beliefs and conclusions; aside from this affidavit, the petitioners have presented no other evidence of bad faith. The Bishops have not presented specific facts showing an improper motive on the part of Revenue Agent Price, and thus have not met their burden of showing bad faith on the part of the IRS in issuing the summons."

*When the Insider contacted the Justice Department in Washington for comment on the progress of the IRS investigation, we were hit with stone cold silence.*

However, in the Martinelli case we hit pay dirt, as our readers will remember we exposed the criminal past of persons within Pastor Markus Bishop's inner circle. Last edition we reported in-depth information on some of those underworld connections in Birmingham, Alabama and New Jersey.

Apparently David Martinelli's latest troubles stem from those associations when on August 21, 2000, Investigator Steve Harbuck received an alarming phone call from Tom Tombrello, the landlord of office space located at the Promenade Mall on Panama City Beach. Tombrello, from Alabaster, AL, had leased property to David Martinelli, where he operated his business, International Business Associates.

**Trombello was out of town when his wife received a phone call from an anonymous tipster that her husband may be in grave danger. The tipster indicated that Martinelli was going to hire a hit man to kill or seriously injure someone who would be coming into the Panama City area in the next few days. Mrs. Trombello knew of her husband's plans for a business trip to Panama City and warned her husband of the suspicious phone call.**

Trombello notified Steve Harbuck about the phone call his wife received from the anonymous tipster and his suspicions that he was the target of the planned hit. Why would Trombello think that he was to be the victim of such a vicious attack? That question remains unanswered. However, Trombello did file a complaint with the Bay

County Sheriffs office against Martinelli for grand theft when he suspected Martinelli of breaking into his Promenade office.

Investigator Harbuck advised Tombrello to tape a phone call between himself and the anonymous tipster for evidentiary purposes. The phone call was taped and returned to Harbuck's office.



D.E. Martinelli, Beaches Charter School Finance Officer

The tipster then called Harbuck and provided him with the same information previously recorded by Tombrello.

The tipster indicated that Martinelli was solicitating her assistance in attempting to locate a hit man to harm or kill someone who was coming to Panama City in the next few days. She believed the target to be Mark Tombrello.

Martinelli was to call the tipster back to finalize the arrangement and to secure a hit man for the job.

However, the anonymous tipster instead agreed to assist in the investigation and act as a liaison between Martinelli and any subsequent hit man. Harbuck then discussed the situation with Captain Dyer of the Criminal Investigation Division and the decision was made to enlist the assistance of Lt. Mike Joyner of the Gadsden County Sheriffs office. Joyner was briefed on all aspects of the case before agreeing to go undercover and pose as the hit man.

The tipster then informed Martinelli that she had found the perfect person to carry out the hit.

For reasons unknown, Harbuck shifted his suspicions away from Tombrello as being the alleged crime victim and focused on two Dallas, Texas Attorneys coming into Panama City to depose Martinelli at weeks end. The keen investigator contacted

the Dallas Attorneys, Dave McCreary and Mike Betts and confirmed that they were coming to Panama City to depose Martinelli in a bankruptcy case. Harbuck strongly believed that the two unsuspecting attorneys were Martinelli's targets. He hit the bulls eye!

Lt. Joyner conversed with the tipster and she scheduled a meeting between Martinelli and the supposed hit man, Joyner. The two met at a coffee shop and discussed the arrangements for the attacks. Unbeknownst to Martinelli, the undercover agent was wired and the conversation between the two men was recorded. Martinelli revealed to Joyner that his targets were the two Dallas Attorneys, McCreary and Betts. *Martinelli negotiated with Joyner to engage in the hit and they both agreed that \$4000.00 would be a fair amount for the assault. He agreed to pay the undercover agent \$2000.00, August 24<sup>th</sup> before the attack and the remainder would be mailed upon completion of the deed.*

The morning of August 24<sup>th</sup>, Martinelli accompanied Joyner to Professional Court Reporters where the two attorneys were to depose Martinelli. The purpose of the ride-along was for the hit man to eyeball the attorneys for an exact description.

Lt. Joyner was wired and under heavy surveillance by fellow law enforcement officers. Upon their arrival into the parking lot, Martinelli pointed out the two attorneys and paid the undercover agent \$2000.00 in cash and Joyner gave Martinelli the address where to mail the final payment.

*Martinelli told Joyner that he wanted the two attorneys severely injured so that they would be unable to attend the deposition. The undercover agent then provided the necessary evidence to his fellow colleagues, the \$2000.00 in cash and the surveillance tape which sealed the deal. They now had a strong case for probable cause to arrest Martinelli.*

However, the officers still had him and the attorneys under surveillance. A lunch break provided the investigators with the opportunity to wire attorney McCreary by placing a hidden audio recording device into his briefcase. Originally, the plan was to arrest him the following day,

**Continued on Page 16**

# AIRPORT SLUSH FUND?

STATE SPENDS \$18 MILLION TO "STUDY" NEW AIRPORT WHILE KIDS GO HUNGRY...

## General Exposes Airport Facts



**Retired Air Force General  
Carl D. Peterson**



### Will Taxpayers Fund Billions for Infrastructure Improvements?

*Editor's Note: There is a whirlwind debate raging over relocation of the Panama City Airport.*

*All that noise we are being bombarded with is not the sound of jet engines stacking up for a lack of landing space, but a carefully orchestrated \$18 million dollar campaign burning your tax dollars on radio, television, in print and for studies.*

*We ask, is this being done in the name of true economic progress or is it for greedy special interests groups, politicians and bus loads of consultants, lining their pockets with your kids lunch money.*

*In our quest for a credible answer we turned to citizen soldiers and former public servants, who out of their own pockets and talents have arisen to the cause on many occasion and have served our nation well in the past.*

*It is men like former United States Air Force General, Carl D. Peterson and former State Representative Jack Mashburn in whom we place our trust to give our readers a balanced viewpoint and perhaps guidance to the future.*

*We are honored to host opposing viewpoints in this first in a series of articles exploring the truth behind the question;*

### **Do we need a new airport?**

Since 1998, the Panama City/Bay County Airport and Industrial District Board ("Airport Board") has aggressively pursued decommissioning the present airport and relocating to a new site on St. Joe Company ("St. Joe") land in northwestern Bay County.

This pursuit arose after local residents and responsible state and federal agencies rejected extending the main runway of the present airport 2200 feet westward into North Bay, based on certain environmental damage and the lack of demonstrated need for a longer runway.

The basic facts of that dispute have not changed, but the Airport Board has aligned itself with the St. Joe Company in a massive lobbying, planning, design, and public relations effort to gain public and political support for a new airport to be completed on the shortest possible schedule.

This campaign has consumed over \$14.4 million of \$22.4 million committed in State of Florida and \$3.7 million in federal funds, much of which were justified on the questionable claim of saving \$111 Million while solving significant safety deficiencies of the airport.

Additionally, the proponents claim huge economic development potential for the relocated airport.

The proponents are fixated on very limited aviation benefits and a huge "gamble" of public funds to enhance St. Joe's marginal inland acreage for a speculative industrial "employment zone," years in advance of more complete industrial infrastructure and decades before an air traffic need.

My study examines the facts and premises of the relocation effort and raises significant doubt about the efficiency of the project and especially the aggressive timetable to complete it.

#### **Highlights:**

- The project has been advanced by using selected alternatives, invalid comparisons, and fear mongering to inflate the benefits of relocation and discount the potential of the existing airport.

*Continued on Page 13*

## **Slush Fund** *Continued from page 12 ..*



**“Bush, Bense and Company, at meeting to promote new airport.”  
Bush has a 401K with the Codina Group, A St. Joe Company..**

- The proposal glosses over the very thin passenger traffic, more-than-adequate capacity and airspace, and underutilized passenger terminal, while emphasizing minor technical deficiencies that have never been addressed except by overblown “solutions” like filling the bay or relocating the entire operation.

- The airport is comparable in size to several other famous “constrained” airports, but these other airports have vastly more air traffic and passengers, because passenger traffic is generated by population and economic activity, not by airport capacity.

- General Aviation comprises most of the traffic, and gets virtually no benefits from a new airport. The remote location and prospective costs virtually assure a decline in general aviation traffic.

- Ordinarily, the FAA planning and funding process extends the planning and construction of a new airport over decades, and provides for orderly development. For some reason (lobbying by the landowner?), the treasury of Florida has been opened to accelerate this project, using the “Transportation Outreach Program”, which is now defunct has been described in the press as a “slush fund controlled by powerful legislators”.

- *The airport must conform to a Comprehensive Plan, so the State of Florida has financed accelerated plan-*

*ning of not only the airport but 78,000 acres of undeveloped land held by the St. Joe Company.*

- Even with the prospect of \$170 million in planning and construction grants, it is questionable whether the airport has sufficient revenues to issue investment-grade bonds for the \$25-30 million localshare.

- The site selected is an environmentally sensitive area between two tidal creeks supplying most of the stream-flow fresh water to West Bay.

Despite insistence of the airport management and consultants that an abbreviated environmental assessment was appropriate, the FAA has properly undertaken a full Environmental Impact Statement. The EIS should not be compromised!

- It has become obvious that the real estate development aspirations of the St. Joe Company are driving the project much more than any aviation need.

Several other “needed infrastructure” projects are being Ram-rodged, apparently also to underwrite St. Joe development. If these projects are premature, St. Joe has only to be patient. St. Joe’s risk is entirely hedged by the huge front-loaded public subsidies.

### ***Project Description and Related Facts***

After tabling the expansion into the bay, the Airport Board received an overture from St. Joe, suggesting that relocating to their property might be

mutually beneficial, and offering land for a new airport and associated environmental mitigation, provided the new airport was entirely sited within St. Joe property with adjoining land retained by St. Joe for industrial development.

The airport retained Bechtel Infrastructure to do a \$2.4 million FAA-funded “Feasibility Study” of relocation versus continued development at the present location for 20 years.

The study, despite its scope and cost, used very simplistic methodology to select design alternatives, explore market factors, and compile cost elements. The design used for improving the existing airport was a simple overlay of the same design that could be used at an unconstrained rural site.

Added to this was the entire “wish list” of the Airport Board lifted intact from a previous master plan: *international terminal, seaplane port, flip-flopping the existing General Aviation area from south to north, massive cargo terminals, etc.*

The design proposed for the new site was a simple design based on current FAA guidelines for the aircraft mix to be expected over the planning period (no significant expansion of any element except the runway). This resulted in a firm requirement for a 6800 foot main runway, which the consultant expanded to 8400 feet based on a guarded assumption of service by larger aircraft late in the 20-year period. Comparing the cost of expanding the present runway to 8400 feet (a patent impossibility, but not necessary for the projected demand).

In fact, a 6800-7000 foot expansion could be done for approximately \$100 million LESS than the rural airport, a savings of \$200+ million in the cost to be justified. More importantly, the expansion is not necessary for several years, if ever. (As an example, LaGuardia Airport’s main runway is 7000 feet).

No realistic “staying” alternative has pure construction costs approaching the new airport.

*Continued on page 14*

# FUND DRIES UP AFTER MEDIA EXPOSURE

## **Slush Fund** from page 13

the real cost of “staying” is acquisition or soundproofing of homes and businesses in the expansion area.

The study maximized these costs (and community fears) by its intrusive design and flawed estimates of acquisition costs.

The existing airport ranks 186th in passenger traffic of the commercial service airports in the U.S., with 179,520 passenger enplanements per year, forecasted to double to 323,000 per year in 2020.

*The main runway is 6304 feet, comparatively short but not the shortest by far.*

*Passenger traffic shows no correlation to runway length, with many less active airports having long runways and several vastly busier airports having comparable or much shorter runways. The most glaring disparity is John Wayne/Santa Ana airport in Orange County, CA: a single 5700-foot runway and over 3,000,000 enplanements.*

Other high-volume airports with comparable runway lengths are Washington-Reagan (6889 feet, 7 Million enplaned), LaGuardia (7000 feet, 11 Million enplaned), and Burbank, CA (6800 feet, 3 Million enplaned).

The Bay County market will not approach these figures in the foreseeable future, probably never. There is no urgency to extend the main runway to accommodate domestic air traffic.

The proponents allege air traffic control (ATC) problems associated with military aircraft operations in the PFN airspace, but the ATC workload is trivial when compared to the ATC environment in the Southern California, Washington D.C. and New York air traffic control areas.

The existing airport has one deficiency (short Runway Safety Areas, or “overruns”) that is now handled



Transportation Mgr.. Bobby Grice...  
“TOPs Fund no longer in existence.”

administratively by grandfathering the design, but could be corrected by reconfiguring and extending the main runway 1100 feet. By using alternative design suited to the constrained site, these 1100 feet can be added using only 100 feet of new property.

The present airport has a longer crosswind runway, a comparable passenger terminal, and comparable general aviation capabilities to the new design. It does not have the community noise isolation or (far-in the-future, if ever) airfield expansion potential of the new airport.

Operational noise has not been an issue at the airport; in fact, it is quieter now than in 1995, and will likely be no noisier for many years. It is also not remote from its customers and users (the new airport will be the farthest airport from its host community in Florida).

The relocation plan also ignores a huge secular shift in small-market air service. Regional jets of 50 to 90 seats are being introduced rapidly over the U.S. These smaller modern jets require less runway than mainline jets, and they will comprise the bulk of scheduled operations into Bay County for many years.

Even as mainline jets are re-introduced in the future, the total number of flights will remain almost constant, less than 25 scheduled flights per day.

*(Note: The airport relocation case is so weak that the Airport Board is selectively rewriting the history of local air service, omitting the 1991-1995 period when several 737's operated daily to Atlanta, and discounting earlier periods of jet service as “underutilized” or “regulated” service, none of which was curtailed by runway length).*

Finally, the schedule should acknowledge the two-year setback in traffic and probable 5-year retrenchment of mainline air service due to the airline business damage sustained after the terrorist attacks of September 2001 and the subsequent security and economic recovery concerns.

### *General Aviation*

General Aviation (private pilots/airplanes, courier service, business flying, charters, etc.) comprises almost 80 percent of the traffic at the airport. These operations are not just hobbyists and recreational flying – this is actually the super-premium segment of air transport, comprised of high-value passengers and professionals, crucial documents and industrial logistics.

The new airport provides no new capabilities for the vast majority of these operations, and seriously degrades the accessibility and affordability of general aviation flying for the incumbents at the existing airport. Because of external factors (reduced training programs, aging of the fleet and pilots, liability costs of single-engine planes, rising fuel and maintenance costs), general aviation flying is actually down from the level of the 1980's.

The trend is improving, but it is likely that up to a third of the present General Aviation operations will cease at the new airport, either relocating to less capable airfields or discontinuing completely. **To be continued**

# They are Just Aginnit!



By  
**Jack Mashburn**

For those who do not know me, I'm about as native to Bay County as you can get; I was born here, from native Bay County stock. My Father was born in what is now Bay County on February 1869 and my Grandfather, also a native Floridian was born on May 11, 1845.

On my Grandmother Porter's side of the family, you will find her grandfather, William Loftin, the man who literally built the town of Parker; when Jackson County was created in 1822, William Loftin was appointed its first sheriff and tax collector.

Now that I have qualified myself as a native of Bay County, I feel qualified to speak on the needs of the area.

Today, I will be speaking with you about the "Ginnits". In case some of you may not of had the pleasure of knowing "Uncle" Bob Mathis, he wrote the definitive description of ginnits many years ago; he said, something to the effect of "a Ginnit is someone who, upon learning of a proposed betterment for the county or community, rail against it.

They sometimes don't know why they are against it -- THEY ARE JUST AGINNIT!"

I believe my Father had ginnits in mind when he gave good advice to me. He said, "Son, if you live long enough to retire, never, never let your life become so devoid of useful purpose that you have time to gripe and bitch." I would like to review with you some of the history of the Bay County, and the ginnits within the community.

The ginnits may consider themselves as the fearless tilters at the windmills of political hypocrisy, but I believe a more accurate examination will reveal they are just howling in the wind and baying at the moon. My Father, many years ago warned me about these people and how they tried to impede the creation of Bay County.

When the drive started, the ginnits came out foaming at the mouth, ranting and raving. Statements were made that if created, Bay County would never be anything but a farming and fishing community and we ought not separate from Washington County.

In 1913, Bay County was created and the rest is history; progress is nearly impossible, if you always do things the way you have always done things.

In 1925, when Bay County Commissioners initiated efforts to hold a referendum for a bond issue to build bridges, both the Dupont bridge to the east and the Hathaway bridge to the west. The ginnits really went berserk on this idea.

They resented building a bridge to what they said was a totally worthless area: the beach. It was stated as an absolute fact that no person would ever live west of the bay for four specific reasons: dog flies, yellow flies, sand gnats and mosquitoes.

In addition, they said "The white sand is totally worthless, it would not even sprout a field pea and it sure as hell would not grow peanuts". In 1928, or shortly thereafter, the bridge was built, and history bears out the rest of the story.

In 1953, in the same session, Representative Stokes and I also passed legislation which created the Hathaway and Dupont Bridges we currently drive over today. The Hathaway bridge cost only \$4 Million dollars. Two million from the state and \$2 million from the feds. I pushed for a six-lane bridge, but was told we would never need it. Now, we are spending about \$83 Million dollars. Abe Lincoln said, "It takes more courage to dare to be right than it does to be wrong." We are right about a new airport and we need to stay the course.

In 1956 when M.B. Miller and others came up with the idea of damming up the end of North Bay and creating a large fresh-water supply, the ginnits came out fired up on this one.

They said this country would not in a hundred years grow large enough to use that much water. It was a silly thing to do and would be a giant waste of taxpayers money.

Well, it is now the greatest jewel in all of Florida and every county wished they had

our Deer Point Lake. We are truly the envy of the entire state of Florida.

Now, on to the current grumbling of the ginnits. When they first spoke out in opposition to the proposed airport, they quickly spread the scare word...new taxes. Their comment was that it would raise ALL PROPERTY OWNERS TAXES.

When it was revealed that it was illegal to use any property taxes to build airports, the ginnits quickly switched lines. When the facts are presented, the arguments fade.

Statements launched by some of these persons leaves one wondering if they have had their common sense surgically removed.

To be specific, when one of the leaders was interviewed on television, he was asked if we would need a new airport in 10 years. His reply was an emphatic "no". When asked if he thought we would need one in 15 or 20 years, he said, "We may well need one by then".

Which creates another question: does anyone believe that in two decades there will be 4000 acres of undeveloped land in Bay County, much less anyone willing to donate land for an airport?

I suggest that anyone who believes such lunacy must have had their common sense tampered with.

Thomas Jefferson, not long before his death, wrote to John Adams saying "I believe more in the dreams of the future than the history of the past." Well, so do I.

I believe more in the future of Bay County, than all the history of our past. That is why I envision a new airport not as a catastrophe, but as a catalyst, a catalyst for new industry, new jobs and a new and better future for all of Bay County and those who live here.

Leadership is everything. Anything else is just rhetoric. We have far too many (wet-finfered) politicians now. That is one of our major problems.

Octvious, the great orator said; "Every man is the architect of his own fortune." Well, we all have an opportunity to be architects for a new Bay County Airport and we dare not miss this opportunity.

For it is for all our fortunes; we are right about a new airport and we need to stay the course.

## INDICTMENTS

From Page 11

but investigators decided to make the arrest that same day.

At the conclusion of the meeting, Martinelli was arrested without incident and charged with two counts of solicitation to commit aggravated battery but he struck a plea agreement with prosecutor Pam Smoak whose husband, Richard Smoak, represents Faith Christian Church and Markus Bishop. Martinelli who was listed as the Beaches Charter School finance officer is a repeat offender and received probation for soliciting the hit man.

His troubles are far from over as he and his wife face up to 20 years in prison for theft and money laundering crimes. The federal indictment accuses them of swindling \$7.5 million from unsuspecting victims nationwide in a phony marketing scheme.

In an unrelated case, there are other victims like New Orleans oilman, Frank Levy, who Martinelli tried to extort money from. According to public records, Levy, who supplied the federal grand jury with documents also filed a civil suit in Palm Beach County Circuit Court, claiming that Martinelli tried to defraud and extort money from him when the two engaged in a real estate deal in West Palm Beach, Florida. Levy is bitter about the fact that, State Attorney, Jim Appleman refused to criminally prosecute the case. Jim Appleman, apparently will not pursue or prosecute white collar criminal crimes.

The feds are anxious to recover the money that they say Martinelli and his associates swindled from victims nationally, as the Martinelli's recently purchased a new Jaguar automobile. Over the past few months, Martinelli who has surrendered his passport has traveled extensively. According to confidential law enforcement sources, there has been speculation that at least some of the money has made its way to offshore bank accounts by Lear jet.

The question is, will Martinelli fork over the \$7.5 million, will he be convicted and serve a 20 year prison term or will he roll over on his money laundering associates? Perhaps he will slip away to some exotic island and enjoy sipping margaritas in paradise?

**TAPE RECORDING ON PAGE 17**

# Bush's 401K at St. Joe?

## *Securities Exchange Commission Report*

In their latest Securities and Exchange Commission statement, the St. Joe Company has disclosed they have purchased a 50 percent interest in the Codina Group.

SEC statements are filed with the United States Securities and Exchange Commission. Companies must list all their financial dealings even though they often withhold information from the public.

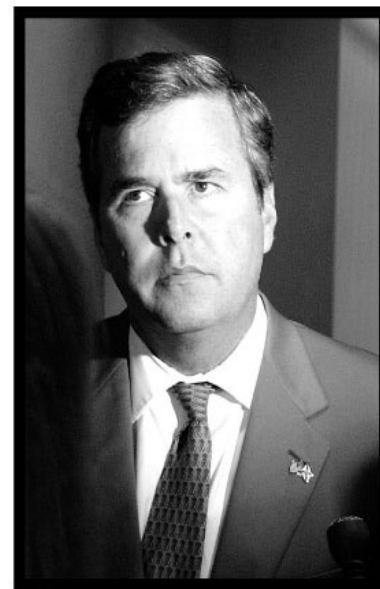
The Codina Group is a Coral Gables real estate and development firm, which Governor Jeb Bush has a financial interest. Bush was formerly a partner in the firm with owner Armando Codina. Internet-web site links still have him listed as the company's contact person.

The transaction raises serious questions about the direction Bush is leading panhandle residents with fast tracking the relocation of the Panama City/Bay County Airport on property owned by St. Joe and Codina.

The massive outpouring of state funds by Bush to the project has raised speculation that a serious conflict of interest could arise and that Bush is trying to push airport and infrastructure development costs to taxpayers before his term as Governor ends.

Bush has reported in his financial statements, that he has a "401K retirement account," with the Codina Group. The Bush and Codina relationship dates back to the early 80's and it has included several questionable business transactions.

One includes their involvement in the failure of Broward Federal Savings and Loan in Sunrise, Florida.



In 1985, Jeb Bush and his longtime partner Armando Codina established a partnership to buy a five-story office building at 1390 Brickell Avenue. The price of the building was \$9 million.

They obtained a \$7 million mortgage and a \$4.46 million second mortgage from J.E. Houston Financial Group. The Houston Group borrowed the money from Broward Federal and later defaulted on the loan.

Broward Federal became insolvent in 1988 because of what regulators said were poor lending practices on commercial loans, like the one made to Houston.

Although Bush and Codina vigorously denied responsibility for the \$4.5 million debt that Houston owed the savings and loan, they hired a small army of lawyers to negotiate the settlement with federal regulators.

Eventually, Bush and Codina agreed to repay the \$505,000 while the federal government picked up the remaining \$4 million.

The government allowed Bush and Codina to keep the building they later sold for \$8.7 million.

# Caught On Tape!

**Secret undercover surveillance tape excerpts reveals how David Martinelli, finance officer of Faith Christian Family Church ordered a hit man to assault two Dallas Attorneys. The Insider has decided to delete the profanity contained in the tape because of the sensitive nature. The grammar and punctuation have not been corrected for print as to maintain the authenticity of the tape.**



Q Undercover Officer-Hit Man ...two lawyers coming into town?

A. Martinelli..Yeah, they're from Texas now.

Q. Hit Man... Okay.

A. Martinelli... One's a real heavy set guy, his name is Mike Betz and the other guy's a little skinny guy, he wears high heel shoes and his name is McCreary and uh, I don't know, the thing is I'm concerned about is how are you gonna', you gotta' visualize'em, you're gonna have to see'em.

Q. Hit Man.. Where are they comin' to?

A. Martinelli... They're gonna' come to the federal courthouse downtown by the library.

Q. Hit Man... Well they've got to get here somehow, are they flying or driving in?

A. Martinelli... They fly; they'll be flying in.

Q. HitMan.. Okay

A. Martinelli... But I don't know when they're gonna' arrive, see.

Q. Hit Man... Call the airport tomorrow and find out when the flight's coming in

from Texas.

A. Martinelli... (Inaudible...) Texas, they all go through Atlanta.

Q. Hit Man... Find out when it's coming in from Atlanta?

A. Martinelli... Yeah.

Q. Hit Man... And we'll be there for both of 'em or three of 'em or how many comes in and, we'll eyeball 'em then.

A. Martinelli... Okay.

Q. Hit Man... And be done with it.

A. Martinelli... Okay, if we can find out when they're coming in, that's gonna' be the key.

Q. Hit Man... Let me tell you somethin' about me, okay.

A. Martinelli... Yeah.

Q. Hit Man... Whatever you want done, if the moneys right I'll do it, okay, I don't give a rat's ass.

Uh, you won't ever see me again; you won't ever talk to me again.

**CONTINUED TO Page 18**

# Incapacitate Both The Bastards...

Q. Hit Man... If you ever get your a\_\_ in a bind, don't you ever f\_\_ mention my name.

A. Martinelli... (Inaudible...)

Q. Hit Man... You understand?

A. Martinelli... I don't know your name.

Q. Hit Man... Okay, that's what I'm saying

A. Martinelli... But the most important thing is don't you get yourself in a bind.

Q. Hit Man... Okay.

A. Martinelli... I just wanna' incapacitate both of the bastards, that's really what I wanna' do, and whatever that takes.

Q. Hit Man... That's a big word.

A. Martinelli... Yeah, I understand but what I'm trying to say is it's not gonna' incapacitate 'em forever but temporarily so they can't get to the deposition.

Q. Hit Man... You don't want 'em to the courthouse?

A. Martinelli... Right, the second day, I don't know about the first day, I don't know how we're gonna'eyeball 'em at the airport, you know you can eye...the airport's not that busy out here too, that's another problem.

Q. Hit Man... Uh, huh.

A. Martinelli... We can eyeball 'em you know anybody can walk in the federal courthouse as long as you don't have a gun on, I mean anybody can walk in there.

Q. Hit Man... Uh, I don't know about all that now.

A. Martinelli... Kay, you have to go through security but uh...

Q. Hit Man... I just, I don't, I don't understand where, where you're talkin' about, you don't wanna', you don't wanna' make 'em, you, you don't want them to make it to the courthouse, right?

A. Martinelli... No, what I want done is this, I wanna' let 'em come up Thursday.

Q. Hit Man... You want 'em there Thursday?

A. Martinelli... (Inaudible) positively and I want the job done Thursday night.

Q. Hit Man... Okay.

A. Martinelli... And we can do one of two things, we can eyeball 'em from my car which has got darkened windows in the morning before the court...

Q. Hit Man... Thursday morning?

A. Martinelli...(Inaudible...) Thursday morning and we can spot who they are and from there you can take care of it, somebody's gotta' be there Thursday afternoon when they come out to know where the hell they're going.

Q. Hit Man... Don't you worry I'll take care of that.

A. Martinelli... Okay.

Q. Hit Man... Okay, I hook up with you Thursday morning early.

A. Martinelli... Yeah, and we'll go to the courthouse

Q. You'll show them to me.

A. Martinelli... You got it.

Q. Hit Man... And then after you show'em to me I'll follow'em Thursday night when they leave.

A. Martinelli... Okay, that's fine.

Q. Hit Man... Okay, now we got to talk about the money.

A. Martinelli... Right, that's the key (inaudible...).

Q. Hit Man... All right, I'm not, let me tell you somethin' (inaudible) if you come to my place and I had 37 head of horses in there and you said I want that one right there, I'd say okay give me \$5000.00 for it, I set the price all right, well this is your ball game hoss you set the price and I'll tell you whether it's good enough or not.

A. Martinelli... Well the key is, what do think we're gonna' get accomplished here, (inaudible) I mean I want, I want 'em really roughed up.

Q. Hit Man... Okay.

A. Martinelli... And the other thing I want uh, I want you to know is I want you to be careful because I'm concerned that they're in bed with the, the uh, Sheriff's Department, I mean the Sheriff's Department came in and cleared out all my computers, put me right out of business.

Q. Hit Man... Okay.

A. Martinelli... So they got some connections here and I don't wanna' have anything that could be (...Inaudible...)

Q. Hit Man... ...uh, when you put me out Thursday morning...

A. Martinelli... Right.

Q. Hit Man... ...and show 'em to me...

A. Martinelli... Yeah.

Q. Hit Man... ...at that point you're gonna give me some money beforehand you understand?

A. Martinelli... Oh sure (inaudible...)...

Q. Hit Man... And then...

A. Martinelli... when you complete...

Q. Hit Man... When I complete I'll give...

A. Martinelli... Right.

Q. Hit Man... ...you a name and an address...

A. Martinelli... Right.

*Jim & Deana's*

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well-suited, well-respected  
man,  
that one that you never sus-  
pected.  
It's the mob inside this job,  
done  
by the well-connected; you  
can  
see it and then wonder why,  
why your little case  
is then summarily denied.

Because it's an inside job  
done by the least suspected,  
like it always is—  
you chalk it up to  
business as usual.

While you are dreaming,  
this little paradise disappears  
grain by grain drained  
down the great and empty  
arms of the most revered.

While you yawn and look  
the other way,  
they'll take it all away;  
they'll take away  
your right to stay.

Because it's an inside job,  
where favors are collected;  
while you were weeping  
for your loss, your public

servants left you  
unprotected.

They're all too busy saving  
their hides,  
busy pretending their on your  
side;  
they think that you're not  
smart enough.  
Sitting up in their ivory tow-  
ers, laughing at you,  
They think you don't have a  
clue.

Their concern is the ins and  
outs  
of politics; it's an inside job  
by the well-connected. And  
they'll  
keep doing it, thinking that  
their  
opposition's too  
disconnected.

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# A Death Blow to Freedom...

## Dictatorship From Page 8

normally, the government cannot effect a search without obtaining a warrant and showing probable cause to believe that the person has committed or will commit a crime. Section 215 violates the Fourth Amendment by allowing the government to effect Fourth Amendment searches without a warrant and without showing probable cause.

The violation of the Fourth Amendment is made more egregious by the fact that Section 215 might be used to obtain information about the exercise of First Amendment rights. For example, the FBI could invoke Section 215 to require a library to produce records showing who had borrowed a particular book or to produce records showing who had visited a particular web site.

Section 215 might also be used to obtain material that implicates privacy interests other than those protected by the First Amendment. For example, the FBI could use Section 215 to obtain medical records. The provision violates the First Amendment by prohibiting those served with Section 215 orders from disclosing that fact to others, even where there is no real need for secrecy.

The provision violates the First Amendment by effectively authorizing the FBI to investigate U.S. persons, including American citizens, based in part on their exercise of First Amendment activity, and by authorizing the FBI to investigate non-U.S. persons based solely on their exercise of First Amendment activity.

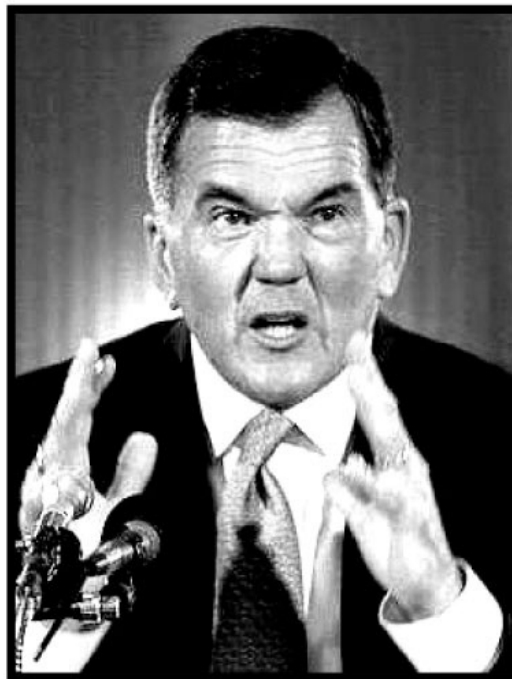
The provision violates the Fourth and Fifth Amendments by failing to require that those who are the subject of Section 215 orders be told that their privacy has been compromised.

Running tandem with the advancement of these violations is an extension of the term "terrorist" itself. Under the DSEA, individuals performing lawful activities for organizations connected with terror groups can be prosecuted as terrorists themselves, whether they are aware of said activities or not.

Terror, in this context, is defined by the Oxford American Dictionary as the "use of organized intimidation." Therefore,



*Heinrich Himmler was in charge of Homeland Security and mass exterminations in Germany.*



*Homeland Security Director, Tom Ridge*

by the definition of the word itself, the Bush Administration is setting up its own terrorism factory on American soil, leveling that resource in an almost fanatical suspicion against its own citizens.

The plan, apparently, is to fight fire with fire; to uncover violent terrorists with acts of political terrorism. The problem is that real citizens exist side-by-side with these alleged terrorists, and any one of us is a potential target of the crossfire.

And even if one is inclined to dismiss that opinion as the ramblings of an alarmist, there are other reasons to reject the Patriot Act.



## THE ENFORCERS

*Attorney General John Ashcroft, F.B.I. Director Mueller and Postmaster General Potter, attend Homeland Security meetings.*

*Chief among those is the extent to which this format of legislation will destroy the ideal of freedom that most Americans hold dear. According to the ACLU, "There's a real possibility that setting the FBI loose on the American public will have a profound chilling effect on public discourse. If people think that their conversations and their e-mails or their reading habits are being monitored, people will inevitably feel less comfortable saying what they think, especially if what they think is not what the government wants them to think."*

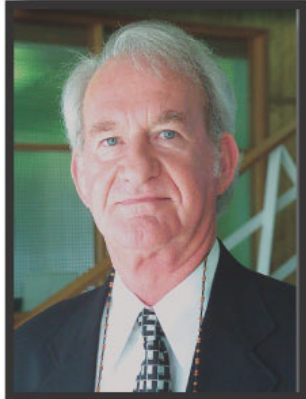
**(A detailed section-by-section analysis of the DSEA can be found at <http://www.aclu.org/SafeandFree/SafeandFree.cfm?ID=11835&c=206>)**

# News & Views

Continued from page 5



**Jimmy Patronis, Jr.**



**Jim Smallwood**

## ROOTS OF OPPRESSION

The Bush Administration is apparently setting up infrastructure needed to suppress and silence political dissent in Florida, with the appointment of Guy Tunnell as director of the Florida Department of Law Enforcement.

Tunnell's record has clearly demonstrated loyalty to whoever is in the Governor's chair and not the principles of democracy. He has shown contempt for the Constitution of the United States, when in 1995 his Chief Deputy testified under oath, that he did not know the First Amendment to the U.S. Constitution protected free speech.

In 1993, Tunnell and his top deputies barely escaped prosecution when a rigged grand jury investigated area law enforcement for soliciting bribes in the case dubbed, "Cash Register Justice." Harry Coe, the prosecutor in that case was later found dead under a Tampa overpass with a bullet to his head.

Tunnell's political mileage comes from working statewide to keep police unions and law enforcement pay in check. His deputies are some of the lowest paid in the nation. Police associations have complained that low pay invites corruption.

*Among the police corruption cases involving Tunnell's department that the Bush administration has refused to investigate, the Riley Robinson case stands out.*

Robinson was a Panama City Beach paint contractor and reported business-associate and partner to beach businessman, Charles L. Hilton. Hilton is also a partner in GAC Contractors with Florida House Speaker designate, Allen Bense.

*Robinson, who was also reportedly involved in trafficking heroin, died in the early morning hours of November 2, 1998, from asphyxiation. Robinson mysteriously disappeared on foot from his beach home with \$8000 cash and wound up in the custody of Bay County sheriff's deputies.*

*According to autopsy reports, Robinson whose hands were cuffed behind his back, choked to death on a large plastic bag of cocaine. The \$8000 was never found and witnesses in the case have either fled the state or disappeared.*

## Medellin Columbia Drug Cartel

In a 1993 case uncovered by this editor, Santiago Romero Iglesias, an assistant restaurant manager at Hilton's beach Holiday Inn, was convicted in federal court for importing cocaine into the United States.

*Iglesias is a long time beach resident and top ranking leader in the world's most powerful criminal organization, the Medellin, Columbia, drug cartel.*

Hilton and Bense's GAC Contractors, have constructed a large number of small congregation, non-denominational churches, throughout the Florida panhandle, Southeast Alabama and Southwest Georgia.

Confidential law enforcement sources believe that possible collusion in the establishment of numerous tax-exempt religious organizations may be the source of increased money laundering activities used to buy political power in Florida and elsewhere. Hilton has always contributed money to Sheriff Guy Tunnell.

Under the Jeb Bush Administration, Sheriff Tunnell who has zero-experience investigating white-collar crimes and implementing the caliber of investigative expertise needed as director of the FDLE, has been Director of Homeland Security.



## NIGHTMARE FROM HELL

The outgoing Bush Administration has further solidified their stranglehold on power with the appointment of Frank McKeithen as Sheriff of Bay County.

*McKeithen, who recently gave up being Gulf County Sheriff to become the new Bay County Sheriff, was formerly captain of detectives under Tunnell for almost a decade.*

*McKeithen has a demonstrated record of brutality in putting down political dissent and quelling internal rebellions. It is documented and proven in trial transcripts and sworn testimony that McKeithen, unlawfully conspired with others to maliciously prosecute this editor, by falsely arresting me on multiple felony charges and then having me physically abused and tortured by CCA jail personnel. This was in retaliation, for my exposing corruption within area law enforcement agencies and the Florida State Attorney's office.*

*It was under McKeithen's watch that felony drug stings were routinely set up to shake down drug users. In exchange for dismissal of charges including some with mandatory prison terms, addicts were allowed to contribute large cash donations to the Sheriff's department investigative fund.*

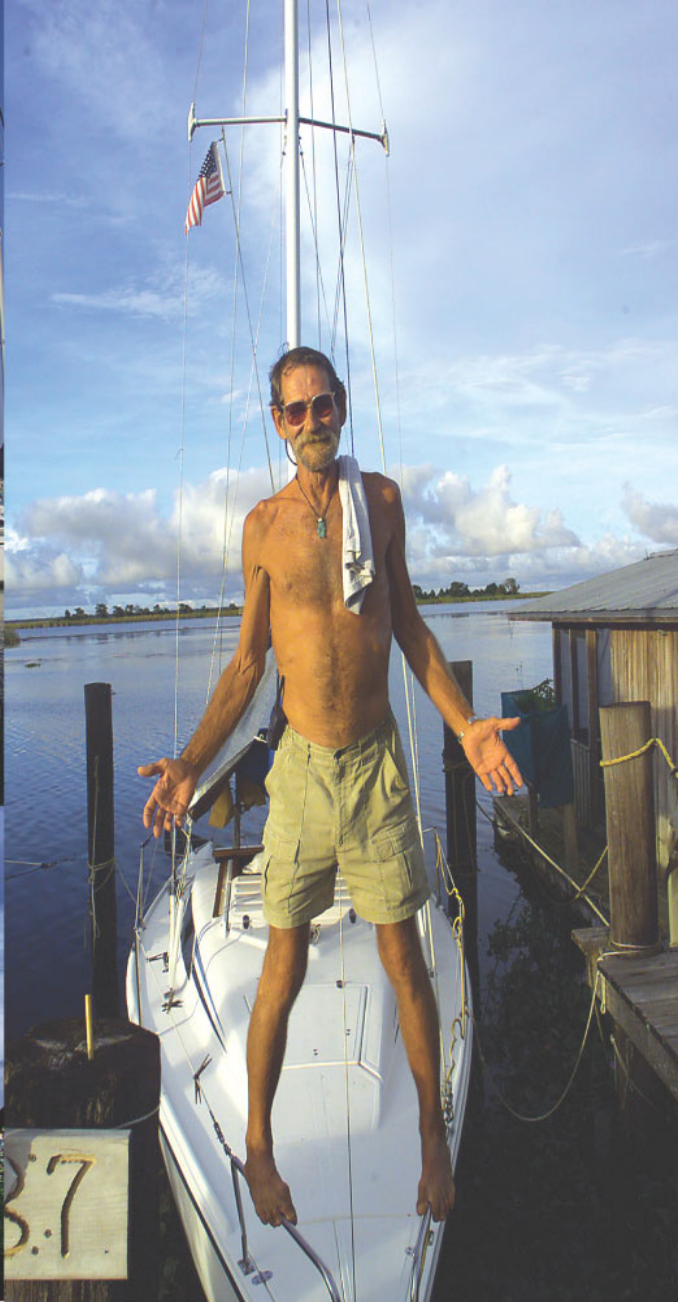
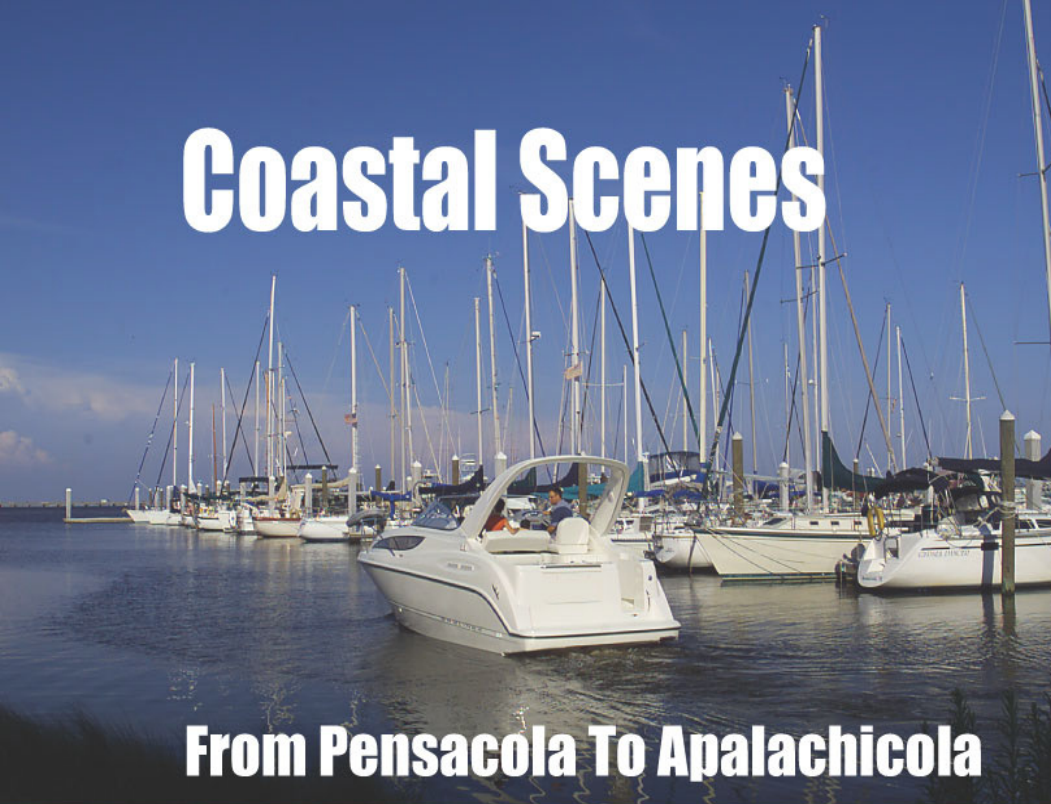
McKeithen brings plenty of baggage back to the sheriff's department, as many officers have raised serious concerns about working for him and many citizens are equally concerned about their freedom.

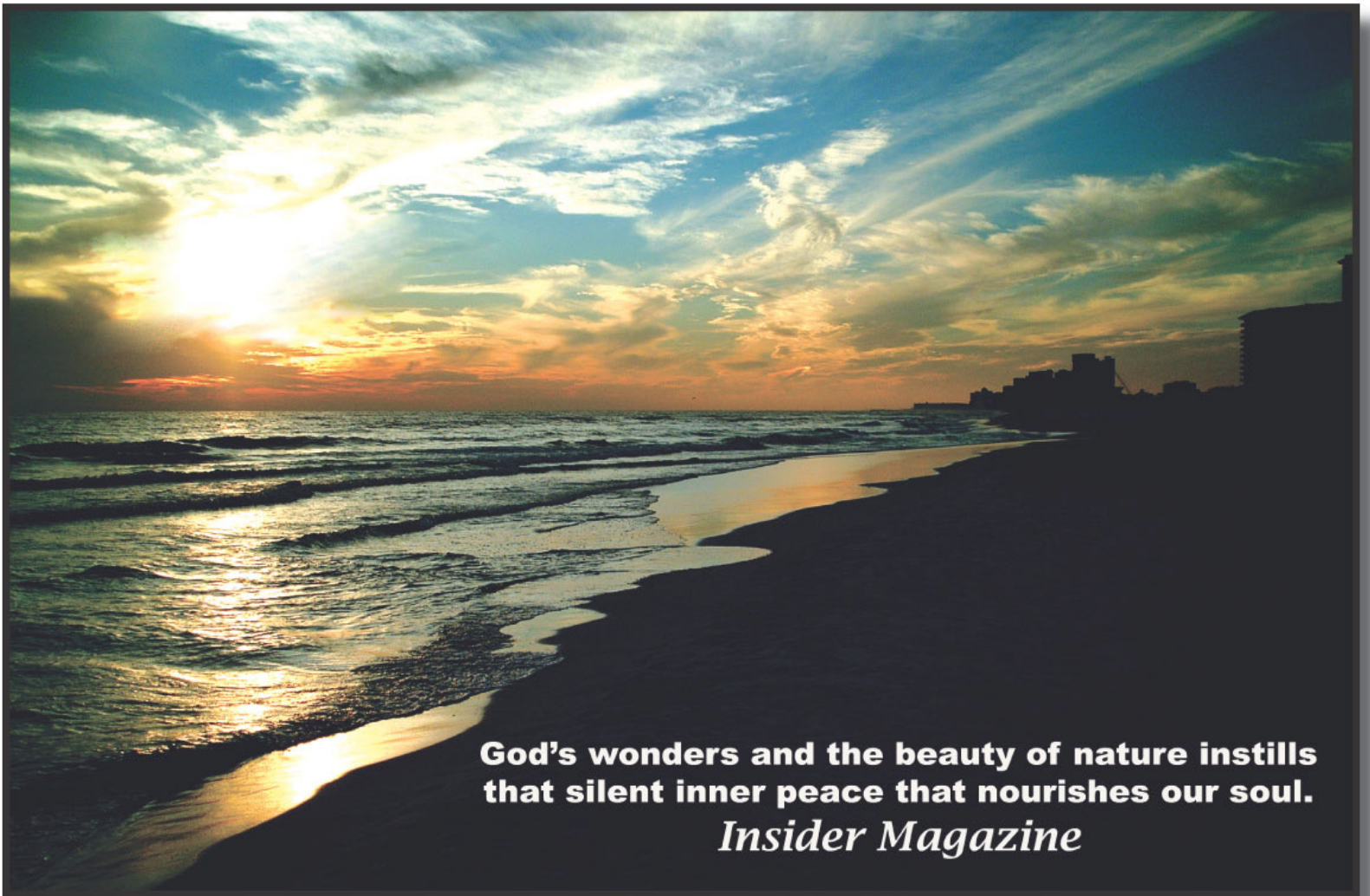
*It is with great fear that this editor is concerned with very real, swift and harsh retribution, against himself for making these facts public again. We are committed to publishing the (good, bad and ugly truth) and believe the people have a right to know.*

We can only hope this is Frank's last stint in law enforcement and people will be smart enough to turn him out to pasture election day, November 2004.

# Coastal Scenes

From Pensacola To Apalachicola





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*Insider Magazine*

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# What the St. Joe Company...

## WATERS OF DEATH

BY

Dr. Wayne Childers

J.D. , M.S., B.A.

Dioxin is the most toxic substance known to man and you have to ask yourself how this deadly substance was allowed to destroy lives of many Gulf County residents and the pristine water that is known as St. Joe Bay?

Why haven't you heard about this before? This is the crux of the story.

The carcinogenic contaminant Dioxin has been spotlighted in the news lately. CNN recently ran a program showing the hideous birth defects suffered by children in Vietnam from exposure to the dioxin in Agent Orange, the defoliant the late Admiral Elmo Zumwalt ordered to be used in the Vietnam War to uncover the troop and supply movements on the Ho Chi Minh Trail.

Admiral Zumwalt's own son later died of cancer caused by his exposure to this poison.



# Doesn't Want You to Know!



Continued on Page 31



## Summers End Marked by Quiet Times on The Beach

# Henry's Import Repair



8824 Front Beach Rd. **850-233-2345** Panama City Beach

# Love After Forty



by  
Janet Moore

## Head Games

*The* pressure is on, big time, to produce a date for an important company, black-tie function. The invitation is for a big weekend get-a-way to the Beau Rivage Casino in Biloxi, MS, to celebrate the achievement of our annual sales quota.

Another year in paradise: achieving unrealistic quotas set by bean counters in Atlanta, GA. Only kidding, of course! I can't think of a better way to spend a weekend than going on vacation with my boss and his boss's boss, the who's who of workaholics and alcoholics; fighting their way up the corporate ladder. The invitation states that the RSVP card must be returned in ten days with the name of my guest included.

My problem is, how to find a date in ten days?

At that moment, I really missed having my special security blanket called a husband. I came up with four options which seemed logical and most appropriate to solve my dilemma; (1) Pull a no show, a real faux pas in the corporate world; (2) Bring a girlfriend along and let everyone know you can't get a date and the question of my sexuality might be the hot topic poolside; (3) Find a date fast and risk that he may be a total embarrassment which could lead to my slow demise down the corporate ladder.

Considering option 3 triggers a flashback from my single years almost twenty-five years ago. I had a company function to attend and did not want to be a dateless wonder; so at my still-innocent age of twenty-two, the pressure was too much and I succumbed to social expectations and invited the wrong man.

His name was Stanley, an accountant, whom I befriended at Tipitina's the weekend before while enjoying the Neville Brothers concert. Stanley seemed perfectly normal. Normal for a sober Stanley. However, the more alcohol Stanley consumed, a new Stanley emerged; bolder and uninhibited.

The new Stanley became overly gregarious, flirtatious and socially unacceptable after his consumption of 10 beers and three pounds of crawfish. The newly emerged Stanley flirted with anything that had a pulse, including my boss's wife. I was so glad we had driven separate cars, so I made a quick exit, hoping everybody was too drunk to remember my date, Stanley.

When I got to work Monday morning, people were gossiping about the crawfish boil and Stanley seemed to be the highlight of office conversation. *Apparently, I missed the final act, the part where Stanley pulled Julie's swim top off in the swimming pool. Julie just happened to be my boss's wife.*

I took the attitude that I didn't own Stanley and was not responsible for his misbehavior. As I approached my desk, big files were piled up with a note that said, "See Tom."

I approached my boss about the accounts on my desk, he informed me of my new sales territory, which included New Orleans east and both sides of Claiborne Avenue, where the affluent African-American funeral homes and beauty salons were located. I decided to scartch option 3 and move on to; Option (4) Show up alone and let them think that you are very self-assured and open to meeting new men.

Continued on page 29

## QUOTABLE QUOTES FOR TODAY'S WOMAN

"Ideally, couples need three lives; one for him, one for her, and one for them together."

Jacqueline Bissett

Actress

"If you obey all the rules you miss all the fun."

Katherine Hepburn

Actress

"Love is a fire. But whether it is going to warm your hearth or burn down your house. You can never tell."

Joan Crawford

Actress

"From birth to age 18 a girl needs good parents. From 18 to 35 she needs good looks. From 35 to 55 she needs a good personality, From 55 on, she needs good cash."

Sophie Tucker

Singer

"Marrying a man is like buying something you've been admiring for a long time in a shop window. You may love it when you get it home, but it doesn't always go with everything else."

Jean Kerr

Playwright

"A man's home may seem to be his castle on the outside; inside it is more often his nursery."

Claire Booth Luce

Diplomat & Writer

"When he is late for dinner and I know he must be either having an affair or lying dead in the street, I always hope he's dead."

Judith Viorst

Writer

"Never go to bed mad. Stay up and fight."

Phyllis Diller

Comedienne

## Love Songs For Lovers



Mutual Admiration

Tom Jones, one of Ruth's loyal fans shown here celebrating Ruth's American Sound single "What a Difference"

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# Love After Forty NightLife

## LOVE AFTER FORTY

from page 27

After careful consideration, I selected option two and was on the phone to my best friend Annie to see if her husband and little girl, Susie, would grant her an escape for the weekend. I was surprised when the answer was yes. She was free for a whole weekend, released from the chains that bound her as a tireless wife and mother. She was really excited, knowing that all of her activities were complimentary and first-class.

Wednesday night before the company function, I decided to contact my longtime high-school friend, Kathy, to see if she could meet for a drink at the casino Saturday night. She was willing and ready as we were both divorced and about as unattached as women can be. In high school, Kathy and I shared everything, including the much-touted Mark Eden bust developer that never worked. She and I retained the same 32A bra size after ferociously pushing and pressing on that ridiculous thing for three months. Let's put it this way: we shared the same BOOBie prize!

Kathy and I also shared the companionship of her ex-fiance, Brett, to whom she was thrice engaged. After their breakup, Brett silver-tongued his way into an affair with our mutual friend, Linda. This time he actually set a wedding date. Two weeks before the elaborately planned nuptials, the lug said, "I won't" instead of "I do."

I asked Kathy if she kept in touch with Brett's latest escapades. She



**Michael Rorah Entertains  
at the Saltwater Grill  
On Panama City Beach**



**Couples Swing to  
Michael's Piano Bar Music**

said that he called a few months ago, but she was not the least bit interested.

She was finally over him after twenty-five years of lies and damn games that would land the sanest of our species in a mental hospital.

I was so happy for her because she was finally free and was no longer consumed by Brett. He was a womanizer but with a wit and sense of humor that most women found irresistible.

Kathy and I agreed to meet at the casino bar at eight o'clock Saturday night for a cocktail. As soon as we got off the phone, I had the impulse to call information for Brett's phone number. I thought I would call and see what he was up to, he was out;

so I left a message for him to return my call.

The next night he called, "Hello Gorgeous" he said in his deep, sexy voice. I countered, "Wait a minute, you have not seen me in over twenty-five years, you have no idea what I look like." Suggestively, he asked, "What are you wearing?" I replied, "A forty-six year old body."

After a short conversation, we decided to meet for a drink Friday night after the awards banquet to catch up on old times. He asked, "What will you be wearing, so I can easily spot you?" "A little black dress," I answered.

You could always count on Brett for a laugh and a good time. Brett had a way about him; he never took anything too seriously, including relationships with the opposite sex.

He was very charismatic with a vibrant personality that translated into a sexy chemistry.

In high school and college, Brett and I flirted dangerously into temptation. But I was determined not to be another notch on his belt. So I kept the relationship platonic. We always had an eye for each other and a curiosity about each other that was never fully explored or fulfilled.

In between romantic relationships, we would set each other up on blind, double dates to keep an eye on each other. After each date, he would call me to discuss the pros and cons, what we liked and didn't like about the doomed prospect. We both knew we would never set each other up with the perfect partner, even if we knew that he or she existed. Pure games for sure. *Continued on 38*



**William Harrison, Jr.**

## License To Steal, Part III

By  
John Caylor

In the article entitled "License to Steal" published in *The Insider's* last edition, we documented former Bay Medical Center employee Gay Bush, who came to us with compelling evidence of criminal wrongdoing. Among Bush's allegations contained the possibility that human body parts were being improperly disposed into a Bay county construction debris landfill.

Our preliminary findings prompted both the Florida Department of Environmental Protection and the United States Environmental Protection Agency to launch their own criminal investigations into Enviromed of Bay County, Aztec Disposal and Big Wheel Recycling. We have since learned that Alabama owners of Big Wheel Recycling are in federal prison after racketeering and money laundering convictions, and that their Bay county landfill was seized by forfeiture proceedings.

Our investigation also revealed that Federal Marshal Leonard Briskman, either willingly or unknowingly participated in a fraud upon the court by selling the seized property back to the Florida owners; one of the Florida owners of the Big Wheel Recycling landfill is William Harrison, Jr. Harrison and co-owner Randall McElheney had themselves removed from corporate papers after publication of the original *Insider* story.

Mr. Harrison is also a lobbyist for the St. Joe Company was on the Bush White House transition team and yields considerable influence in politics. *The Insider* has uncovered first-hand evidence where he apparently decides who is promoted within the civil servant ranks of the Florida Department of Environmental Protection, a demonstrable merging of government and corporate interests.

### OUR STORY BEGINS

Mr. Gay Bush is a likeable straight-arrow type person with a good conscience. Mr. Bush was fired from Bay Medical Center after 13 years of exemplary employment for blowing the whistle and requesting a corporate compliance investigation of the sterilization procedures used on surgical instruments.

Mr. Bush also complained about a prohibited conflict of interest by Bay Medical employee Laura Aguiar. Mrs. Aguiar and her husband Mike, a former employee of Waste Management and Dr. Reed Finney, opened a company called Enviromed of Bay County. Enviromed was awarded all of Bay Medical's bio-hazardous waste removal without ever entering into a competitive bid for the services; a conflict of interest prohibited by Bay Medical policy and Florida statutes.

The prohibited conduct and illegal insider-dealings of Aguiar proved to be the most damning of Bush's allegations, and he apparently didn't fully understand what he had exposed; since that exposure, he has suffered the dire.. consequences of whistleblower retaliation...*Continued on page 41*

# THE DEADLY COVER-UP

## Did St. Joe Mill release Massive Amounts of Cancer Causing Dioxin?



**Paper Mill produced 40 Percent of World's Bleached Paper**

For years in Port St. Joe, we could see tank cars of chlorine sitting near the St. Joe Paper mill. The chlorine in those tank cars was used by the mill to bleach paper, producing the trademarked "Crest White" paper, which was used in making white cardboard boxes.

As much as 40 percent of the world's chlorine bleached paper was produced at the Port St. Joe mill. This would have produced and released an incredible amount of dioxin into the local environment.

The deadly dioxin at St. Joe Paper Company was formed when the bleach hit the pulp or paper. The pulp or paper was the organic material that the chlorine bound with to form the dioxin and its related compounds. This went into the mill's effluent discharge, which was sent to the Port St. Joe Wastewater Treatment Plant and dumped untreated, into St. Joseph's Bay.

On September 24, 1990, the EPA released risk estimates for eating dioxin-contaminated fish taken from the waters downstream from 104 Florida chlorine-bleaching pulp and paper mills. Twenty of these mills had effluent so hazardous that the EPA felt that a warning about fish and shellfish consumption was necessary. St. Joseph's Bay was number 15 on the list. The report specifically stated that consumption of more than 2¼ pounds of fish per month downstream from the first 20 mills on the list had the potential to seriously increase your risk of cancer.

The risk was estimated to be 1 in 10,000 for those that exceeded these limits. Now based on the latest EPA release, the risk is much greater. The most polluted area of the state was the Fenholloway River downstream from Buckeye Cellulose in Perry, Florida, which was number two on the list. Stone Container in Panama City was number 78.

*While the EPA had recommended a fishing advisory for St. Joseph's Bay, no such fishing advisory was ever issued.*

*Continued on page 32*

## Waters of Death

Continued from page 25

On Wednesday, May 17, 2000, the Washington Post ran a story on the Environmental Protection Agency's (EPA) reassessment of the risk of cancer from dioxin. It has revised its estimate upward and says that it is 10 times more deadly than they thought. It states the risk for people who ingest large amounts of foods containing dioxin has now been upgraded to a 1 in 100 chance of contracting cancer as a result.

The average American consumes about 3 to 50 picograms a day of the deadly toxin. This means that the average American takes in about 100 times the safe amount at a maximum. At the very least you increase your chances of getting cancer. It has also been reported that dioxin dramatically increases your chance of heart attack, kidney failure and other diseases. However if you ingest a really large dose of it, you merely waste away and die.

Given that the EPA has just revised its estimates of the toxicity of dioxin by a factor of 10, then the new "safe" daily limit of dioxin is .042 picograms per kilogram. This means that an average American has the potential to exceed this limit by 1000 times.

Humans get dioxin in our bodies by eating or breathing it or it can be absorbed into the skin. Most dioxin is created accidentally, many of these dioxins including the most carcinogenic (TCDD), are byproducts of chlorine bleaching of pulp and paper.

The production of certain herbicides such as Agent Orange, production of plastics such as PVC, production of germicides such as Hexachlorophene, the manufacture of other chlorinated hydrocarbon chemicals, burning leaded gas in cars and the incineration of municipal solid wastes.

**Chlorine accelerates the problem** because it is highly reactive and readily binds with whatever it touches to form new chemical compounds. It is usually not found in a free state but in combinations like table salt or sodium chloride.

# Was City Water Supply Poisoned?



**Untreated industrial waste water from Port St. Joe's unlined lagoon is discharged into ditch that flows into shallow, fresh water canal, directly adjacent to town's water wells.**

## **Waters of Death**

Continued from page 31

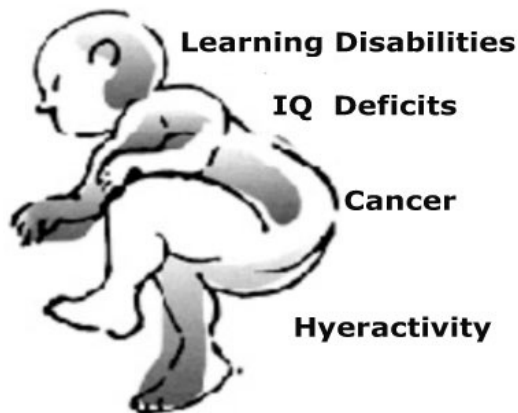
Based on the data submitted by the Port St. Joe Waste Water Treatment Plant, in its request for a permit to increase the amount of pollution it was permitted to discharge in 1990, the average fish had some 7.5 parts per trillion of dioxin. *This translates to 7.5 picograms per gram.*

Since the St. Joe Company was self monitoring its own dioxin discharges these figures are suspect and a figure as high as 20 picograms was alleged, as was the existence of two sets of books at the mill, one with lower more acceptable figures for the discharge and another set which allegedly showed the actual data.

*The type of dioxin most prevalent in St. Joseph's Bay (TCDD) caused weight loss, infertility, liver damage, edema, loss of hair, and suppressed the immune system of all the animals tested. It is blamed for poisoning enzymes, changing endocrine balance and decreasing the ability of the body to store vitamins. Dioxin, has been implicated in low sperm counts, deformation of the genitals and neurological problems such as attention deficit disorder and hyperactivity.*

It can dramatically increase the rate of spontaneous abortion. The 1994 EPA report links dioxin to endometriosis and diabetes. *Dioxin also causes damage to the immune system, which can be likened to a kind of chemical AIDS virus.*

How long has dioxin been known to exist in St. Joseph's Bay? Many elected officials have known about it since 1990. These officials include at least one who is currently on the Port St. Joe City Commission.



The City Commission is responsible for the operation of the wastewater treatment plant. Commission members should have been aware of the information that was contained in their own application for a permit to continue its operation.

In early 1990, the Gulf County Commission formed the Save Our Bay Committee, which was to study the bay and report back, to the County Commission with recommendations on what should be done, in terms of the various problems it found.

Women have a way of getting rid of dioxin. It can cross the placenta and go into the developing fetus or they can expel it through their breast milk. This means that it again goes into the child if the mother is breast-feeding. This of course enormously increases the chances of both birth defects and cancer in children, if the Vietnamese and EPA's studies are true.

There were problems and one of the central ones emerged quite by accident. I was a member of the Save Our Bay Committee, and was approached by John Lee, the chairman, about a problem Lee had seen in the bay. The sea-grasses on the edges of the bay were dying out in a peculiar fashion.

*Continued on page 33*

# Numerous Chemicals Were Discharged...

## Waters of Death

from page 32

We investigated and found the grasses were dying from the edge of the bay outward. Where the dead grass was encountered, it was covered with a band of orange foam, which had come from the wastewater treatment plant. A sample of this foam was taken and carried to the next county commission meeting, April 10, 1990.

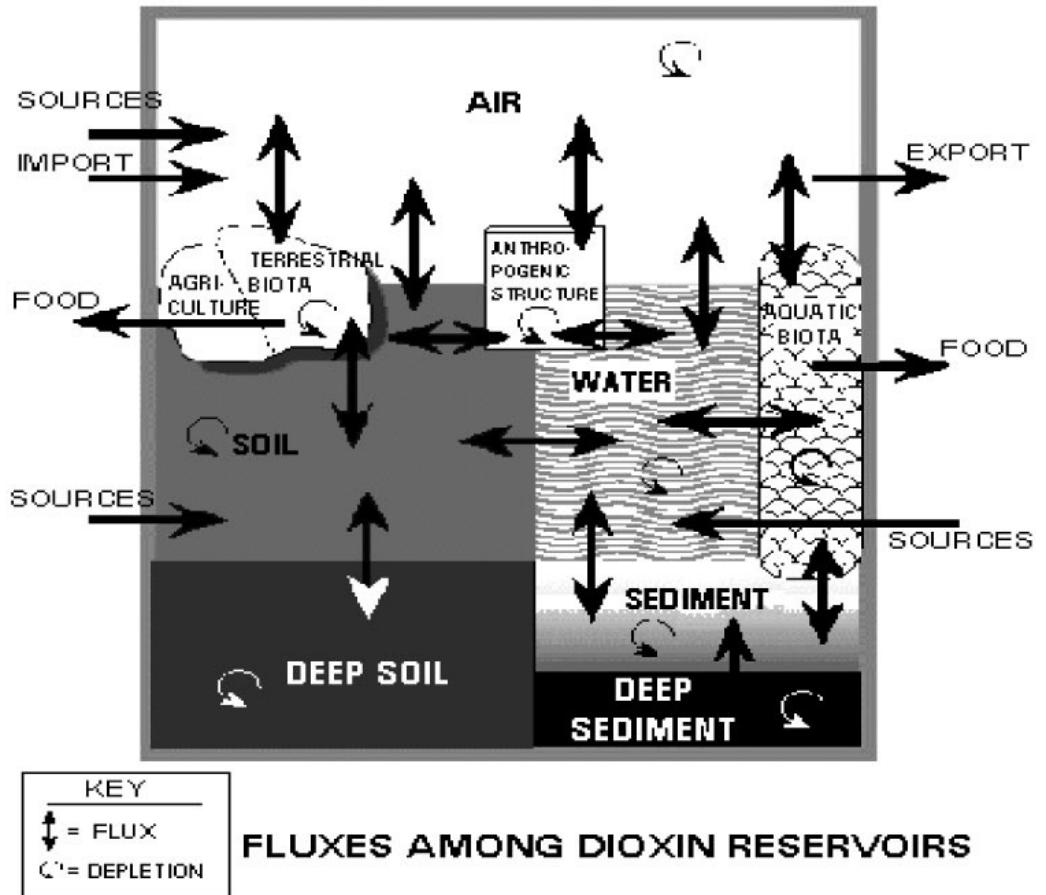
Pat McFarland, John Lee and I appeared before the Commission and I pointed out the problem with the grasses dying and that the foam from the wastewater treatment plant seemed to be implicated. Commissioner Ed Creamer noted that he had seen the canal full of such foam *at* times from one bank to the other and running out into the bay. I also pointed out that the city had applied for a new permit for the wastewater treatment plant, which would allow them to legally dump more pollution into the bay.

I asked the commission to adopt a resolution against increased pollution of the bay and to request the EPA to hold public hearings on the permit, as allowed by law. The resolution passed unanimously. All the Commissioners were vocally opposed to further pollution of the bay.

At the committee's request, I drafted a letter to be signed, by the Chairman, John Lee, asking for a hearing on the treatment plant permit and opposing further pollution of the bay.

That Friday afternoon, April 13, 1990, John Lee signed the letter and we both mailed it together. The letter clearly pointed out the presence of dioxin in the bay and a desire to learn more about this. We also learned just before mailing the letter, that the County Commission had held an emergency meeting at 5:00 PM on the day before in which they voted to rescind the resolution opposing further pollution of the bay effectively rescinding their call for the EPA to hold public meetings on the treatment plant permit application.

***The commission's resolution passed unanimously and it supported increased pollution of the bay.***



## United States Environmental Protection Agency Chart

Before their next meeting, county commissioners were informed that if I was not removed from the Save Our Bay Committee, the St. Joe paper mill would go out of business. One commissioner was so upset he protested, "If St. Joe Paper Company wants to run things, why don't they run for office like everyone else".

***"Commission Fires Childers from St. Joe Bay Committee"***, the headlines of the April 26<sup>th</sup> Star newspaper read. The article stated, "Commissioner Don Parker made the motion to remove Childers and that with no discussion and no objections, the vote was unanimous." The article pointed out that I had been one of the instigators and leaders of the Save Our Bay Committee. I had been a long time activist in environmental affairs and recently tried to place roadblocks in renewing the operating permit for the Port St. Joe Wastewater Treatment Plant.

The Save Our Bay Committee met afterward and at the next commission meeting they unanimously asked the board of commissioners to reinstate me. Commissioners were not about to back down from the St.

Joe Company orders, apparently they feared the wrath of St. Joe more than the citizens.

The editor of the Star newspaper praised the county commission for its wisdom, for reversing itself on the pollution issue, saying that "the City of Port St. Joe was purported to have been doing the dastardly deed (polluting the environment) by someone who either took someone else's word on the matter, mistakenly, or didn't know what he was talking about, himself."

The Star editor found that pollution is not pollution when it is being done by a favored entity. Indeed, the Commissioners had seen their error and it only took them ten minutes to vote unanimously in favor of increased pollution.

In the following days, the Save Our Bay Committee met with John Marler, a senior official of the Southeastern Region of the United States Department of Environmental Protection (EPA) in a private meeting at Bay Point in Panama City. This meeting had been arranged by the EPA in lieu of the public hearing ..*Continued on page 34*

# Children Suffer Most...

## Waters Of Death

Continued from page 33

that obviously was not going to take place. Even though I had already been removed from the Bay Committee, I attended the meeting along with Katherine and Bill Koran and Mr. and Mrs. Bill Blackmore, then committee members.

Marler explained to us that even if there had been a public hearing, the EPA would not have been able to be as candid with us as they were going to be at this meeting. He was then asked about the increased pollution that the wastewater treatment plant had asked to be allowed to produce.

Marler stated that they were already doing this and that the permit would simply reflect the current state of affairs. Further, that due to legal problems with the first permit, the EPA had to allow this. This was undoubtedly true and the city had good reason to take advantage of this situation to request a permit to increase the pollutants coming from the plant.

They had apparently been unable or unwilling to meet the former standards and it had been alleged by several people well before that time, that water samples that should have been taken at the outfall of the treatment plant into the canal were being taken in the open Gulf beyond the tip of the peninsula in order to find water that would pass the EPA's standards. We asked EPA's Marler, "Is there anything that is safe to eat in St. Joseph's Bay? Marler answered, that there was "nothing safe to eat in the bay." He stated dioxin contamination was the reason. All the bays fish and shellfish were contaminated by dioxin.

We asked "is it safe to swim in the water?" Marler said that the EPA did not know because it did not monitor the water to see if it was safe to swim in.

This question was highly important since the wastewater from the treatment plant ran out of the canal, since fresh water is lighter than saltwater, it would outpour along the shore to Mexico Beach and occasionally into Crooked Island Sound on Tyndall Air Force Base.

## Waterborne contact with dioxin can cause chloracne as shown on child.



It was important for us to know if high levels of e. coli bacteria contamination could be causing illness in swimmers at St. Joe and Mexico Beach. Those swimmers had to swim

through the contaminated zone to reach the relatively cleaner water.

Marler noted that the State of Florida had a water clarity standard which they had never enforced against the wastewater treatment plant. The implication was that the discharge violated this standard.

We asked EPA's Marler, "that since the seafood was unsafe for human consumption, why hadn't the EPA issued an alert informing people of this?" He responded, "It is not our job." He suggested that members of the Bay Committee make up signs and put them in the water warning people.

It should be pointed out that Marler, was asked if there were any toxic releases into the bay by Arizona Chemical as a result of its manufacturing activities. He stated that the EPA was not monitoring their operations.

After our meeting with EPA's Marler, I continued to investigate the dioxin problem. I began contacting members of the Canadian government in Vancouver and the Canadian Ministry of Health in Montreal. At one point when I told the Canadian official in charge of Canada's dioxin health problem what the alleged dioxin level was in the bay, he said, "you have a very serious problem".

Those who long for old days in the former Soviet Union would have been proud as the Star Newspaper ran an article on February 7<sup>th</sup>, 1991, saying there was no dioxin in the

bay and that the sea-grasses were dying because of the extreme high tides at the time.

*In 1995, my mother died after she contracted an astrocytoma, a primary tumor of the brain. These tumors are extremely rare as there are only 100 cases of this type a year in the United States. During that same year, there were two other people in Gulf County with the same type of cancer.*

During the time my mother was receiving treatment at Shands Medical Center at Gainesville, there was a six-year old boy from Port St. Joe there, receiving treatment for another rare tumor. The boy's doctor had directly attributed the rare tumor to dioxin exposure.

During her pregnancy, the boy's mother had eaten massive amounts of seafood from the bay. It was a horrible, heart wrenching sight, to witness this handsome little boy turn into a walking skeleton and to see the pain he endured in attempting to cure the deadly illness that he later surrendered his life to.

It is interesting to note that St. Joe Paper Company which produced the dioxin found in St. Joseph's Bay was primarily owned at the time by the Alfred I. Dupont Testamentary Trust and its related Nemours Foundation which as one of its primary reasons for being, runs the Alfred I. Dupont Hospital for Children.

There is an astronomical amount of cancer in Gulf County, Florida. People who have been to M. D. Anderson in Texas, have been told "Gulf County has one of the highest rates of cancer in the nation." But, when local health officials are asked about this fact, they maintained until recently that the cancer rate was about normal. Now health officials claim the astronomical rates are due to the lifestyles of the people who live in Gulf County.

Others maintain that these are just damn lies and statistics, because the county is so small. Health statistics released by the US government consistently have shown that Gulf County ranks in the upper 10 per cent nationwide for cancer for men since 1950 and for both men and women since 1970.

*Continued on page 35*

# Unexplored Cancer Links?

## Waters Of Death

Continued from page 34

*According to the Florida Department of Health, in 1996-1998, Gulf County ranked number 2 in the State of Florida for deaths from cancer. The age adjusted death rate for cancer in 1996 was 283.76 per 100,000 while the state average was 195.09.*

The only county in Florida with a greater death rate from cancer was *Union County, home of the North Florida Reception Center Hospital, which services the male prison population of Florida* and whose death statistics seem to be included in those of that county.

*For this same time period, Gulf County also ranks 3<sup>rd</sup> in deaths from heart attacks at 456.64 per 100,000 population being beaten out by Baker County at 459.56 and Holmes at 481.22. The state average is 323.81. Gulf County is number one by far in colorectal cancer at 47.51 deaths per 100,000 persons.*

*Gulf County ranks number 2 in deaths from liver diseases such as cirrhosis after Union County. Gulf County also ranks 4<sup>th</sup> in age adjusted death rates at 1102.32 per 100,000. Gilchrist County is number 2 at 1128.09 while Union County is number one once again with 1510.22 per 100,000. The state average again is much lower at 811.06.*

*Gulf County also appears to have a tremendous amount of kidney failure. It is claimed, that eighty per cent of the dialysis patients visiting the regional kidney dialysis center in Panama City, come from Gulf County.*

The majority of these persons allegedly come from North Port St. Joe, another spot residents fear is contaminated. Whether or not this is true, there has been a recent announcement that a kidney dialysis center would be opening in Port St. Joe, a town of some 4,500 residents.

Local health officials deny the existence of cancer clustering in Gulf County. In 1990, I wrote down the names of all the people that had died on Constitution Drive which fronts on St. Joseph's Bay, an area that older residents called Cancer Row. Out of the 20 or so names, only three died of something other than cancer. One possibility to account for this is that the dioxin is volatilizing out of the water and is being inhaled by the residents of the area. The closer one is to a source like this, the stronger the effect would be.

Surrounded by this illness and members of my own family afflicted, I attempted to initiate an investigation into the high cancer rate. I contacted one of the Florida Health Department's epidemiologists. After the phone line had gone dead three times during one conversation, which might simply be coincidence, she said she had never had that happen before and asked what was going on.

*I asked her if she had ever investigated The St. Joe Company before? After a thoughtful pause and she responded, "if it was one disease the area was high in, it could possibly be isolated and maybe the cause could be determined. But, in St. Joe and Gulf County, we were high in everything!"*

She indicated that this was a very unusual public health dilemma. Her official inquiry went nowhere and it ended after her transfer to another job. No meaningful public health studies have ever been conducted, in Gulf County and the dioxin-cancer link continues to go unexplored.

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# The Case Against Lawyers

## INSIDER BOOK REVIEW

### "The Case Against Lawyers"

By Catherine Crier

Catherine Crier always wanted to be a lawyer. As a girl, she embraced Clarence Darrow and Atticus Finch as her heroes, and became obsessed with the notion of justice. When she grew up, she followed her dream into a successful career as a district attorney, civil trial attorney, and judge. She also woke up to an infuriating fact: she wasn't serving justice but the interests of the rich, powerful, and political, bound by confounding, and often profoundly unfair, laws.

Now one of the nation's most respected legal journalists and commentators, Catherine Crier shares her long-accumulated outrage at the state of America's legal system-and eloquently calls for a citizen's revolt-in *THE CASE AGAINST LAWYERS* (Broadway Books; October 2003; \$14.00; Trade Paperback Reprint).

Combining her own eminent experience with the insights of wide-ranging social critics, from Alexis de Tocqueville to Ralph Nader, Crier clearly demonstrates what's wrong with our courts and the whole litigation-crazed society. While meticulously documenting myriad inequities and inanities, she points an accusing finger at an unconscionable triad: bureaucrats, politicians, and lawyers. But ultimately Crier lays the blame squarely on the American people.



*Catherine Crier*

How the Lawyers, Politicians and Bureaucrats Have Turned the Law Into an Instrument of Tryanny. What We as Citizens Have to Do About It.

*"Our great cornerstone of democracy, the rule of law, has become a source of power and influence, not liberty and justice," Crier contends. "I resent the insidious manipulations by those entrusted with such authority, but even more I despise our deliberate ignorance and passive acceptance of these shackles on the American spirit."*

*Excerpt from Chapter One: We Love Our Rules:*

Sports have always been a favorite metaphor in American life. It is hard to have a conversation with an American male that doesn't include some reference to goals, yard lines, home runs, Hail Marys, you name it. I find an amazing correlation between the way we play our games and the way we live our lives.

Compare many European sporting events with American games. In soccer or rugby, the play is virtually nonstop. There is only one referee on the field. When infractions occur, the ref approximates the site of the foul, the ball is replaced, and play immediately resumes.

But we love our rules. We think they make a game safer, fairer, and more just. If someone gets injured, it is time to sue the other player, the equipment manufacturer, or the school. If a ref makes a bad call, we need more cameras for the instant replay. We seem unwilling to accept that there will be times when chance, accident, bias, or corruption will defeat the best rules and regulations.

I say, get a life. Let's get on with the game. I find it amazing that people who profess to be so rugged, independent, and free want even our roughest sport to be predictable and safe. The rugby players I know scoff at our wimpy version of football. "Imagine," they say,

*Continued on page 37*

## Case Against Lawyers

From Page 36

“if we put those guys on our field and made them play without pads essentially nonstop for an hour. They’d all be dead!”

This is more than a metaphor. This is now the American way of life. Name one thing you did today--after rolling off that mattress (bearing the label “Do not remove under punishment of law”), showering in water with the temperature preset by a boiler manufacturer to prevent scalding, using the hair-dryer that warns against electrocution in the bathtub, eating breakfast properly labeled for the allergy or calorie conscious, getting into your car as the seat-belt warning dings, then heading down the road with traffic signs and lights everywhere you turn--that isn’t somehow regulated. It’s hard to do.

Take a gander at ten of my favorite examples from the annual Wacky Warning Label contest sponsored by Michigan Lawsuit Abuse Watch. Remember, these are all legitimate labels to protect you from yourself:

\* **NUMBER TEN:** The label on a handheld massager advises “Do not use while sleeping or unconscious.”

\* **NUMBER NINE:** A label on a public toilet reads “Recycled flush water unsafe for drinking.”

\* **NUMBER EIGHT:** A can of self-protection pepper spray warns users “May irritate eyes.”

\* **NUMBER SEVEN:** No matter how slow the print out, please heed the warning on a laser printer cartridge: “Do not eat toner.”

\* **NUMBER SIX:** A thirteen-inch wheel on a wheelbarrow warns “Not intended for highway use.”

\* **NUMBER FIVE:** A label on prescription sleeping pills warns that they “may cause drowsiness.”

\* **NUMBER FOUR:** A cardboard car sunshield that keeps sun off the dashboard warns “Do not drive with sunshield in place.”

\* **NUMBER THREE:** Bicycle shin guards warn “Shin pads cannot protect any part of the body they do not cover.”

\* **NUMBER TWO:** A household iron warns “Never iron clothes while they are being worn” (and don’t steam yourself either; I’ve tried). And finally, my favorite, and 1999’s big winner:

\* **NUMBER ONE:** Parents, please read the baby stroller label that cautions “Remove child before folding.”

These labels are more than superfluous “information.” Most are a response to some lawsuit as courts have expanded the right to be an idiot. Company lawyers, fearing liability, are madly composing such moronic disclaimers while Washington bureaucrats are codifying them as laws. These are our taxpayer dollars at work.

Once two or more people are involved, things only get worse. Whether at work, at school, or in the marketplace, everything is regulated. We have more protective employment laws on the books than ever, yet complaints are at an all-time high. (If you write it, they will sue!) Discrimination and disability rulings now cover every conceivable human variable, exacerbating our differences rather than insuring a specious “equality.”

Our educational process is monitored by an endless litany of rules for teaching and discipline, yet student performance is abysmal and the kids are out of control. Government regulates our nutrition and foods, while the national girth and associated health problems explode.

Every aspect of workplace safety is regulated, yet the number of workplace deaths has been static for years. The safer cars get, the more auto insurers are hit for bodily injuries. Even worse, we have developed a plethora of excuses to justify the most aberrant or plainly stupid behavior. Speed down an icy roadway without your seat belt and relatives still can sue the automaker and hospital when you crash and burn. There is no personal responsibility for asinine conduct.

Litigation is no longer a crapshoot, it is becoming a sure thing. If you can’t get a satisfactory nuisance settlement, then try your case; the awards are phenomenal! Human life is now quantified in astronomical terms. In 1999 the ten biggest jury awards to individual plaintiffs totaled almost \$9 billion--three times the amount in 1998. One verdict delivered \$1.2 billion to the family of thirty-two-year-old Jennifer Cowart. She died of burn injuries after a go-cart accident at an amusement park apparently due to a defective gas cap. The accident was horrific to be sure, but \$1.2 billion?

Many of these huge verdicts are reduced on appeal, but it wasn’t until 1996 that the U.S. Supreme Court first overturned any punitive damage award for being excessive. The case was against BMW of North America. A fellow bought a new car in 1990 only to discover months later that its surface had

been damaged and refinished before sale. The automaker’s policy at the time was not to reveal repairs that were less than 3 percent of a car’s retail price. In this case, the resurfacing cost \$601. The jury, however, awarded \$4,000 in compensatory damages and \$4 million as punishment for the practice. The Alabama appeals court kindly cut the punitive award to \$2 million.

BMW appealed to the U.S. Supreme Court. In his majority opinion, Justice John Paul Stevens found the “damage” to the car had no effect on its performance, safety, or appearance. He then ruled that there should be some fair ratio between the actual and punitive damages. Even at the reduced rate of \$2 million, this sum was still 500 times the so-called damage to the car. The case was sent back to the lower court for review with this admonishment: “We are not prepared to draw a bright line marking the limits of a constitutionally acceptable punitive damage award . . . however, we are fully convinced that the grossly excessive award in this case transcends the constitutional limit.” (I guess it’s sort of like pornography. You know it when you see it.) Ultimately the punitive award was cut to \$50,000.

Tobacco litigation has opened the floodgates for creative lawyers now targeting the gun industry. HMOs, nursing homes, and paint companies are on their radar screens. Get ready for the alcohol and fatty foods litigation. It is coming.

This type of litigation has also put dreams of riches into the minds of governors and attorneys general around the country. An incestuous relationship between these officials and private attorneys is growing.

Here’s how it works. The government decides to attack some “dangerous” industry to protect its citizens. Instead of calling on lawyers already on the state payroll, the officials hire big outside firms--often the same firms that are major contributors to the political campaigns that put and keep the officials in office.

These state executives get bragging rights with the voters for lawsuit awards that pump up the general revenue fund, the private attorneys get huge contingency fees, and often some of those fees recycle right back into the campaign coffers for the next election.

But as long as the appellate courts are reducing most excessive verdicts, is there a problem? Yes. These remittances coming long after the awards make headlines do not correct.... *Continued on Page 39*



Love

## AFTER FORTY

From page 29

But at that age, we enjoyed it, the roles in which we were most comfortable; friends, but always leaving the door open.

Brett was quite the playboy and threw a big party at least once a month, inviting everyone to enjoy his drinks, his music and the seductive quality he had been born with.

He could snap his fingers and the girls would come, but I was never attainable to him in a physical way.

Now, after twenty-five years, I excitedly, awaited our spontaneous, last-minute reunion.

After the awards banquet, Annie and I meandered through the crowded bar to the rear of the Casino to meet Brett. I confessed my nervousness, as Annie pushed me toward the back of the casino lounge.

I spotted him at a table by himself. Age had taken its toll, but he had something age could not steal; charisma with a jolt of espresso on the side. He stood up and planted a peck on my cheek and joked that I had brought along a bodyguard for protection, referring to Annie's presence.

His receding hairline and deep wrinkled skin enhanced his sloped, deep-set, green, eyes. I don't know why, but after ten minutes of chitchat, I unexplainably leaned over and planted a kiss on his lips and then sat back down and acted like it never happened.

I told him that I was starving and wanted to escape this corporate farce and grab a burger.

I stuffed about seven paper napkins on top of my dress so the greasy burger juice would not ruin my recent Lord and Taylor purchase. Brett said he wanted to take me to a nicer place, but most were closed at one in the morning. He asked what my favorite restaurant was in New Orleans, and I told him Ruth's Chris Steakhouse.

He said, "I'm coming to New Orleans next Saturday night, be ready; I'll pick you up at eight for dinner at Ruth's Chris." It was more of a command than an invitation.

The following morning, Annie was up bright and early, ready to hit the breakfast buffet; I was dead to the world. I suggested room service, instead of discussing Brett over breakfast with the possibility of fellow co-workers ease dropping.

So we ordered mimosas, bacon, pancakes and poached eggs, and indulged in a real pig out. Annie liked Brett and thought he was a fun guy just to hang with, but not for anything serious. I told Annie that Brett didn't do serious relationships!

I was hoping that when I got together with Kathy that evening she might give me some dating tips, as she had been divorced for seven years. She was as sweet and kind-hearted as ever, hanging on to my every word about my tempestuous divorce and leap into singledom.

We exchanged dating horror stories and wished we had spent our time more wisely in our youth when it came to men. Kathy was very attractive, thin with large, green eyes and a smile that would light up any room. I commented on her weight loss, because she was unusually thin to the point of looking anorexic,

She confessed she was taking Prozac for depression and loss of appetite was one of the side-effects. She had had her share of life's challenges in the past five years; with the death of her father, a divorce that turned violent, a custody battle that left her broke and another failed engagement to Brett.

I felt a wave of guilt knowing that I had been in the very same room with her ex-fiancé the night before; but I could never tell her, as some things are better left unsaid. We ended the evening with a hug and a promise to get together soon.

Brett appeared on my doorstep the following Saturday night with a dozen red roses and we began dating on a regular basis. We would see each other every weekend; either he would come to New Orleans or I would occasionally make the drive to Biloxi.

He planned a trip to San Antonio to visit his brother and sister-in-law to celebrate our birthdays, as they were only two days apart. He wanted to treat me to a trip to San Antonio, as one of my birthday presents. It was one big party; his family had invited about thirty people to join in the celebration. After everyone departed he presented me

with my birthday gift, a ring box wrapped in elegant gold paper. My heart started to flutter; surely this could not be an engagement ring.

Even though he said that he loved me and wanted us to marry, I never took anything he said too seriously. I opened the box and it was a beautiful emerald-cut, sapphire ring, my birthstone. I was really relieved that it was not an engagement ring.

Brett did not easily show irritation about anything. But after he entered the city of New Orleans, he said he hated the traffic jams, the exhibitionist people, and fast-paced lifestyle and wondered why I had loved such an atmosphere for over 20 years.

I was getting the picture that, in a small town, Brett's loverboy techniques were effective and fully blossomed. But in a big city, he seemed like a caricature of his macho persona.

In truth, we had little in common but the fun times we had enjoyed so long ago. We were different now. He had no desire to adapt to new experiences in a cosmopolitan setting.

He liked country music; I loved jazz and mainstream rock. I wanted to travel to Europe; he said he wouldn't enjoy visiting a country where people didn't speak English. I loved sailing and he lived for his weekend fishing expeditions.

I watched A&E; he liked TV Land, especially Andy Griffith reruns. The list went on and on.

If I'm to be totally honest with myself, it is quite possible that my disenchantment with Brett came from an unconscious "revenge thing"; it was pay back time for all the women he discarded, as if they were paper dolls.

Maybe I had turned into a female version of an avenger or maybe I loved the chase; but, once the unattainable was won, I was no longer interested. The thrill was gone.

Brett could be satisfied fishing from the same spot everyday, but I couldn't.

So I left Brett to fish in his quiet waters. And I still have my line out on the high seas, hoping to snag that marvelous thrill of a great catch.

## Case Against Lawyers

From Page 37

the broader damage to our justice system. Back in 1998 Mark E. Dapier, general counsel to Mercury Finance Company, testified before the Senate Judiciary Committee about these other effects. His company had been sued for "fraudulent suppression" of material information to a consumer.

Mercury sold a car loan at a discount to a subsidiary that would collect on the note (a very common practice). When the original car buyer defaulted on the \$6,000 note, he sued Mercury, alleging that the failure to reveal this discount was fraud. The initial jury found \$90,000 in actual damages and \$50 million in punitive damages in a case where the plaintiff suffered no harm!

While the trial judge ultimately reduced the punitive award to \$2 million, the defendant's headaches were far from over. When the initial verdict was reported, more suits, some as class actions, cropped up in other states. The original plaintiff's attorney immediately filed nine more identical suits.

Fearing more huge awards, Mercury settled many of these cases. Others went through protracted litigation and appeals. Finally, after Mercury obtained several state and federal court rulings that this discounting practice was perfectly legal, the suits stopped. Of course, no one compensated the company for the millions it had spent on legal fees and settlements or the enormous amount of time and energy it had devoted to dozens of lawsuits.

Insurance companies don't wait for any rebate before upping their fees. In 1999 the Oregon Supreme Court refused to put a \$500,000 cap on pain and suffering awards in malpractice cases. Almost immediately, juries came back with three multimillion-dollar awards. Insurance rates went up. Mississippi's Hattiesburg American reported in 2002 that a group of emergency doctors "paid \$140,000 for malpractice insurance" two years ago. "Last year, the premium went to \$250,000." Doctors have been warned that "the next annual premium would be \$437,500 or \$475,000." An Associated Press article in March reported the immediate result. "The Mississippi Trauma Advisory Committee has suspended re-inspection of its hospitals for a year to give health officials time to address the growing problem of surgeons leaving the system." The hospitals are losing so many specialists that they cannot meet state trauma

standards, so the enforcement agency must simply look the other way. "We're in a crisis," said State Health Officer Ed Thompson. This development is being replicated across the country.

Damages for pain and suffering are also soaring, as is our expectation of large payoffs for every tragedy that befalls us. These sums are rarely reduced on appeal. In a U.S. News and World Report piece entitled "How Lawyers Abuse the System," the authors discussed various trial tactics designed to elicit the most melodramatic statements possible. Using the power of suggestion, one attorney asked his client, "Did a false arrest and imprisonment bring back memories of the Holocaust?" People who merely witness an event will line up to recover.

After the terror attack of September 11, the government made a determination, whether right or wrong, that it was necessary to protect the airlines from repeated lawsuits. While we may be able to survive without asbestos or lead paint companies, bankrupting the airlines to satisfy thousands of judgments would not be in the best interests of the nation. Unfortunately, that big-picture consideration has never stopped attorneys and their clients before, so the government legislated limits on those industry suits while trying to fairly compensate victims and their families with taxpayer dollars.

As politically incorrect as this may seem, the families from September 11 who object to the government fund that specifies a set \$250,000 in emotional damages and \$50,000 for each additional survivor need to ask themselves: Just what would compensate for the psychic loss? If you can name any number, you're way ahead of me. In a February Time magazine piece in 2002, one family objected to these sums by saying "Have you ever seen a twelve-year-old have a nervous breakdown?" Therapy would be covered under actual damages so again, my question is "How much cash will make the pain better?" because for most people, no amount of money will excise the hurt. The sad truth is that thousands of people are killed every year in myriad tragedies, from accidents, to crimes, to terrorist horrors. The shooting victim's family rarely recovers from the robber's attack. The suicide doesn't leave his or her loved ones much room to recover. Which victim is worth hundreds of thousands for suffering relatives and which one is worth absolutely nothing . . . and why?

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2784 West Tharpe Street

6330 Crawfordville Hwy.

3417 Fred George Road

3601 Woodville Hwy.

# *I Keep Praying For Markus...*

## **Victim of Faith**

*Continued from page 9*

Speaking of that evening, she says "John Hanson came over to me and told me that Markus Bishop told him that he was not going to let me come back to the church..."

This was the first person that told me, and this is not even coming from the clergy at Faith Christian, this is coming from Bishop's drinking and golf buddy."

Ultimately, even a direct call to Bishop's private cell phone provided no further answers to the problem of Boswell's removal from the church in which she was saved, the church into which she funneled countless dollars of personal finance, the church which is headed by a charismatic former friend, and the church which is still deeply involved in the lives of her son and ex-husband. "I would be back there today, but they won't allow me into their church," Boswell said with a hint of exasperation in her voice, "they told me I was not welcome, and that if I came I would be escorted out."

*When questioned about the meaning of "escorted out," Boswell volunteered some interesting details surrounding Faith Christian's staff: "You know the Ushers look like FBI agents with their earphones...they all look like Secret Service agents whispering in their little microphones and Pastor Markus of course, he has a phone on stage where he can call them...Markus Bishop controls everything."*

***"They will kick you while you're down."***

Boswell's alleged persecution at the hands of the Faith Christian Family fold would not end with a mere exclusion from the church grounds; the very ghost of her presence was deemed offensive by the church, which enacted a tradition of shunning: "I have people that won't talk to me, won't pick up the phone to call me, won't take my calls...I cannot afford in my Christian life...to have any more devastation done to me than

Faith Christian Family and Mark Bishop have done."

But the shunning was not limited to social isolation; in a grotesque parody of the financial ideals that seem to drive the church, attacks were launched against Boswell's burgeoning financial life.

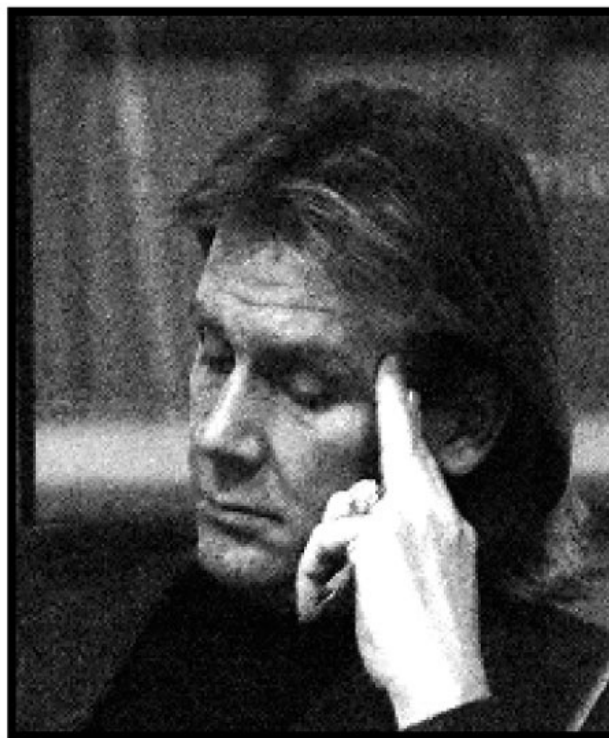
These attacks involved a representative of the church—one Lee Smedley—slandering Boswell with vague warning to her employers at the time, who were members of the church.

"I was working for people at Faith Christian Church when I got out of prison...these are true Christians, true believers, and he (Lee Smedley, a Faith Christian minister) called...and told them not to let me around their children or to work for them or to be interacting with me," Boswell stated, illuminating the attitude of at least one official minister of her former church.

It is interesting that an institution which places such heavy emphasis and genuine belief in principles of tithing, blessings, and good stewardship should so deliberately interfere with the financial well-being of a former member.

Through Boswell's own testimony, evidence of financial grandstanding was brought to light: members of Faith Christian Family are urged to tithe 20% instead of the usual ten, so that they will receive greater blessing; conferences on stewardship are held, at which Bishop urges his congregation to give as much—and sometimes more—than they can afford; members who make substantial contributions sometimes reap substantial rewards—men like Smedley who, according to Boswell, was made a minister of the church not long after placing a particularly generous sum into the offering plate.

Boswell herself was given a car, and later "felt directed" to give that car to another member of the church.



**Pastor Markus Bishop**  
Faith Christian Family Church

*When an institution of spirituality makes such an evident transition to full-blown lucrative industry, one must wonder who is the true focus, and what is the true mission, of that church.*

In light of these inquiries, perhaps, the attitudes and actions connected to Boswell's case are not surprising: in an institution such as Faith Christian Family, there exists an abundance of assets for any potential crows to squabble over.

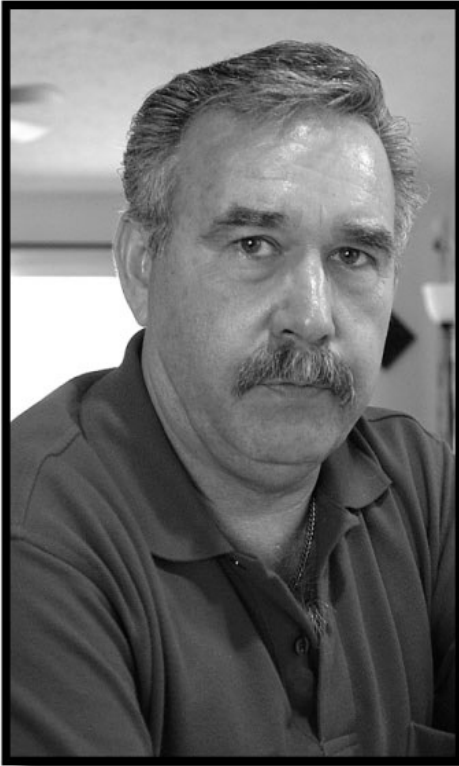
Boswell, despite (or perhaps because of) her disagreement with the church, seems to have achieved some format of peace in the face of this terrible tempest; of Bishop, she simply says "I truly believe he must have emotional problems or mental problems...I'll keep praying for him."

*For those interested in the church, she launched the following warning: "There are other people like me out there that are struggling with addictions...don't get hooked up with Faith Christian because they will not be there for you. And when you're down and out, they will give you that extra kick."*

# FLORIDA DEP NIXES CASE...

## License To Steal

From Page 30



**Gay Bush**

by being fired. Bush, a state of Florida employee, was protected by the Florida whistleblower protection law, and state officials investigated the merits of his claims and supported him by ordering Bay Medical Center to re-instate Mr. Bush to his former position with back-pay. Bay Medical has refused to do so. According to our findings, Bay Medical Center remains a place where there is great contempt for Florida law and competitive bid laws, as we outlined in previous editions of the Insider, documenting wide scale fraud and theft by hospital trustees.

Here is what Bay Medical trustees did not want anyone to know about their dirty garbage: prior to the incorporation of Finney and Aguiars business, Medico, Inc. of Clearwater, Florida held the contract to properly dispose of Bay Medicals hazardous and biomedical waste. Medico, operating under a competitive contract to Bay Medical

for a number of years, was being paid 21 cents a pound to properly dispose of and incinerate approximately sixteen-thousand pounds monthly of bio-medical waste, including human body parts and limbs.

That was all changed on July 12, 2000 by a fax from Reggie Gilbert, manager of Environmental Services for Bay Medical Center. Mr. Gilbert informed Medico that their service agreement was terminated. In his fax to Medico, Gilbert writes to Jerry Hubbell of Medico Environmental Services and says, "It is with a sense of regret that I have to inform you of our decision to terminate the present agreement. Through a confidential and consistent process it has been determined that we can obtain services at a more competitive price from a local vendor."

According to Mr. Bush, Gilbert was told to terminate that legal contract under orders from Kent-Forest Lawn Cemetery owner Greg Brudnicki, who is a member of the Bay Medical Center Foundation. According to Bush, Mr. Brudnicki personally admitted to him that he instructed Gilbert to cancel the Medico contract and give the business to the Aguiar and Finney's new firm for 21 cents per pound.

We at the Insider question what Mr. Brudnicki's self interests are in overseeing the hospital's disposal of bio-hazardous waste and human body parts. We do know that according to corporate records on file in Tallahassee, Mr. Brudnicki is a partner in many other funeral operations in Tallahassee, Panama City and Fort Walton Beach. This fact raised a red flag, and as we began to investigate, doors started slamming, people started running, and the law was called to have us arrested for trespassing. To cover-up what?

At Enviromed of Bay County's building, located at East Business 98 and Sherman Avenue in Panama City, we encountered one lone employee. The

man was dressed in shorts and t-shirt while loading empty bright orange containers into a long wheel covered trailer for transport to Bay Medical. When asked about the operation he explained that they autoclaved the bio-waste in their small machine, compacted it and then hauled it to the approved Landfill in Jackson County for disposal.

When asked about the body parts, tumors, limbs and legs, he responded "we compact those and take them to the landfill!" We were shocked to find that Florida, under the Jeb Bush administration, has not adopted national health standards and EPA regulations for mandatory incineration of body parts.

The "autoclaving process" used by Enviromed is a process where bio-hazardous waste is placed in a steam machine not much bigger than a propane gas tank and cooked at 270 degrees for one hour. Dr. Peter Sylvester, Director of the Bay County Health Department says that the process "is the current law and regulation."

Under Florida regulations, the Health Department is responsible for inspecting bio-waste disposal companies to make sure their equipment works, and the Florida Department of Environmental Protection is responsible for overseeing waste disposal; the new regulations appear to have been devised by the legislature to protect bad operators and thwart any objective oversight and enforcement in protecting public health.

Dr. Sylvester and his people do not co-operate with the media or the general public any more, much like all state agencies since Jeb Bush has taken office. The Bush administration has a policy contrary to Florida's Sunshine Law, that when the media requests information, they must go through the minister of disinformation or public relations people at the home office in Tallahassee.

*Continued on page 42*

# Our Worst Fears Confirmed...

## License To Steal

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Every piece of information is carefully censored, scrutinized and sanitized before the media gets it. Neither Dr. Sylvester, Bay Medical Center officials, Enviromed of Bay County, Inc. or the Florida DEP would comply with our public records request, for utility bills to prove that Enviromeds operations are legitimate and that they are properly disposing of the hazardous waste.

Based upon our extensive investigation and the financial records we did obtain, we concluded that the company's operations might well be violating Florida health and criminal laws. We took our case to the criminal side of the Florida Department of Environmental Protection when we obtained documents showing that Bay Medical Center paid Enviromed less than \$209,000 for two and one half-years of operations.

The money figures, capital and equipment investments just didn't add up to a legitimate operation; was there a seedy side for the real money? We spoke with confidential sources who informed us, that everything was wrong with this operation and that there was talk about body parts and bio-hazardous waste being mixed with construction debris going into the Big Wheel Recycling landfill, next door to Bay County's Steelfield landfill.

We learned from agent Tom Harris of the Florida DEP criminal investigations division, that Aztec Disposal (a construction disposal and asbestos abatement company) was hauling away Enviromed's compacted waste. Harris later supplied us with records purporting to evidence that Aztec was indeed hauling the medical waste to a state-approved landfill at Graceville, Florida.

A search of corporate records revealed Jimmy Livingston to be the owner of Aztec Disposal. Confidential informants told us that Livingston was just a fall guy and that Big Wheel Recycling and Aztec were the same company; the information checked out as true. A search of corporate records led us to St. Joe Company lobbyist William Harrison, as one of the principal owners of Big Wheel Recycling.

Our investigations took a more serious turn when we learned of a near-brawl by Bay County Solid Waste Code Enforcement Officer Mark Cannady and an employee of Aztec Disposal during October 2002. According to our sources, Aztec officials were trying to force Cannady to not do his job and report them for asbestos violations at their landfill.

Cannady did his job and filed a complaint with the DEP that apparently got lost in a shuffle to cover up many other past and similar complaints against Aztec and Big Wheel Recycling. The DEP report of the incident shows that Aztec, who is supposed to be operating an approved construction debris landfill, was crushing asbestos making it airborne in an apparent attempt to compact it for better disposal.

The DEP complaint was taken by state employee Richard Brookins, Jr. who also alludes to other problems with the contents of the supposed construction landfill?

Under DEP policy of Governor Bush's administration, Brookins is not allowed to speak with us, but he did fax us a copy of his report and he voluntarily provided the name and telephone number of **Charles Goddard**, the waste program administrator at the Pensacola office of DEP who got the report that was never acted upon.



## H e r n a n d e z

A source came to us and provided concrete proof that employees of the Florida Department of Environmental Protection had been whipped in line from the very top to cover up massive environmental law and health violations. Based upon that source's tips, we personally interviewed Henry Hernandez, the new branch manager of the Panama City Department of Environmental Protection.

*Henry, a long time state civil service employee, confirmed our worst fears. Henry had applied for the branch manager promotion along with other employees when St. Joe Lobbyist and Big Wheel Recycling owner William Harrison telephoned to say "there are nine people on the list we are considering for the branch manager opening and I need to have lunch with you so I can put a face with a name!"*

*With the blessings from Top DEP officials, Hernandez met William Harrison for lunch. According to Hernandez, they didn't talk about state business, then near the end of the interview he admitted that they discussed the new airport proposed ..*

*Continued on page 43*

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A partial listing of locations where you can purchase the Insider:

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EXPRESS LANE STORES

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8302 Thomas Drive

16935 PC Beach Pkwy.

20407 PC Beach Pkwy.

2900 W. 23<sup>rd</sup> Street.

1801 St. Andrews Blvd.

1820 Ohio Avenue.

BAY GOLF CLINIC

4924 Thomas Drive

GRANNY'S RESTAURANT

103 West 23D Street.

VIDEO DEN

212 West 15<sup>th</sup> Street.

QUICK FILL STORES

11<sup>th</sup> Street

Beck Avenue

Michigan Avenue

Jinks Avenue

Hwy 231 & Harrison Ave.

Lynn Haven

Youngstown

### SANTA ROSA BEACH

EXPRESS LANE

7930 West Hwy 98

### FREEPORT AREA

EXPRESS LANE

979 State Hwy. 20 E.

### CHIPLEY AREA

EXPRESS LANE

1698 South Main & I-10

### MEXICO BEACH AREA

EXPRESS LANE

8229 West Hwy 98

### WEWA AREA

EXPRESS LANE

### PORT ST. JOE AREA

EXPRESS LANE

701 Monument Ave.

### APALACHICOLA AREA

EXPRESS LANE

245 Hwy 98

### TALLAHASSEE AREA

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7999 Blountstown Hwy.

16766 Blountstown Hwy.

1602 West Tharpe Street

2784 West Tharpe Street

6330 Crawfordville Hwy.

3417 Fred George Road

3601 Woodville Hwy.

## Company Officers Convicted Of Money Laundering..

### License To Steal

From page 42

*by St. Joe Company, as well as the Lake Powell development project. Hernandez says that's the way it is these days when you work for the state: it's no different than private industry!*

We dropped a dime on our friends at the criminal division of the United States Environmental Protection Agency, who have since begun their own bewildered investigation after Florida's DEP understandably signed off on a clean bill of health for Enviromed, Aztec and Big Wheel Recycling. During the course of the Insider's investigation, we came across recent Montgomery, Alabama, federal court records of racketeering and money laundering convictions against Big Wheel Recycling Alabama principals.

The Clinton Administration justice department case involved Alabama owners Dwight Faulk, Brian McKee, Jennifer McKee and Linda West who purchased the Bay County landfill from G.A.C. Contractors, Inc., on the date of April 14, 2000. G.A.C. Contractors, Inc. is a Florida corporation owned in part by Florida House Speaker designate Allen Bense.

The federal indictments unsealed June 27, 2001, alleged that Faulk, McKee and West engaged in conspiracy to commit mail fraud and money laundering. The indictments commanded forfeiture of Big Wheel Recycling assets, but the Bay county property quickly changed hands again.

To apparently conceal assets from the federal government and facilitate the quick transfer of property from Big Wheel Recycling of Alabama, to Big Wheel Recycling of Florida, owner Jimmy Livingston and Alabama Big Wheels president, Linda West, executed documents with the Secretary of State withdrawing Big Wheel as an active Florida corporation on the date of August 22, 2001. Before the paper shuffle, Florida DEP waste program administrator Charles Goddard once again stepped in and issued an operating permit for the Bay county landfill on August 2, 2001.

Our in-depth investigation further revealed that defendant Dwight Faulk, a former Crenshaw County, Alabama Probate Judge and Jimmy Livingston then established Big Wheel Recycling of Florida with the Secretary of State on January 3, 2002.

The paperwork filed with the division of corporations has Faulk from Luverne, Alabama, listing his address as 460 Harrison Avenue, Panama City, Florida. Exactly seven days later, William Harrison and Randall McElheney,

were added to the corporation as directors. It is undetermined if Harrison and McElheney, who are known for their political influence, knew before hand of Big Wheels' criminal problems. Livingston, Harrison and McElheney have refused to return the Insiders repeated telephone calls and requests for an interview on the matter.

This much is certain according to federal court records: on February 8, 2002, Livingston reportedly faxed a statement of intent to purchase the landfill to U.S. Marshal Leonard Briskman, at the Marshals Service Business property management office, located in Arlington, Virginia. Livingston's fax, which was later supplied to the court in criminal contempt proceedings against his Alabama partner Faulk, stated that "Aztec Environmental Inc. would like to offer the sum of \$375,000.00 for purchase of the land of parcels 1, 2 and 3 the Bay county landfill. At present Aztec Environmental, Inc. holds the permits for the land use. Also, at this time, Aztec Environmental has a vested interest of \$400,000.00 for permits and expenses."

But, instead on February 15<sup>th</sup> the Bay county landfill property was deeded by Faulk and West to the new Big Wheel Recycling Florida corporation which both Livingston and Dwight Faulk had financial interests. After discovery that the property had been deeded, to Big Wheel of Florida, federal prosecutors cried foul and sought immediate criminal contempt proceedings against the Alabama owners.

*Apparently caught red handed in the act of transferring assets, Livingston then did a double take, retracted the deeds and mortgage assumptions by deeding the property back to Big Wheel of Alabama. In their response to the government's motion to show cause on the criminal contempt charges, Faulk and West told the court that they did not intentionally participate in the purported transfer of the property.*

*Here is where the tales get thick. They stated that "on or about January 30, 2002, the Defendants, Dwight Faulk and Linda West, sent, via a facsimile, notice to a number of individuals regarding the status of forfeiture proceedings and the United States Government acting as the trustee in the case. One of the individuals receiving notice was the purported buyer, Livingston.*

*What Faulk and West failed to tell the court was that according to Florida Secretary of State records, Livingston was their partner! Livingston and Big Wheel Recycling of Florida eventually wound up with the Bay county landfill property. After a careful examination of the documents, we question if the government, became a victim of influence peddling?*

# Rudy's World



## Rudy's Dictionary Definitions

### ratt-cheer'

**Noun:** used in the Confederacy to describe a particular place or a command to do something.. "come.. ratt-cheer!"



# Growing Younger Disgracefully

*when you see the words senior citizen,  
run like hell.....*

By Ruth Nathan Anderson

No big surprise the media is reporting that more and more job seekers are lying about their age on their resumes because employers have different perspectives about persons over 50, no matter how young they may appear physically and how they test out mentally.

Hooray for these fabricators if they can pull off these white lies. Generational disconnect, is just one of the irritations and down-the-road limitations we face as the calendar ticks.

A few years ago I embarked on a foredoomed attempt to get the United States Passport Agency to soften its rules about exact birthdates on individual passports.

My old passport, stamped grandly with visits to France, Italy and Germany, had been the casualty of a luggage burglary. So when I needed a new passport for a trip to South Africa as a citizen ambassador I sent for my birth certificate one of the requirements for proof of age, I altered the birth year on my certificate so amateurishly I knew I would be called in about it. Sure enough I was summoned to the passport office and told my tampered age figure was not acceptable and I would have to furnish another birth certificate.

I was prepared for this confrontation. I handed the passport rep a typed statement about the need to fight ageism by reforming its age ID to a non-specific category, such as over 20, over 30, over 40, etc.

I pointed out that age bias cost citizens employment in many categories, including business, entertainment, and interfered with romantic relationships.

Though my proposal got nowhere, I was treated well despite faking my age and was relieved not to be manhandled like a serial killer. What we need to pull off eliminating exact age from passports is a crusade headed by someone like



Gloria Alred. Step to the plate, Gloria. Passport ageism aside, we wonder.

Can lots of laughs sweeten the years as we enter the long aging adventure? Do daily yaks put us on the road to cheery longevity?

It seems that way, if we look at the percentage of comics who live to their 80s, 90s, 100s. My dear friend, Henny Youngman, was around 90 when he succumbed, as was his pal, Milton Berle. George Burns was over 100 when he died; Bob Hope recently passed and Jack Carter just celebrated his 80th, feted by contemporaries: Phyllis Diller, Sid Caesar, Norm Cosby, Jan Murray, Don Rickles, Carl Reiner.

Carter held center stage with the laughs at his Beverly Hills home party, telling his buddies: "My wife, Roxanne, said, 'Come upstairs, darling, and we'll make love.' I looked at the stairs and told her I could only do one or the other."

Here are more Carter funny boners: You know you're aging when they discontinue your blood type; you get winded playing chess; your knees buckle but your belt won't; your children begin to look middle aged; your back goes out more often than you do; you forget to zip up and fear to zip down.

Though singer/songwriter, Dolly Parton, is not a certified comic, she can get pretty funny and give us something to smile about. At 57, she declares her

loyalty to collagen and swears she will never give it up. She loves her plumped-up bee stung lips. "I don't care who knows what I get done in the plastic surgeon's office," she says. "If I see something sagging, dragging or bagging, I get it sucked, tucked or plucked."

Our latest nomination for patron saint of our Growing Younger Disgracefully club is Janey Hart from whom we can all take heart. When outer space exploration was one big ole boys' society, she made a stink about it, preparing the way for Sally Ride to take her place in the great beyond. More than 40 years ago, at age 40 and the mother of 8, Janey volunteered for the Mercury 13 space program. Her husband, Sen. Phil Hart of Michigan, had agreed to hold down the fort.

"There wasn't a cell in my body that wasn't checked out," she recalled. "We did hours of one test after another without any break or food." Although she passed every grueling challenge with Dying colors, she was not accepted. She got the House Space Committee to convene hearings on why the outer space participants resembled a stag party. Her husband, who died in 1976, helped spread the NASA shame of sex discrimination.

Today, at 81, the intrepid Janey is still exploring faraway places, though she never achieved her dream of space travel. This past June, she sailed her 38-ft sailboat, spaced out, 1,000 miles from her home in Washington, DC to the Virgin Islands. "What else would I do?" she chuckled -- bother my children?"

We sign off with a quotable from Cary Grant from his movie role in, *The Bishop's Wife*: "The only old persons I know were born that way."

## Have fun!



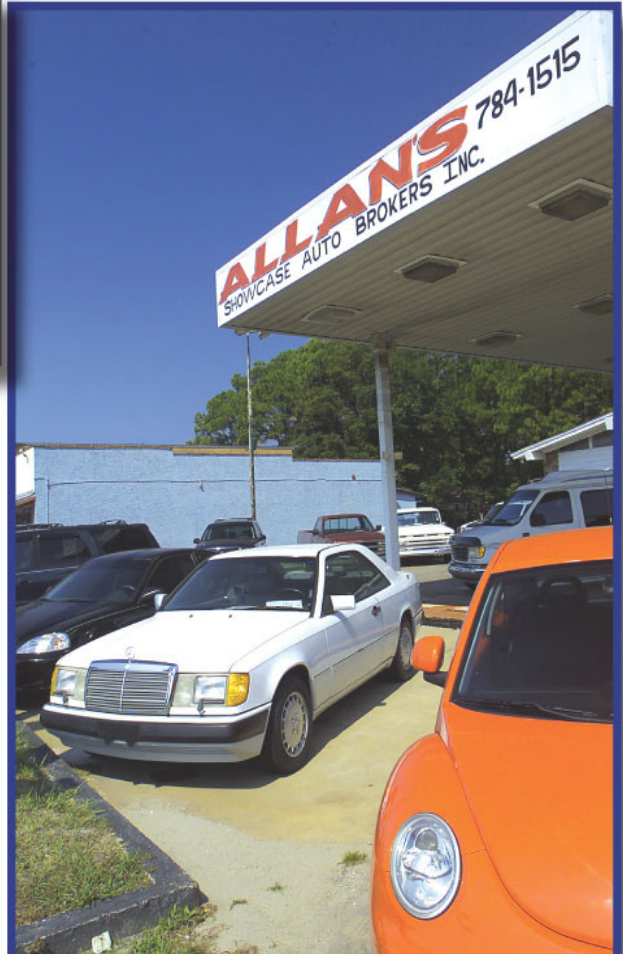
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