

Accuser Of Rep. Flinn Indicted By Grand Jury

A former female aide to Representative Gene Flinn (D., Miami), who accused the legislator of sexual harassment, has been indicted on a charge of falsifying her application for the job in Flinn's office.

Russell and Associates Investigators, which claims to have done an intensive background search on Karen Shields, found "that in all probability the majority of the information submitted on this subject's application for employment is bogus."

Ms. Shields, who currently resides in Central

Florida, is charged with submitting a false written statement with intent to mislead a public employer. The offense is a second degree misdemeanor carrying a maximum penalty of 60 days in jail.

In addition, Flinn has filed a \$5-million libel suit against Ms. Shields in Dade Circuit Court claiming she had the "malicious intention of ruining Flinn's legal and political careers."

In April 1980, two investigative firms were hired by Flinn's wife to investigate the alleged sexual misconduct of her

husband and to conduct a background investigation on Karen Shields.

The background investigation of Ms. Shields, according to the

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investigative agencies, revealed several discrepancies on her application form to the Florida Legislature.

These include falsifying her age, education and experience when she applied for a job with Flinn last year.

According to the investigators, Ms. Shields never graduated from Oxford University in England even though she claims she holds a masters

degree in education from the institution.

Further investigation also revealed that Ms. Shields had been fired from several jobs for "incompetency and lying."

Ms. Shields worked for Flinn from December 10, 1979 to January 2, 1980 at which time she was fired.

Flinn alleges that Ms. Shields brought the charges of sexual

harassment against him "as part of a conspiracy to smear him and his family and to upset his re-election bid."

On August 14, 1980, in Dade County Circuit Court, a default was entered against Karen Shields "for her failure to file or serve any answer, pleading, paper or responsive motion in this cause, within the time provided by the Florida Rules of Civil Procedure."

Ex-lawmaker wins \$50,000 in slander suit

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Flinn

By AL MESSERSCHMIDT
Herald Staff Writer

Former state Rep. Gene Flinn was awarded \$50,000 in damages Thursday in a slander lawsuit filed against an ex-aide who accused him of sexual harassment.

"The dollar amount isn't important," said Flinn's attorney, Brian Hersh. "He's been vindicated."

Flinn had asked the six-member Dade Circuit Court jury to award \$1 million in compensatory damages and another \$4 million in damages as punishment of former aide Karen Shields.

After 45 minutes of deliberations, the jury awarded him \$50,000 in compensation for the \$1 million he said he lost as a result of Shields' charges.

In January 1980, Shields accused Flinn, a middle-age, first-term legislator, of grabbing her, throwing a temper tantrum and making sexual advances.

A complaint she filed with the Equal Employment Opportunity Office, reported widely by news media, later was dismissed. Flinn lost a re-election bid in November 1980.

The two-day trial in Judge Dick C.P. Lantz's courtroom was unusual and one-sided.

Shields disappeared in August after telling her attorneys that she had married in Michigan. Both her

attorneys withdrew from the case in October.

The defense table was empty as Hersh called Flinn, his wife and three children, an economist and a character witness to testify.

Flinn described Shields, who worked on his staff for less than a month, as a "paid political assassin."

"She was paid to do a job," said Flinn, a Miami lawyer. "She had a specific mission. The motive was greed, cash perhaps. It was a political hit."

Flinn did not identify the source of the alleged payment to Shields.

Hersh presented documents showing that Shields lied about her education and age on a state employment application. He read the deposition of a private investigator who reported Shields had charged other former employers with sexual harassment.

Jurors heard nothing about Flinn's reprimand by the state house of Representatives in April 1980 for sexual harassment and improper use of other legislative aides.

Two months ago, after examining evidence gathered by Flinn, Lantz ruled that Shields slandered Flinn.

The jury decided only the amount of damages Flinn was to receive.

Flinn would not say whether he expects to collect the \$50,000 from Shields.

Concealed Weapons

The 1980 Legislature Will Deal With The Right To Carry Guns

TALLAHASSEE — The question of who gets to pack a concealed gun may explode into one of the noisy issues of the 1980 session of the Florida Legislature.

Already:

- Hillsborough delegation chairman Rep. Jim Foster wants to permit all private detectives to carry concealed weapons.

- Sen. Ed Dunn, D-Daytona, proposes to let circuit and county court judges wear guns under their robes.

- Reps. Fran Carlton and Toni Jennings from Orange County want concealed-weapon privileges extended to auxiliary or part-time police officers.

It's the one for private detectives that could stir up a real fuss.

"Fifty private detectives in Florida steal cars in the night; they're repossessors. You want them carrying guns?" declared one skeptical state official.

Foster might be accused of promoting the interests of his own profession; he's listed in the House manual as a "special investigator." He said he'd not renewed his license this year, he's been too busy ranching.

The bill came, Foster said, from John Russell, a private eye in Tampa who is president of the state association of private investigators.

Russell is author of "In the Steal of the Night, Or Involuntary Repossession of Automobiles," a how-to-do-it edition that will cost you about \$2.

There are, Russell said, about 700 private investigators in Florida and to carry a concealed weapon permit, an investigator must have a permit from the county commission of the county in which he is operating. "Hillsborough is one of the best," Russell said, for obtaining a permit easily. A Tampa private eye can't carry a gun under his coat in Pasco, though, un-



Florida Report

Jim Walker

less he also has a permit from the Pasco commissioners.

The Foster-Russell bill would exempt all private detective agencies and private detectives from such gun requirements. They would automatically have such authority, once granted a state license to practice.

Russell said investigators get into process serving, undercover workmen's compensation and highly dangerous situations. "They have to go into high crime areas," said Foster.

One state official, who didn't want to be identified, was aghast at the idea of some car reposessor coming to claim a car, armed with a gun.

Russell said a private detective not too long ago was wounded by a shotgun blast by some irate car owner about to lose his vehicle. The detective was unarmed.

There is a bill pending to separate out repossessors as a distinct class; if that bill failed and Foster's were to pass, anyone with a private detective's license could pack a concealed weapon, the state official noted.

The Department of State currently licenses private investigators and they must have at least three years in law enforcement; they're subject to a background criminal check and must post bond of \$5,000 and carry \$100,000 comprehensive liability insurance.

That's to get into the business. The state has no control over who their clients are, one official noted.

Many drift into divorce and child custody cases and bodyguard roles, the official said.

"A lot of the men in law enforcement frankly have developed an affinity for carrying a weapon," Russell noted, and when they enter the private detective field, they're usually on their own, no longer with backup officers on call.

Private detectives have great difficulty in some counties getting a gun permit, Russell said. One operator had to sue Orange County, which hadn't issued a private eye a permit since 1924. It cost him \$4,000 in legal fees to win in court, he said.

Gun permit applications may be a nuisance for many county commissions; whether they and the 67 sheriffs are ready to hand over, carte blanche, a gun to every investigator who wants one is something else again.

Russell said he'd not found any opposition among sheriffs and since the other bills are floating around this session to allow judges and auxiliary officers to carry concealed weapons, they may not oppose it at all.

Current law exempts only sheriffs, deputy sheriffs, city or town marshals, policemen and United States marshals and their deputies from the requirement to obtain a permit from a county commission.

Foster's bill would permit private eyes to carry a pistol, electric weapon device, Winchester or other repeating rifle.

House subcommittee half-heartedly OKs Foster's gun bill

By JON PECK
Times Political Writer

TALLAHASSEE — A House subcommittee Wednesday gave half-hearted approval to a bill allowing private investigators to carry concealed weapons throughout the state, despite opposition from law enforcement organizations who warned it would lead to a dangerous spread of the use of hidden weapons.

The panel voted 3-1 to recommend Rep. Jim Foster's bill to the full Criminal Justice Committee, but one lawmaker said later that he voted for the measure only to let it reach the full committee. Rep. Jim Smith, R-Largo, said he will oppose the bill in committee, but voted for it Wednesday because a negative tally would have killed the measure on a 2-2 tie.

The bill finally approved by the subcommittee was considerably weaker than that originally proposed by Foster, D-Odessa, who filed it on behalf of the Florida Association of Private Investigators. Foster, a former state trooper, held a private investigator's license until three years ago.

Under current law, private investigators are allowed to carry concealed weapons only within the county in which they are licensed. The same legal requirements apply to sheriff's deputies.

Foster's bill would allow the investigators to carry the weapons throughout the state, but the subcommittee slapped on a restriction limiting that authorization only to situations where the investigator is acting as a bodyguard. Foster's bill originally would have encompassed private investigative agencies, watchmen, guards or patrolman contractors, but the subcommittee decided to keep the prohibition against them carrying concealed weapons outside their home county.

Foster explained private investigators often are called on to travel outside their home county, for anything from bodyguard duty to automobile repossession.

John Russell, lobbyist for the investigators association, told the subcommittee the investigators need to be able to carry concealed weapons because their work often puts them in personal danger, but a gun displayed openly might incite others to violence.

"If I have a gun on my hip and come

to somebody's door . . . If they see I've got a gun, they're gonna shoot me," Russell said.

Rep. Bob Reynolds, D-Hialeah and a former Miami police detective, agreed that an exposed weapon "alarms the public."

"You go up to the door to serve somebody a summons or something — police officers are shot every day doing something like that," he said.

The bill drew opposition from the Florida Police Chiefs Association, the Florida Sheriffs Association, the Florida Department of Law Enforcement and the Department of State.

Even though the proposal would require private investigators to inform the sheriff's office when they are in a county carrying a concealed weapon for more than two hours, a spokesman for the police chiefs organization maintained, it would put a burden on municipal police departments to try to keep track of just who is carrying a legally concealed weapon in their city.

A Department of Law Enforcement spokesman added the bill would lead to a dangerous proliferation of concealed weapons in Florida, and Mary Gast of the Department of State observed, "Frankly, it scares the devil out of me."

However, Foster pointed out, the bill has "adequate safeguards" by requiring that all private investigators have at least 20 hours of training on minimum police standards for handling their weapons.

In an interview, lobbyist Russell said the investigators need the bill because it would cost an estimated \$28,000 — covering such things as insurance and bonding in some areas — for an investigator to obtain permits in each of Florida's 67 counties. It's cheaper, he said, for investigators to ignore the law and risk the \$50-500 penalty that would come with a second-degree misdemeanor conviction.

The permit fee in Hillsborough County is \$100 plus \$15 every two years, Russell said, adding that only 18 persons in Hillsborough County have permits to carry concealed weapons.

The only lawmaker voting against the bill was subcommittee Chairman Tony Fontana, D-Miami Lakes, a retired Miami police lieutenant. Fontana almost succeeded in killing Foster's bill, until Smith decided to vote for it merely to let the full Criminal Justice Committee discuss it.

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Sen. Don Childers (D., West Palm Beach) had a bill in the Senate Governmental Operations Committee the other day to require that all guards and private investigators who carry guns be proficient in the English language.

"I have a lot of people that are Spanish [speaking] in my area," Childers said, denying he was anti-Latin. "I have a lot of friends that are Spanish, too." But, he said several times, an armed guard ought to know how to say "halt" in English.

Childers found himself in hostile territory, however.

John Russell, lobbyist for the Florida Association of Private Investigators, testified that his group feared the amendment would make the statute under which its members are licensed unconstitutional.

"Have you ever confronted someone that didn't speak English?" Childers asked.

"I can speak Spanish," Russell retorted.

Dade Democrat Sens. Joe Gersten and Paul Steinberg said they speak Spanish, too. They spoke up for Dade's "tri-ethnic, bi-cultural heritage." Gersten led the fight, observing that "all of our relatives came here from someplace else."

When the bill failed 4-2, Sen. Warren Henderson (R., Venice) bade it farewell.

"Buenos noches, little bill," he said.

compliments

The Florida Association of Private Investigators, Inc.,

Today's Pls more like 'The Man in the Gray Flannel Suit'

All you Tom Selleck and Mike Connors fans, take note. Despite the TV hype, most private investigators would remind you of an average, everyday person — a Buddy Ebsen, for instance.

The gumshoe image portrayed over the years doesn't fit today's private investigators. Probably it never did fit them. . . there are still a lot of mundane, tiring and, yes, even boring, aspects to being a private investigator.

But the rewards can be more than merely monetary, according to Tampa p.i. John Russell, executive director of the Florida Association of Private Investigators.

For instance, Russell's organization recently launched the Bureau of Missing Children, Inc., and has come up with a unique plan to help in the location of children of parental abduction and those who are criminally kidnapped.

"We have asked the members of the association to donate specific hours to this cause, and to indicate the cost of these hours were they to charge for them in the course of their work. I just sent out the letters Jan. 10, and so far, we've had \$90,000 worth of time donated.

"I plan to go to all those licensed as private investigators in the state, and there are 90,000 of them, including 70,000 who are security guards, and ask them to donate their time. We are also going to all the other states and asking for donations of time for this project. Our plan is to have people in every state who are part of this program."

Russell is gratified by the response from his fellow investigators and is enthusiastic about their ability to help locate missing children.

"All the other organizations who work with missing children are fine . . . they do a great job. But we are professional investigators and we are able to do things others can't. We outnumber law enforcement officers four to one, for instance, and we aren't hampered by some of the red tape the police officers have to contend with to get information. We can use a variety of contacts — and a private investigator is dead without his contacts — to obtain information."

By April 1, Russell plans to have an office for this bureau at the Marriott at Tampa International Airport. In addition, the organization is sponsoring a fishing tournament in May to help fund the bureau.

Russell feels the individual expertise of the

private investigators will be invaluable in locating children, especially in parental kidnapping cases.

"There is one investigator in Sarasota, for instance, who used to work for the FBI. He is an expert in document investigation. There are lawyers who are members who have donated their time for legal services for the custody parents who are trying to get their children back. It is estimated it costs \$10,000 to track down the other parent and go through the legal red tape to get a child back and many people can't afford this — especially since many of those who are looking for their children are the wives who don't have the income to spend on the investigation and paperwork."

Despite the hard-charging image of the private investigator, Russell said most of the "gumshoes" he knows work for insurance companies or businesses.

"We do pre-employment investigations and check businesses for security. We are also involved in insurance investigations, such as for workman's compensation. For instance, we will follow someone who claims a disability to see if they are indeed disabled and unable to return to work. If they are out jogging each morning and claim they have a leg injury which keeps them from work, then it gets suspicious."

In criminal investigations, detectives check out an alibi or interview character witnesses. In accident cases where there is a product liability, private investigators work either for the plaintiff — the person who claims a product defect — or the defense — usually a corporation. "Private investigators who specialize in this type of case usually work for one side or the other on a consistent basis. A corporation doesn't like to see the investigator working for them one week and for the plaintiff next week."

White collar crimes also are among those investigated by the detectives. "They say that employee theft is a major crime — 75 percent of all employees will steal. Twenty-five would steal from the company, no matter what; the other 50 percent would steal if given the opportunity, or a disinterested business manager."

In addition to these various areas of expertise which Russell feels will be invaluable in the loca-



John Russell

tion of abducting parents, the bureau plans on having an advisory board of law enforcement, judicial and elected officials to help. Several already have donated their time.

"We can offer a valuable service to people in a time of stress. We can go beyond flyers and the NCIC computers. This is how we can help find these missing children," he concluded.



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