

CENSUS 1990

Older population growing in Florida

Census shows 1 in 5 over 64/28

SOUTHWEST FLORIDA'S ENTERTAINMENT GUIDE

INSIDE THIS ISSUE OF *CRUISE*

June events in SW Florida

WEATHER

Partly sunny

High near 90. Low in lower 70s. A 20 percent chance of rain. 72/6A

CAPE CORAL EDITION

NEWS-PRESS

FRIDAY, MAY 31, 1991 FORT MYERS, FLORIDA 35 CENTS

Coalition proposes drug-sniffing dogs in Lee schools

By MARK FOLK

Adams, a member of the coalition, said Thursday that he would review it and possibly present it to the school board for consideration.

Adams asked the coalition last summer to think about developing such a policy as an option to fight drugs in schools, dogs have never been used in that district, Adams said.

Adams, joined last week, said the plan would not include using the drug dogs during school hours.

"I think it would disturb the whole school day. I don't think it's necessary to do that," he said.

Two school board members said Thursday that they would have many questions about such a program.

Board Chairman Barbara Wallace said getting drug dogs in schools would be within that it would single out students. She said she wouldn't even consider it if a program unless drug dogs are used in other places as well — such as at city and county buildings.

"Drug dogs are a media event," Wallace said. "I'm disappointed that the Drug Coalition of Lee County would recommend putting drug dogs in schools."

Wallace said the plan, which has been discussed for many years, has no value in educating students about drugs. She recommended other programs — such as Drug Abuse Resistance Education — be expanded before placing dogs in schools. DARE is a program, now in some county schools, in which police officers teach students the dangers of drugs.

The plan calls for Lee Sheriff's Department and Fort Myers police dog to check lockers and other school property while students are in class. The dogs would be accompanied by officers, which would be someone from the school district office.

If dogs were suspected to be in a locker, a search warrant would be obtained and the locker would be opened. Only property, not students, would be searched, the proposal says.

School board member David Graham said he would look at the proposal, but he already had concerns about it. One of the concerns was that students could be falsely accused of having drugs. Another was the cost of implementing the program.

"Kids often share lockers," Graham said. "It may be in one person's locker but could get another person in trouble."

MAN CONVICTED OF MURDERING GIRL LIKELY TO GO FREE

Acquittal in burning death

Warnings on water canceled

By LAURIE WINDHAM

Bottled water sales up

A warning not to drink the tap water in two Fort Myers areas was lifted Thursday afternoon after new samples came back bacteria-free.

About 1,000 homes and businesses had been advised Tuesday either to buy bottled water or boil the tap water for at least five minutes before drinking or using it for cooking.

California bacteria tests on samples taken Friday and again on Tuesday prompted officials to issue the restriction.

Residents returning home Tuesday afternoon found warnings attached to their doors advising them not to drink the water.

One of the affected areas extended from the Calochechatchee River, south to Palm Beach Boulevard between Frances Street and Mark Avenue.

The second area was from Dr. Martin Luther King Jr. Boulevard south to Edison Avenue between Evans Avenue and Ford Street.

Officials said they still did not know Thursday afternoon where the bacteria came from, but Bill Allen, an engineer with the county health department, speculated the road construction on Palm Beach Boulevard could have affected the samples.

"You just almost have to point a finger," he said of the Palm Beach construction.

Health officials have recommended the city continue flushing the lines in some areas that believe contain contaminated water.

Flushing the lines gets more chlorine into the system.

"We had never have been anything in the area (recommended) for more flushing that could have caused the contamination," Allen said.

"I think the city and the citizens handled it quite well," he added.

Gainesville suspect in court

Danny Rolling, a suspect in the murder of five college students in Gainesville, is led by Marion County Sheriff's officials into court Thursday for a competency hearing after switching his plea from guilty to not guilty in a 1990 grocery store robbery. **STORY, 5B.**

Woman gets life term in killing

Betty Kirk pleads no contest; kidnapping charge dropped

By PETER FRANCESCHINA

Kirk, apparently emotionless, stood before Lee Circuit Judge James Thompson and admitted her guilt to a first-degree murder charge.

In exchange for Kirk's plea of no contest to first-degree premeditated murder, prosecutors agreed not to seek the death penalty and dropped a charge of kidnapping. Kirk must spend at least 25 years behind bars before being eligible for parole.

Prosecutors say the 25-year-old North Fort Myers woman planned the slaying of Sharon Parker, 32, and Betty Ann Kirk and Deputy Public Defender Robert Jacobs in a Lee courtroom Thursday.

Fla. court overturns Port Charlotte case

By PETER FRANCESCHINA

Bradley Philip Scott — convicted of murder in January 1988, nearly a decade after a 1986 Port Charlotte girl was burned to death — was acquitted Thursday by the Florida Supreme Court.

Scott, 44, has been on death row for three years, but the justices ruled his constitutional rights were violated by a delayed prosecution that relied on circumstantial evidence and a sloppy investigation to gain a conviction in the murder of Linda Card Pearce.

The Court is unable to correct the problems resulting from the manner in which the different law enforcement administrations conducted the investigation of the murder, the justices wrote.

"We find that the circumstantial evidence presented by the prosecution could only create a suspicion that Scott committed the murder. Suspicion cannot be a basis for a criminal conviction. Our law requires proof beyond a reasonable doubt and a fair trial for a defendant," the justices wrote.

Scott, who adamantly maintains his innocence — will likely be a free man. The justices ordered that his death sentence be vacated and the conviction reversed. Then a Charlotte County circuit judge must acquit Scott.

"Before we took to court appellate review in capital cases, we should consider the outcome of this case," said Dennis Bennett, the Fort Myers attorney appointed by the court to represent Scott in his appeal to the state's high court.

"They were marching him off to the electric chair. You can't take your headstone. Innocent Man Acquitted."

In a death row interview with the News-Press in December 1988, an inmate Scott said he was contemplating suicide if his appeal failed.

"I never killed nobody. The only thing that keeps me alive is my family," Scott said. "I love to prove my innocence and to be back with my wife and children."

"We're shocked and very, very disappointed," said state attorney's office spokeswoman Tracy Mitchell. "We do feel the evidence supports the charges in the Bradley Scott case. It's just that the whole case."

The state has 15 days to appeal the decision to the state supreme court, but Assistant Attorney General Davis Anderson said that decision has not been made.

In October 1978, Linda's charred remains were found in the ashes of a brush fire off Toledo Blade Boulevard in Port Charlotte. Although Scott became a suspect, he wasn't charged at the time.

Then in 1985, Lee County's current sheriff, John McDonough, was temporarily appointed Charlotte County sheriff by the governor. McDonough was the one who charged Scott with the murder.

U.S. admits getting secrets on canal talks from Noriega

By The Associated Press

Miami — Manuel Noriega fed the CIA secrets on the Panama Canal negotiations and conducted important U.S. intelligence operations, the government conference in a classified memo released Thursday.

Prosecutors, however, strongly denied that U.S. authorities approved the drug trafficking that led to the deposed Panamanian leader's indictment.

The government's account was contained in a partly censored 31-page report to the defense's request for secret U.S. documents.

Much of the narrative, written by Assistant U.S. Attorney James McGarvey, criticized the CIA and House's need for classified documents.

"But prosecutors agreed the United States with secrets about its own country while serving as Panama's intelligence chief."

"That information ranged from incidental information to the ongoing posture of the Panamanian government during the Panama Canal negotiations," prosecutors said.

"In addition, he supported U.S. government programs in Panama, some of which were important intelligence operations."

In a 1977 treaty, the United States and Panama agreed to a gradual takeover by Panama of the canal, which is in a sense controlled by the U.S. military. At the time, Noriega was head of Panamanian intelligence, he took control of the country after the 1981 death of Gen. Omar Torrijos.

"There was a considerable amount of information furnished by Noriega to us as well as information from other sources," defense attorney Frank Roberts said, but added the government insists that other details remain classified.

The government document, however, challenged the defense to show evidence that Noriega's drug activities were approved by the U.S. government.

"Noriega must be required to identify specifically the persons or persons who directly, or even by a 'weak and a nod,' told him he had authority to act in behalf of the United States," prosecutors said.

The government had only "inconclusive and circumstantial" evidence of Noriega's drug dealings and shortly before his February 1989 indictment, the document said.

A transcript of a secret hearing held on the issue before U.S. District Judge William Browder gave some details about Noriega's reported cooperation with the Drug Enforcement Administration. The defense said the DEA asked Noriega to allow drug shipments and cocaine-refining chemicals to pass through Panama.

INSIDE TODAY

Ann Landers	12B
Bridge	20
Business	14-17A
Classified	11-20B
Classified	11-20B
Crossword	3D, 13B
Dear Abby	20
Deaths	6B
Horoscopes	20
Lottery Numbers	2A
Movies	18-19A
Opinion	Section 6
Real estate	Section 6
TV	18-19A

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