

Press Release

KEY WEST, Florida. On February 16, 2008, Suzann Hollis, a disabled person who has only one arm due to a work accident, was first pepper sprayed, then attacked and beaten by Key West Police Officer Eric Biskup, who inflicted life-threatening injuries on Ms. Hollis. Officer Biskup forced Ms. Hollis to remove her blood-soaked shirt and bra, watched Ms. Hollis as she changed into a hospital gown and refused to assist Ms. Hollis in tying the gown. Officer Biskup continues to serve as a Key West Police Officer despite a career that has been marked by repeated allegations of brutality. Ms. Hollis was never a threat to Officer Biskup.

On August 4, 2011, a certified letter and emails with pictures were sent to the Jim Scholl - City Manager; Jimmy Weekley - City Commissioner District I; Mark Rossi - City Commissioner District II; Billy Wardlow - City Commissioner District III; Barry Gibson - City Commissioner District IV; Teri Johnston - City Commissioner District V; Clayton Lopez - City Commissioner District VI, to resolve the issues with Officer Biskup.

The purpose of the letter was to settle the civil rights violations by Officer Biskup without Key West tax payers having to bear the expense of a federal lawsuit. No member of the City of Key West or their representative's ever responded to the letter. Consequently, Ms. Hollis was only left with the choice of filing a federal lawsuit on the last day possible.

Anyone with information regarding any civil rights abuses by Officer Biskup should email any and all information to biskuplawsuit@yahoo.com

!Warning!

The following three pages of pictures are graphic.





**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
KEY WEST DIVISION**

**SUZANN HOLLIS,
Plaintiff,**

v.

**CITY OF KEY WEST and ERIC
BISKUP in his individual capacity,
Defendants.**

Case No.: 12-10013-Civ-Moore/Torres

COMPLAINT FOR DAMAGES

Plaintiff SUZANN HOLLIS sues Defendants and alleges as follows:

Jurisdiction and Venue

1. This action is brought pursuant to 42 U.S.C. §§ 1983 and 1988 to redress the deprivation of violations of the Fourth Amendment to the Constitution of the United States.
2. The jurisdiction of the Court is founded upon 28 U.S.C. § 1343(3) and (4).
3. All Defendants are found within the venue of this Court.
4. All conditions precedent to this suit have been complied with or waived.

Parties

5. At all times material hereto, Plaintiff SUZANN HOLLIS was a citizen of the United States, and resident of Florida.
6. Defendant CITY OF KEY WEST is a municipal corporation under Florida Law,

with the duty to establish the policies, practices, and regulations for the conduct of the Key West Police Department and its employees.

7. At all times material hereto, Defendant ERIC BISKUP, was a police officer employed by Defendant CITY OF KEY WEST.
8. At all times relevant hereto and in all of their actions described herein, all defendants acted under color of law and within the scope of their employment.

Common Allegations of Fact

9. On February 16, 2008, Suzann Hollis and Anna Ricciotti, her partner, got into a loud argument at Pearl's Bed and Breakfast, where they were staying.
10. Key West police officer Eric Biskup arrived on the scene and spoke with Ms. Ricciotti about what had occurred.
11. After some time had elapsed, Ms. Hollis asked Officer Biskup if she could also give her side of the story.
12. Officer Biskup replied, "No."
13. Ms. Hollis asked "why?"
14. Officer Biskup replied, "Cause I don't fucking like you."
15. Ms. Hollis voiced her frustration and Officer Biskup responded by seizing her arm, spun her around, and slammed her into the windshield of his patrol car.
16. Ms. Hollis is disabled in that her arm was amputated because of a prior injury.
17. Because of the loss of her arm, Ms. Hollis has difficulty with balance.
18. When Officer Biskup spun her around, she lost her balance and started to fall.

19. Ms. Hollis attempted to brace herself against the fall.
20. Ms. Hollis did not at any time use force against Officer Biskup.
21. Officer Biskup sprayed Ms. Hollis in the face with pepper spray.
22. Officer Biskup then struck Ms. Hollis full in the face with his fist.
23. Officer Biskup then tackled Ms. Hollis and slammed her to the ground.
24. Officer Biskup then placed his knee on Ms. Hollis' neck.
25. As a result of the pepper spray and the blood flowing copiously from her nose, Ms. Hollis could not see or breathe.
26. Ms. Hollis experienced fear and panic and intense pain.
27. Ms. Hollis told Officer Biskup she could not breathe and pleaded with him to reduce the pressure on her neck.
28. Officer Biskup ignored Ms. Hollis' pleas.
29. Emergency technicians transported Ms. Hollis to the emergency room where doctors told her that her nose was broken.
30. The nurse on duty requested that Officer Biskup remove the handcuff from Ms. Hollis' one arm to facilitate her treatment and Officer Biskup refused.
31. A surgical balloon was inserted in one nostril to re-open the crushed passageway.
32. After her treatment, Officer Biskup forced Ms. Hollis to remove her blood-soaked shirt and bra to keep from getting blood in his patrol car.
33. Officer Biskup watched Ms. Hollis as she changed into a hospital gown.
34. Officer Biskup refused to assist Ms. Hollis in tying the gown.

35. While escorting Ms. Hollis, he twisted her one arm and forced her to her knees.
36. As Ms. Hollis was being booked into the jail, Officer Biskup bragged to other officers how he had “cold-cocked” Ms. Hollis.
37. Defendant City of Key West is well aware of Defendant Biskup’s repeated use of excessive force and violation of civil rights.
38. Defendant City of Key West has approved and directed Defendant Biskup’s aggressive and abusive practices.
39. Plaintiff has had to retain counsel to redress her constitutional rights and is therefore entitled to attorney’s fees and the costs of litigation.
40. As a direct and proximate result of the wrongful acts alleged above, Plaintiff Suzann Hollis suffered bodily injury and resulting pain and suffering, medical costs, mental anguish, and loss of capacity for the enjoyment of life. These injuries and losses are permanent and continuing, and Plaintiff will suffer such losses in the future.

Causes of Action

Count I: Violation of Constitutional Rights of Suzann Hollis under 42 U.S.C. § 1983 against Defendant Biskup

41. Plaintiff realleges the Common Allegations as if fully set forth herein.
42. Defendant Biskup violated the constitutional rights of Suzann Hollis by:
 - a. The use of excessive force against Suzann Hollis in violation of the Fourth Amendment to the U.S. Constitution.

- b. Violation of bodily integrity by making Ms. Hollis strip in his presence in violation of the Fourteenth Amendment to the U.S. Constitution.

WHEREFORE, Plaintiff demands judgment as noted below.

**Count II: Violation of Constitutional Rights of Suzann Hollis
under 42 U.S.C. § 1983 against Defendant City of Key West**

43. Plaintiff realleges the Common Allegations as if fully set forth herein.
44. Defendant City of Key West is responsible for the oversight and control of the acts, customs and policies of his officers, agents, and employees.
45. The complained of actions and behavior of Defendant Biskup occurred while Defendant Biskup was on duty and working as an officer with the City of Key West Police Department.
46. Prior to the incident sued upon, Defendant City of Key West failed to properly train, supervise, discipline, or control officers, or properly investigate complaints, such that the abuses suffered by Plaintiff was substantially certain to occur.
47. Defendant City of Key West was aware that Defendant Biskup had violated constitutional rights of arrestees on other occasions but affirmed and promoted him thereby approving and directing Defendant Biskup's wrongful acts.
48. The failure of Defendant City of Key West to train, supervise, and discipline officers, or investigate complaints, and affirmation and promotion of Defendant Biskup directly caused and was the reasonably foreseeable cause of the deprivation of Plaintiff's constitutional rights and his injuries.

WHEREFORE, Plaintiffs demand judgment as noted below.

Prayer For Relief

WHEREFORE, Plaintiff prays for the following relief:

- A. judgment against Defendants for compensatory damages;
- B. judgment against Defendants named individually for punitive damages;
- C. judgment for reasonable attorneys' fees and costs;
- D. a jury trial on all issues so triable;
- E. such further relief as is equitable and just.

Respectfully Submitted,

s/James V. Cook

JAMES V. COOK

Florida Bar Number: 0966843

Law Office of James Cook

314 West Jefferson Street

Tallahassee, Florida 32301

(850) 222-8080; (850) 561-0836 fax

s/John Torraco

JOHN TORRACO

Florida Bar Number: 0641049

Law Office of John Torraco, P.L.

PO BOX 5180

Grove City, FL 34224

P 941.740.0761

F 888.808.0978

The following pages have

NOT been included in the lawsuit.

The New York Times**U.S.**

Accusations Of Abuse Plague Police In Key West

By NICK MADIGAN
Published: May 04, 2003

The messages appeared a few days ago, stuck to the otherwise cheerful windows of stores selling T-shirts and paintings of blue, grinning dolphins.

"If you do not resist being cuffed by Key West cops," one of the handwritten signs said, "you may be giving up your final chance."

Another used an expletive to insult people who felt safe under the protection of the police. A third recalled the Nazis in referring to the beating of a handcuffed sailor.

Accusations that Key West officers have acted with excessive force over the last few years have tainted the reputation of the police department and cast a shadow over a town better known for its tropical charm and an air of unabashed, rum-fueled hedonism.

One former officer, Michael Beerbower, is to stand trial on May 19 on charges that he punched a sailor he had handcuffed outside a bar. Another officer was accused of pepper-spraying a suspect who was offering no resistance, a third reportedly beat a man with a baton, and two more officers were accused of falsifying reports about the beating.

Mr. Beerbower's is the only case to come to trial, but he and three of the other officers accused of wrongdoing have left the police force.

Most of these cases came to light in a two-year investigation by the Monroe County state attorney's office, which found that the department had failed to act upon, or even look into, some of the accusations against its officers.

"I don't think it's a department out of control," said Catherine Vogel, chief assistant state attorney for Monroe County, who will prosecute Mr. Beerbower. "It needed a wake-up call."

Last fall, after months of lobbying by a group of residents, voters here approved a measure to create a citizens' board to review complaints against the Key West Police Department. The process of choosing board members has already begun, said City Manager Julio Avel, who, along with Police Chief Gordon Dillon, had initially resisted the notion of citizen oversight of the police.

"There were some problems with the police department that we needed to address, and it was addressed," Mr. Avel said in an interview.

Sandra Butler Whyte, a resident who was a vigorous advocate of the citizens' review board, described "a real level of anxiety and mistrust in this community." She said, "There have been many, many cases of abuse, especially against minorities, that we haven't heard about."

The litany of complaints against officers is long. Four were suspended after shooting at a couple who were fleeing the police on Front Street, on the city's waterfront, in July 2001. The police chief and the city manager later overturned the suspensions, calling the policy on shooting in public places ambiguous.

One of the officers in the Front Street case was Sgt. Eric Biskup, who was accused of battering a tourist with his baton later that month, on July 29, 2001. Sergeant Biskup said at the time that he had resorted to the baton after the man tried to tackle him during a street brawl in front of Sloppy Joe's Bar.

Investigators from the state attorney's office found, based on accounts of bystanders and other officers, that two of the officers at the scene, Patrick Saunders and Geoffrey Harris, had falsified incident reports to cover up the circumstances of the melee. Both of those men left the force. Sergeant Biskup, the only accused officer still working in the department, attended counseling sessions as part of his deal with prosecutors to keep his job.

Chief Dillon said that Sergeant Biskup had been "picked up and slammed to the ground" in the Sloppy Joe's incident and that he had responded appropriately.

But the chief acknowledged, "We've had a couple of bad incidents."

One involved Lt. Al Flowers, who resigned last year after the state attorney's office found that in 1998 he had told a subordinate to falsify the record of an arrest in which he pepper-sprayed a man who was offering no resistance.

No one disputes that the 85 police officers in Key West, which attracts hundreds of thousands of visitors a year, have their hands full. The town's main thoroughfare, Duval Street, boasts dozens of bars, clubs and restaurants, most of which do a thriving business until the 4 a.m. closing time. A spring-break atmosphere prevails, especially on weekends, and loud carousing often spills into the narrow streets.

"Early in the morning on Duval Street, my guys sometimes go from one fight to another," Chief Dillon said. "There's too much alcohol and too many people in one small area."

Ms. Vogel, the assistant state attorney, said the department had made "great strides" in correcting its problems.

"Unfortunately, it took us filing charges for that to occur," she said.

Published on KeysNews.com (<http://keysnews.com>)

Arrest came amid chaos

Monday, November 9, 2009

BY ADAM LINHARDT Citizen Staff

alinhardt@keysnews.com

Nicholas Ferro may have eluded arrest in the stabbing death of Marques Butler, save the quick actions of two police officers and a Good Samaritan who thwarted his potential getaway.

Lt. Alfredo Vasquez and Lt. David Smith were on foot patrol near the intersection of Duval and Caroline streets around 4:09 a.m. when pedestrians flagged them down to report a fight, according to reports.

As Vasquez approached, he saw Ferro quickly walking away from the scene, so he told him to stop and return to the scene with him, he wrote in his report.

"A call over the radio advised there was a stabbing in the area," Vasquez wrote. "Ferro then yelled, '(expletive) it! (expletive) it!' and began to flee from me on foot, west on Caroline."

Ferro allegedly disregarded Vasquez's commands to stop, so the officer drew his Taser and chased Ferro. A passerby, identified in reports as Peter Gross, saw the chase, so he stepped into Ferro's path, giving Vasquez enough time to use his Taser and handcuff Ferro, reports say.

Ferro, 23, of Hollywood, Fla., was charged with second-degree murder and resisting arrest without violence and remains in the Monroe County jail without bond. His arraignment is scheduled for Tuesday.

"Not to overshadow the tragedy, but it was very fortunate that these two officers were on scene and understood (Ferro's) potential involvement as someone who was trying to leave the scene," City Manager Jim Scholl said. "Had they not taken that action, the suspect may have never been apprehended. Reviewing this, those two did a very good job."

While those officers were busy with Ferro, Officer Eric Biskup was pushing back the crowd so the ambulance could get through the mob. Biskup reported that he and other officers, as well as Butler, were surrounded by a "large, angry crowd" that was "shouting profanities at the police" and each other.

One man, Daryl Eugene Lewis Jr., 22, of Key West, reportedly was hindering Biskup so much that the officer used his Taser to control him. One Taser probe did not "seat properly" and its use did not show any affect on him, Biskup wrote, so he took Lewis to the ground and used the stun-gun feature, delivering a single stun to his upper back, according to reports.

Capt. Scott Smith called the scene and Butler's subsequent death "a tragedy," and said he has reviewed the incident and thinks officers did a good job of controlling the chaos.

"Again, it's an incredibly unfortunate incident," Smith said. "But the officers on scene did an exceptional job."

alinhardt@keysnews.com

Share your thoughts and opinions related to this posting. [Login](#) or [register](#) to post comments. [More Info](#)

August 19th, 2011

PAGE ONE COMMENTARY: Did the Cops Beat a Pregnant Woman?



MARCELLA VENUTO

PROBATION IS A GIFT. SO WHY DO SO MANY PEOPLE ALMOST CASUALLY VIOLATE PROBATION— WHEN THE PUNISHMENT FOR VIOLATION IS OFTEN MORE SERIOUS THAN PUNISHMENT FOR THE ORIGINAL CHARGE?

by Dennis Reeves Cooper

Cops beat pregnant woman!

Sounds like our kind of story, doesn't it? But if you have been a regular reader of Key West The Newspaper over the years, you may recall that we have repeatedly told you there are at least two sides to every story, and often more than two sides, depending on who you talk to.

Early this week, we received a call from Menervo Hernandez. She said that her daughter— 28-year-old Marcella Venuto, an entertainer at the Adult Entertainment Club at 1221 Duval Street— was beaten by police officers and thrown in jail last Saturday night. Hernandez also said that Marcella was five-months pregnant.

She said that the cops had been called to the club because a patron was causing a scene, loudly complaining that an employee of the club (not Marcella) had promised him sex but had refused to put out.

According to the club's website, patrons can enjoy a variety of sex-related experiences, including one-on-one nude dancing, nude modeling and role-playing in private rooms. No illegal sexual activity is offered on the website.

Over the years, we have heard a number of stories about patrons who called the cops to complain that the girls at the club would not participate in illegal sexual acts. Go figure.

Neither the police report nor dispatch records confirm that the cops were called because an unhappy patron was getting rowdy. But whatever the reason that Key West Police Officer Eric Biskup showed up on the porch of the Adult Entertainment Club about 7 o'clock last Saturday night, he said that he immediately recognized Marcella— and he knew that there was a warrant out for her arrest for violation of probation, related to charges of simple battery and burglary.

Marcella's mother told Key West The Newspaper that there are witnesses who will say that Biskup immediately began to pummel Marcella on the porch. And Hernandez says that the beating was probably captured on security cameras. But Biskup's police report tells another story.

According to the police report, Biskup said that, when he approached Marcella, she initially gave him a phony name. But, Biskup said, when he confronted her with a wanted flyer with her photo on it, she admitted her true identity.

Biskup arrested and handcuffed Marcella, but as he was placing her in the back seat of his patrol car, he noticed that she had been able to pull her left hand almost completely out of the handcuffs.

"I took Venuto by the left arm and told her to step out of the car," Biskup wrote in his report. "Venuto responded by pulling away from me and then pulling her left hand completely out of the handcuffs. Venuto then cocked her leg at me, to kick me with her five-inch pointed heel of her shoe.

"I immediately took Venuto by a hair hold and directed her from the car and onto the ground," Biskup wrote. "She continued to struggle until Officer T. Stutz assisted me in re-handcuffing Venuto. Officer Stutz and I lifted Venuto to her feet and placed her back into the car."

During the struggle, Marcella suffered an abrasion on the right side of her face. (See her mug shot on page 1.) She also appears to have a black eye.

Officer Biskup transported Marcella to the police station where paramedics attended to the abrasion on her face. Biskup then transported her to the hospital.

"I informed the staff at the hospital that Venuto had resisted arrest and was five months pregnant," Biskup wrote in his report.

The hospital staff cleared Marcella to go to jail, and, Biskup wrote, "I transported her to jail without further incident."

NOTE: We have been covering crime stories here for years. In many of these stories, the people involved were given probation rather than time in prison. Our opinion is that probation is a gift. But we continue to be amazed when many people who have received the gift of probation almost casually violate the terms of their probation. We are amazed because the punishment for violating probation is often more severe than the punishment they avoided for the original charge.

According to Marcella's mother, Marcella knew that there was a warrant out for her arrest for violating probation. We don't know what Marcella did to violate her probation, but we do know that she has now been charged with a felony— resisting arrest with violence.

We would like to report to you that Marcella is an innocent young woman who simply displayed some bad judgment when she initially lied to an officer about her identity and then resisted arrest. But we can't do that.

According to the Monroe County Sheriff's website, Marcella has a rap sheet dating back to 2003, when she was only 20 years old. In that original case, she was charged with battery, a misdemeanor. She got probation. But she was subsequently arrested for violating that probation.

Less than a year later, she was arrested again and charged with failure to appear for a misdemeanor offense. What in the hell could have possibly been more important in her life than showing up in court?

In March 2007, she was arrested and jailed again for failure to appear for a misdemeanor offense. What was she thinking?!

Also in March 2007, she was charged with larceny— over \$300 but under \$20,000.

And in April 2007, she was arrested and jailed again for violating probation. Duh! In December 2009, she was again arrested and jailed, charged with another felony— having a deadly weapon with intent to kill.

Now she's facing another felony charge for allegedly resisting arrest with violence last Saturday night.

[Go Back Where You Were](#)

 [2 comments](#)

2 comments to PAGE ONE COMMENTARY: Did the Cops Beat a Pregnant Woman?

[don](#)

[20 AUGUST 2011 AT 10:42 AM](#) [REPLY](#)

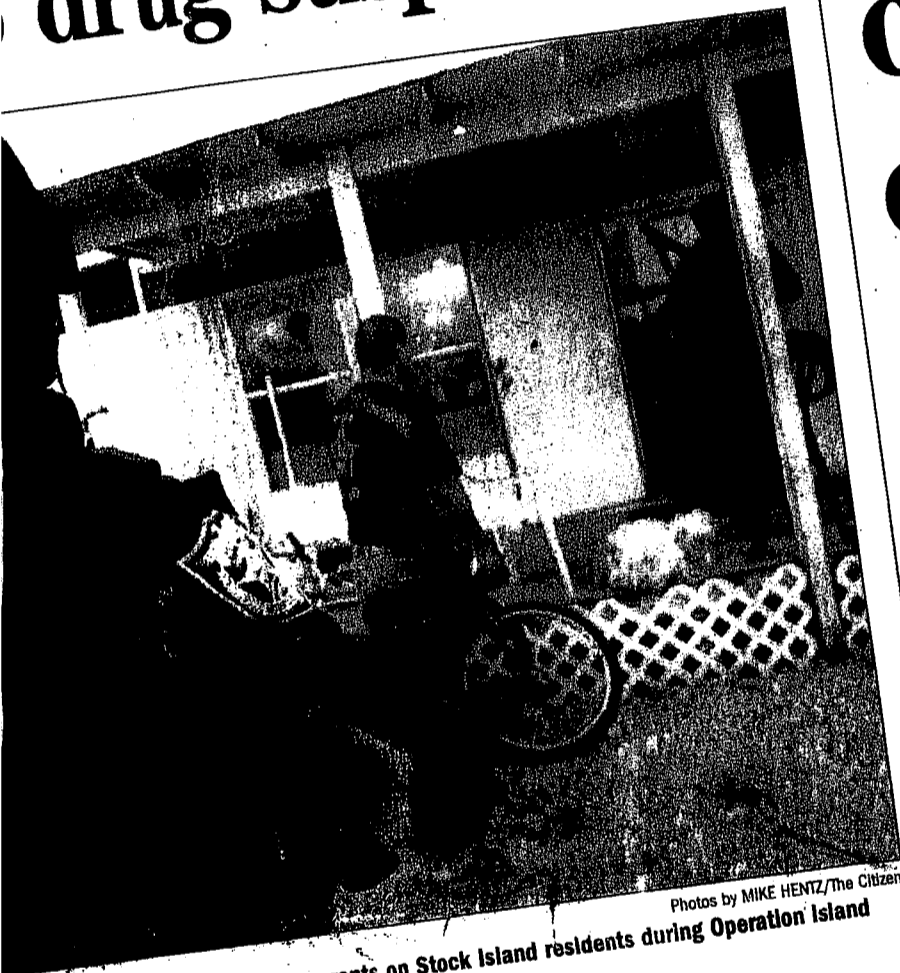
96% of people put on probation fail.
probation is a catch 22

[**Girls**](#)

[20 AUGUST 2011 AT 1:56 PM](#) [REPLY](#)

The weekly fees when you are on probation are higher than some people make so they stop going. In some cases jail should be enough and let the person get on with life.

on Island Strike drug suspects



Photos by MIKE HENTZ/The Citizen

sheriff's SWAT team serves arrest warrants on Stock Island residents during Operation Island

on Stock Island was
y by the sounds of bat-
more than 75 local, state
w enforcement officers
n the area simultaneous-
search warrants during
and Strike. The six-month
investigation netted 18
nted on narcotics-related
,000 in cash, powder and
ne. In addition, six vehicles
to suspected drug dealers
d.
controlled drug buys and
ce, detectives were able to
e search warrants for seven
s and the arrest warrants for
suspects," said sheriff's
nan deputy Greg Artman.
well-timed juggernaut, made up
the Monroe County



ed for these Stock Island residents as the SWAT
in targeted homes.

MISCONDUCT CASE

Fourth officer charged

BY TOM WALKER
Citizen Staff Report

A fourth police officer has been criminal-ly charged after a months-long probe by the Monroe County State Attorney's Office into allegations of brutality and misconduct by some members of the Key West Police Department.

Eric Biskup, a veteran officer with more than six years of law enforcement experience, was charged with misdemeanor battery in connection with a July 2001 brawl at the intersection of Greene and Duval streets.



Biskup

The charge, in the form of a summons to appear in court, was accepted on May 1 by Biskup's union attorney Michael Braverman of Fort Lauderdale. If convicted, Biskup could face up to one year in jail and a \$1,000 fine.

On July 29, 2001, Biskup was said by other officers to be in charge at the scene of a disturbance in which four people were charged with "affray" after a confrontation between a patron of Sloppy Joe's Bar and a family of tourists walking by. An initial police report said it required six police officers to break up the scuffle in which "several officers were punched and kicked while trying to stop the fight."

Two former police officers, Patrick Saunders, 27, and Geoffery Harris, 24, were charged with two felony counts each of falsifying arrest affidavits in connection with the same incident after other officers later said

See OFFICER, page 10A

Columba Bush visits Key West programs

KEY WEST CITIZENS MAY 11, 2002

FROM PAC

1
12
15
18
31
36
41
49
54
59
62

Officer

Continued from page 1A

they "did not see any of the defendants fighting." The two were booked through the Monroe County Detention Center this week and released on their own recognizance.

In his statement to investigators, Biskup reportedly said when he arrived at the disturbance he saw a shoving match taking place between two men. One man reportedly turned and approached Biskup, who then shoved the man away.

"He got that bowed up look," Biskup said, who then struck the man in the leg with an expandable police baton. Witnesses said the man, who was not resisting, was reportedly then battered by a police officer whom they did not identify.

"He kneeled on my chest and he punched me in the nose," the man, who said he was nearly knocked out, told investigators. "[The blow] spun my eyes in the back of my head."

Biskup, who according to another officer said, "I don't care, everybody is going to jail for affray," reportedly told dispatchers to note he used his baton to subdue the man "because he wrapped his arms around my legs."

Biskup is scheduled to be arraigned on the charge May 20.

Strike

Continued from page 1A

Division, Florida Department of Law Enforcement, Drug Enforcement Administration, U.S. Customs and U.S. Border Patrol, started to roll just after 6 a.m., when SWAT team members converged on the homes to the surprise of those still sleeping inside.

"Way to go!" yelled one Maloney Street resident, giving a thumbs up sign as a nondescript panel truck, filled with SWAT team members, lumbered toward their next target.

Artman said Operation Island Strike was initiated following complaints by neighbors, Crime Stopper tips and leads developed by law enforcement.

The raid comes on the heels of the Thursday arrest of a Key West man, described as a "major drug trafficker," who led police detectives on a high-speed chase through Old Town. John Bryson Kerr, 26, was arrested and nearly 10 pounds of cocaine found in the trunk of his vehicle was seized.

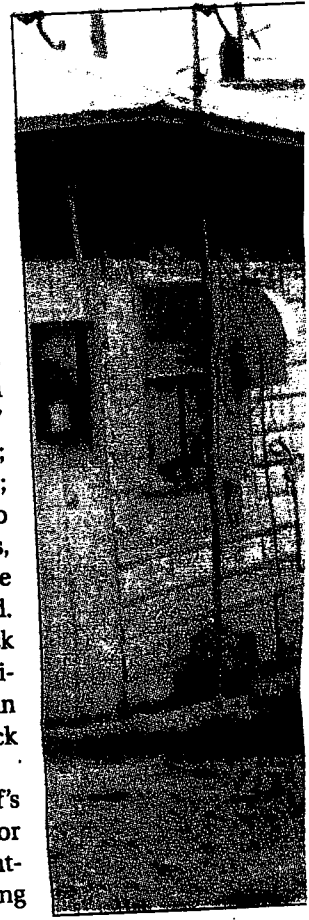
Kerr, a target of Operation Island Strike, apparently had been under surveillance by detectives for about a week. He was charged with trafficking in

cocaine, possession of cocaine and aggravated assault with a vehicle after he allegedly tried to run down a pair of undercover officers.

Charged Friday with either sale or trafficking in cocaine were Roberto Ferrer, 44; Joaquin Sosa, 61; Claro Rodriguez, 41; Edicio Rodriguez, 55; Caridad Sanchez, 56; Isreal Gravelan, 29; Reinaldo Garcia, 28; Juan Cremade, 66; Pedro "Pocho" Parrado, 29; Juan Soca Sr., 51; Juan Soca Jr., 30; Luis Blanco, 61; Miguel Gonzalez, 47; Fernando Perdomo, 46; Lorenzo Miralles, 62; Manuel Morales, 65; and Jose Clemente, 27, all of Stock Island. Also, Arnaldo Vega, 38, of Stock Island was arrested after investigators reportedly found him in possession of three crack cocaine rocks.

Throughout Friday, sheriff's deputies were still searching for an additional 19 suspects wanted on arrest warrants charging them with dealing in narcotics.

twalker@keysnews.com



Many residents of a Stock Island neighborhood served search warrants as part of the successful sweep.

- ACROSS:
- 1 Self
 - 5 Gra:
 - 9 Sno
 - 12 Rule
 - 13 Cow
 - 14 Dist
 - 15 By h
 - 16 Still-
 - 17 Sum
 - 18 Appi
 - 20 Haze
 - 22 Fren:
 - 23 Nine
 - 24 Mari
 - 27 Show
 - 31 Snor
 - 34 Lech:
 - 35 Centu
 - 36 Pape
 - 38 Side
 - 40 Barbt
 - 41 Tedio:
 - 42 Breac
 - 44 Has p
 - 46 Flits a
 - 49 Reluc
 - 52 Scale

NOW is the time to prepare for
HURRICANE SEASON

Van Martin Woodworks 292-0085

Serta **Celebri**

TWIN ea. pc.	SAI
FULL ea. pc.	SAI
QUEEN ea.	SAI
KING ea.	SAI

Steller's Fine Furr
2330 N. Roosevelt

M-26877 SML/ENG

Save on Mo

Prices Effective Thursday, May 9

ARTIFICIAL REEF

retired Navy ship reached its final destination in Key Largo Tuesday, towed behind a tug from Virginia. Volunteer work crews im-

diately began final preparations to anchor the ship in place and send it to the bottom — Friday was the target date at press time — as an artificial reef and dive attraction.

"We'll try to make this the most spectacular dive anywhere, but still as safe as possible," said Rob Bleser, project manager for the Upper Keys Artificial Reefs Association. "A lot of preparation needs to go on before it sinks."

Getting the *Spiegel Grove* to the Keys took nearly eight years, and the former transport ship likely will not surrender to the sea easily, Bleser warned.

Most ships sink when they take on water. As a launch vessel for landing craft, the *Spiegel Grove* was built to take on a huge amount of water and remain afloat.

"Basically, it was designed to sink several feet

Bleser said. The vessel remained in midweek, contingent upon board. Some work on lower decks could not be in the Keys.

A 500-yard safety perimeter has been established around the vessel. Still, dangerous explosive charges will be used to punch holes in the hull, although most of the sinking will be controlled by flooding.

"This ship is so big, 500 yards is plenty close enough to see it," Bleser said.


A draft of the sinking was drafted in consultation with maritime experts, the *Spiegel Grove* will be flooded Friday. In the last stage, the explosives will be set off (the small charges may not be aud-

The site will be closed for 24 hours while turbidity clears. "This will make a tremendous shudder when it hits the bottom," Bleser said. "It'll knock up a cloud of dust and take a while to settle."

The first divers on the wreck will be local professionals assigned to make sure that no doors or garboards have torn free that allow access to dangerous portions of the ship's interior. There will be a tremendous amount of access; we opened more than we originally planned," Bleser said. "But there are other places that must remain closed. If anyone goes in there, they will get lost."

If the ship sinks upright as planned in 125 feet of water off Dixie Shoal, the pilot house atop the shipwreck will be at 40

G AID MAN
\$389.00
 Available Hearing Aids
 DR. BOILINI'S OFFICE
451-1481
 Key Largo



INTERNATIONAL
 9th, 2002
 00PM



turing 50 Internationally Acclaimed Orchid Growers & Lecturers from Around the World and the U.S.

& SPICE PARK
 Homestead, Florida
 (under FREE)

Another Key West cop charged

Keynoter Staff

IN THE COURTS

Key West Police Officer Erik Biskup has been charged with misdemeanor battery after a Monroe County State Attorney's Office investigation

of an incident at a Key West bar two years ago. Biskup was involved in an incident attended to by as many

as seven police officers.

Two other former Key West police officers, who have since left town, have also been charged in the incident. Patrick Saunders, 27, and Geoffrey Harris, 24, are charged with swearing false documents in relation to the incident. Both officers turned themselves in at the Sheriff's Office.

The allegations were first investigated by the Key West Police Department and then turned over to the State Attorney's office.


Although other police officers were at the scene of the brawl on Duval Street, they have not been under investigation, Key West Police Chief Buz Dillon said Tuesday.

Biskup's charge, on which he faces a year in jail and a \$1,000 fine, brings to five the number of Key West officers the State Attorney has dealt with this year.

Veteran officer Lt. Al Flowers resigned rather than face charges of swearing a false affidavit.

Officer Michael Beerbower accepted pre-trial intervention rather than facing charges of battery involving a July 2000 incident where two men in custody were allegedly punched in the face while handcuffed.

Health Insurance*
Are You Paying Too Much?
IT'S A FACT: Individuals and Families pay too much for medical coverage because they do not belong to a group . . .
UNTIL NOW! Today you can join thousands of people who belong to:
Call Today 305-289-0937
Pager 305-824-6066 • Cell 954-682-7227
JOYCE SCOTT
*Group policy form MW-25528-4-p. For details, including any exclusions or limitations contact the insurance agent.
 **Independent analysts who evaluate and rate insurance companies. Ratings are reviewed and affirmed regularly.



PRO SPORTS UNIQUE MARINE SAILFISH
 "Your Power Catamaran Connection"
Full 8'6" Beam
Boat of the Week
Widest 19' on the market.
YAMAHA We have the largest selection of new & used Power Catamarans. Over 20 models to choose from.
 When you want the best
MM 100/25 O/S Hwy, Key Largo • (305) 451-3802



CLASSIFIED ♦ 743-5551

MAY 15, 2002 FLORIDA KEYS KEYNOTER

ANDY NEWMAN/THE ASSOCIATED PRESS

Carter's Super Vee offshore raceboat broke down Sunday, forcing his team to drop out of the Grand Prix in the Florida Keys. The drive shaft broke on one of 40-foot Fountain powerboat's third of 14 laps around a six-mile race course. Nick Carter, right, of the Backstreet Boys, boat with brother Aaron, center, and father Bob, just prior to the start of the race. Carter which is competing in the 2002 American Power Boat Association offshore circuit. See story

plans to right Spiegel Grove

RESS

The Key Largo Commerce hired a company sinking a Navy returned in 130 at Dixie Shoals, seabed and its from the water.

Spiegel Grove at Friday hours ad planned to otom to create

Commerce offi- contract with and Salvage of to shift the ship

he contract was

not released. The project already has cost more than \$1 million-plus, with money coming from the Monroe County Tourist Development Council and the sale of commemorative dive medallions and tags.

Workers will attempt to lift the ship off of the ocean floor using heavy air lift bags and compressed air injection to remove water from the hull. Then tug boats and water currents will be used to roll the ship.

"The ultimate objective is to get the ship upright," said Resolve President Joe Farrell. "At the very least, we hope to get the Spiegel Grove on her side."

Equipment and personnel are

expected to arrive at the site Wednesday, and it will take about a week to get the vessel ready for rotation, Farrell said.

The prematurely sunk ship does not pose an environmental threat to the ocean or nearby natural coral reefs, said Lt. Commander Dave Score, Upper Keys region manager for the Florida Keys National Marine Sanctuary.

Project Manager Rob Bleser said local dive crews have begun recovering tools and equipment left behind by workers when they fled the sinking ship.

The scuttling will make the Spiegel Grove the largest vessel ever intentionally sunk to create an artificial reef.

And we have to be prepared."

Cheney said he believes the United States has had success in disrupting the al-Qaida network, but it is impossible to prepare a perfect defense.

"You try to read the tea leaves. We look for pieces of information and evidence, but you never get the complete picture," Cheney said on NBC's "Meet the Press."

The chairman of the Senate Intelligence Committee, Bob Graham, said the latest intelligence was similar to what has been seen over the past year.

"It was nonspecific, didn't lead you to a particular course of action that you could take,

See ATTACKS, page 10A

Cop charged with battery expected to enter a plea

BY TOM WALKER
Citizen Staff Writer

A Key West police officer, charged criminally in the alleged battery of a tourist during a 2001 street melee, is expected to enter a plea today in Monroe County court.

Officer Eric Biskup, could be facing up to one year in jail and a \$1,000 fine, should he contest the misdemeanor charge filed May 1 by the Monroe County State Attorney's Office.

Biskup is the fourth officer charged in an extensive probe that surfaced publicly in February when city manager Julio Avel acknowledged the State Attorney's Office was investigating allegations of misconduct and brutality by some members of the police force.

"Yes, the city had referred cases to the State Attorney's Office," he said at the time. "There are some allegations of excessive force, but, I can't say what [the complaints] all are."

Investigators claim Biskup struck a man with a collapsible police baton, called an ASP, after a July 29, 2001, confrontation with another man outside Sloppy Joe's Bar at the corner of Duval and Greene streets.

In a statement to investigators, Biskup acknowledged he resorted to using the baton after the man turned on him and "got that bowed up look." Other officers claimed

show ts with erspective

HIDA
itor
an and lesbian who affectionately selves as "husband and wife," Ron tonnie Bare-it-all, and Ginny Haller, ahram Cracker, couldn't be more dif-

o grew up in Las Vegas, has a back- sical theater, dance and cruise ship consulting. Haller, who hails from "Virginia, holds master's degrees in fine art, taught junior high school in N.Y., and spent 15 years living in



ROB O'NEAL/The Citizen

Ginny Haller and Ron Marriott will debut their new radio show live from the balcony at La-Te-Da

See COP, page 10A

President Bush, returning Sunday to the White House from Camp David, did not respond to a question about whether Americans should be on a higher state of alert.

Cheney's appearances followed disclosures that Bush had been told in an Aug. 6 intelligence briefing that al-Qaida might attempt a hijacking aimed at Americans. The administration has said the information was not specific enough for it to take concrete action — an explanation similar to Cheney's about the difficulty of responding to the latest intelligence reports.

Cheney said he reviewed the Aug. 6 memo and saw nothing that should have prompted immediate action. He said terrorists have been hijacking planes for 30 years and that the warning was based on old intel-

ling signs that, together, might have prevented the Sept. 11 attacks. Among the others were a July memo by an FBI agent in Phoenix warning of a large number of Arabs training in U.S. flight schools, and the arrest in August of Zacarias Moussaoui while training at a Minnesota flight school. He has now been charged as a conspirator in the attacks.

"There's no question that there were failures," Cheney said. He cited a lack of coordination between domestic law enforcement and U.S. intelligence agencies, and problems in analyzing intelligence data. Many of those problems are being addressed, he said.

"But I can't say at this point that even if we had all those pieces together that it would have led to the conclusion that they were going to hit the Trade Center, the Pentagon, et cetera,"

investigation of the 1998 bombings of the U.S. embassies in Kenya and Tanzania, Newsweek reported, citing unnamed sources.

The action came after U.S. District Judge Royce C. Lamberth complained to Attorney General John Ashcroft that an FBI official had misrepresented petitions for taps on terror suspects, the magazine said.

Some lawmakers want an independent commission to investigate intelligence failures related to the attacks. Cheney noted that the administration is cooperating with a joint investigation by the House and Senate intelligence committees. He said he opposes an independent inquiry because it would tie up too many officials involved in fighting terrorism and could lead to the release of classified information.

raised in Key West. That's why my carvings have ended up in the White House so often. My first one was of Truman standing in front of the Little White House."

"He loved posing for that one."

Since then, Balbontin, a gravel-voiced man with a sassy goatee, has carved out scenes featuring Gerald Ford, George Bush, Sr., and Jacqueline

enormous wood block flag flanked by torched and an eagle — is destined for George W. Bush.

"I was sitting down with my girlfriend after dinner, just watching TV shortly after Sept. 11 and the news was filled with the terrorist attacks," he said. "So I decided to do something patriotic. I hope he likes it." If George W. Bush is anything like his predecessors, he will. In

Share your opinion in Citizen's Voice.

Call 294-5800



Voted Top Five by ZAGAT Survey 2002

Michael's Restaurant

Dine Indoors or Fountainside

Reservations Suggested (305) 295-1300

or online at: www.michaelskeywest.com

132141

Cop

Continued from page 1A

Biskup ordered the arrests of four people for affray, but said they "did not see any of the defendants fighting" according to investigators.

Two former officers were charged with two felony counts each of falsifying arrest affidavits

in connection with the same incident. Patrick Saunders, 27, now a state fire marshal and Geoffery Harris, 24, a deputy with the Hillsborough County Sheriff's Office, are free on their own recognizance.

On May 1, officer Michael Beerbower agreed to enter into an intervention program and accept a one month departmental suspension after being charged with three misde-

meanor counts of battery for striking two prisoners several times in the face after a vehicle and foot chase through Old Town Key West in July 2000.

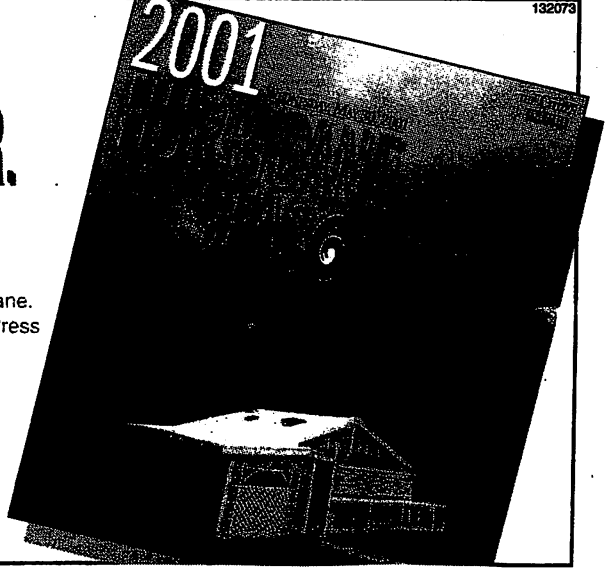
On March 1, police Lt. Al Flowers resigned and relinquished his law enforcement credentials after being accused of misconduct during an October 1998 arrest.

twalker@keysnews.com

BE PREPARED. WORK TOGETHER. WORK SMARTER.

A complete guide on being prepared for a hurricane. Published May 29th in The Citizen and all Free Press editions. The Largest distribution of any Hurricane Publication in the Keys. Over 35,000 Keys Wide circulation. Advertising deadline is May 20th.

Call to reserve space for your important advertising message today 292-7777.



charged with 2001 jury agrees to deal

TOM WALKER

Citizen Staff Writer

Key West police Officer Eric Biskup, charged criminally for battering a tourist with his police baton during a 2001 street brawl, has opted to avoid trial.

On July 30, Biskup agreed to enter pretrial intervention and accept a departmental suspension. Monroe County prosecutor Catherine Vogel said Wednesday.

As part of his agreement, Biskup agreed to a 20-day suspension from the police department and will pay \$400 for costs of the investigation and \$108 in court costs. Had he been convicted by a jury of the misdemeanor allegation, Biskup could



Biskup

have faced up to one year in jail and a \$1,000 fine.

Biskup became the fourth officer charged after an extensive probe. It became public knowledge in February that the State Attorney's Office was investigating allegations of misconduct and brutality by some members of the Key West police force.

A fifth officer, Lt. Al Flowers, avoided official charges but resigned on March 1 and relinquished his law enforcement credentials after being accused of misconduct during an October 1998 arrest.

Investigators claim Biskup struck a man with a collapsible police baton, called an ASP, after a July 29, 2001, confrontation with another man outside Sloppy Joe's Bar at the corner of Duval and Greene streets. Biskup acknowledged he resort-

See DEAL, page 10A

UNDA
2001
KEY WEST CITIZEN

Deal

Continued from page 1A

ed to using the baton after the man turned on him and "got that bowed up look."

However, while other officers claimed Biskup ordered the arrests of four people for affray, they reportedly "did not see any of the defendants fighting," according to investigators.

Two former officers were charged with two felony counts each of falsifying arrest affidavits in connection with the same incident. Patrick Saunders, 27, now a state fire marshal, and Geoffrey Harris, 24, a deputy with the Hillsborough County Sheriff's Office, agreed on June 26 to accept pretrial intervention to avoid prosecution.

Terms of their intervention program — a form of diversion program typically offered to first-time offenders — required Saunders and Harris to demonstrate successful completion of a police report writing course and reimburse the state for investigative costs or complete 20 hours of community service.

Biskup also received a one-day suspension after being involved in a July 2001 police shooting on Front Street, but his suspension and that of three other officers was rescinded by Chief Buz Dillon in February based upon a recommendation by City Manager Julio Arael, who

called the police department's shooting policy "ambiguous."

Meanwhile, Officer Michael Beerbower was charged again Tuesday with battery for allegedly striking a handcuffed man in the face last month.

Based on the arrest affidavit, Beerbower was working at a Duval Street bar at 1:14 a.m. when he arrested Benjamin Whitfield, 26, of Key West on a trespassing charge. Whitfield was handcuffed behind his back and placed against Beerbower's car.

"An exchange of words between victim/Whitfield and defendant (Beerbower) occurred, at which point defendant walked Whitfield, still handcuffed behind his back west on Charles Street and approximately 10 to 15 feet south on Telegraph Lane. Defendant did then intentionally strike victim/Whitfield on the left side of the face with a hand," the affidavit states.

It was the fourth criminal charge in three months for Beerbower, who on May 1 agreed to enter into an intervention program and accept a one-month departmental suspension after being charged with three misdemeanor counts of battery for striking two prisoners several times in the face after a vehicle and foot chase through Old Town Key West in July 2000.

twalker@keysnews.com

ALMOST MADE PAGE 1

A COMPLAINT UNDER THE CIVIL RIGHTS ACT,
42 U.S.C. §1983

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

FILED BY *[Signature]*
98 SEP 22 PM 3:06
CARLOS JUENKE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

DORIAN Curtis TURNER)
_____)
_____)
_____)
_____)

(Enter above the full name of the plaintiff or plaintiffs in this action.))

98-10075

v.)

CIV-PAINE

**MAGISTRATE JUDGE
SORRENTINO**

Officer ERIC Bishop)
_____)
_____)
_____)
_____)

(Enter above the full name of the defendant or defendants in this action.))

Instructions for Filing Complaint by Prisoners
Under the Civil Rights Act, 42 U.S.C. §1983

This packet includes four copies of a complaint form and two copies of a forma pauperis petition. To start an action you must file an original and one copy of your complaint for each defendant you name and one copy for the court. For example, if you name two defendants, you must file the original and three copies of the complaint. You should also keep an additional copy of the complaint for your own records. All copies of the complaint must be identical to the original.

The clerk will not file your complaint unless it conforms to these instructions and to these forms.

cat/div B: heyllest
Case # 42980V10075
Judge Paine Mag CAS
Motn lfp Boye's Fee pd \$ 10
Receipt # _____

[Handwritten signature]