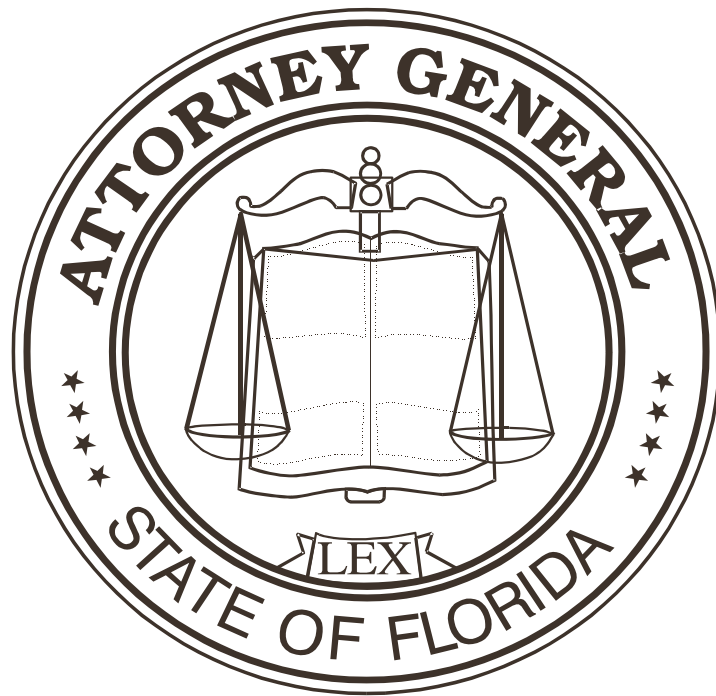


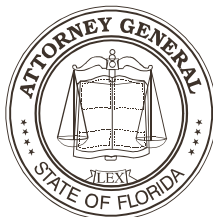
OFFICE OF STATEWIDE PROSECUTION 2003 ANNUAL REPORT



Submitted by Peter Williams, Statewide Prosecutor

March 1, 2004

Charlie Crist
Attorney General



Peter Williams
Statewide Prosecutor

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This Annual Report for the Office of Statewide Prosecution is being filed pursuant to Section 16.56 (2), Florida Statutes, and contains a summary of the activities of the Office for 2003 as well as the goals and objectives for 2004.

EXECUTIVE SUMMARY OF THE OFFICE'S ACTIVITIES

In Fiscal Year 2002-2003, the Office of Statewide Prosecution handled a total volume of 1,000 complex criminal investigations and prosecutions, including 628 filed cases and worked in conjunction with 101 law enforcement agencies and numerous State and Federal Task Forces. This volume was achieved in spite of a ten percent budget cut for Fiscal Year 2003-2004, and represents a six percent increase in the number of filed cases over the prior fiscal year. The overall conviction rate was 91%. The financial benefit to the citizens of the State of Florida in the form of assessed fines, penalties, and ordered restitution amounted to over \$27 million, which greatly exceeded the total operating budget of the Office of Statewide Prosecution.

MISSION OF THE OFFICE

The Office of Statewide Prosecution was created by constitutional amendment passed by Florida voters in 1986. Article IV, Section 4 of the Florida Constitution, together with Section 16.56, Florida Statutes, sets forth the jurisdiction and authority of the Office. The Office was created because organized criminal activity does not respect the geographic boundaries imposed by judicial circuit lines.

Peter Williams was appointed as the Statewide Prosecutor on January 7, 2003, by Attorney General Charlie Crist. Prior to his appointment, he served as Director of Alcoholic Beverages and Tobacco and Inspector General for the Department of Business and Professional Regulation. From 1989 to 1998, Williams served as an Assistant State Attorney for the 1st Judicial Circuit in Pensacola. He received a Bachelor of Arts in Economics from Yale University in 1974, his Masters in Business Administration from Stanford University in 1977, and his law degree from the University of Florida in 1986. He is a member of the Florida Bar, the State Bar of California, and the Alabama State Bar.

The mission of the Office is to investigate and prosecute multi-circuit organized crime and to assist other law enforcement officials in their efforts against organized crimes. The Office utilizes a team approach with law enforcement in attacking multi-offender, multi-offense, and multi-jurisdictional criminal cases.

The priorities of the Office are: (1) health care fraud; (2) white collar crimes (including identity theft, government contract fraud, insurance fraud, telemarketing fraud, securities fraud, and fraud against the elderly); (3) computer crimes (including identity theft, fraud, intrusions, and child pornography); and (4) violent offenses (including narcotics trafficking and money laundering) perpetrated by organized groups. These charges can include: Bribery, Burglary, Usury, Extortion, Gambling, Kidnaping, Theft, Murder, Prostitution, Perjury, Robbery, Home-Invasion Robbery, Car-Jacking, Narcotics Violations, Antitrust Violations, Anti-Fencing Violations, Crimes Involving Fraud and Deceit, Computer Crimes, and Attempts, Solicitations, or Conspiracies to commit these offenses. The goal of the Office is to dismantle criminal organizations through effective prosecution and civil, administrative, and regulatory sanctions when appropriate.

Under Section 16.56, Florida Statutes, the Office's jurisdiction to investigate and prosecute cases is limited to certain enumerated crimes as well as Racketeering (RICO), and is also limited to crimes committed in more than one judicial circuit. The Office may likewise proceed where the enumerated crimes are committed within one judicial circuit by members of an organized conspiracy affecting more than one judicial circuit, in furtherance of their common scheme or plan.

Additionally, the Statewide Prosecutor serves as legal advisor to the Statewide Grand Jury as provided for in Section 905.31, et seq., Florida Statutes. The Statewide Grand Jury is charged with detecting and eliminating organized criminal activity in matters which transpire or have significance in more than one county. The Statewide Grand Jury is likewise limited to an enumerated list of criminal offenses contained in Section 905.34, Florida Statutes.

Pursuant to Section 16.56 (2), Florida Statutes, this report is submitted to the Governor and Attorney General of the State of Florida.

INVESTIGATIONS, PROSECUTIONS, AND LEGISLATION

A. CASELOAD STATISTICS (Consistent with the Long Range Planning Report and the Legislative Budget Request, the following caseload data is reported on a fiscal year basis.)

The active caseload of the Office includes: (1) Cases filed in Fiscal Year 2002-2003; (2) Cases filed in prior years which remained in litigation during Fiscal Year 2002-2003; (3) Long-term complex criminal investigations; and (4) Statewide Grand Jury activities.

1. CASES FILED IN FISCAL YEAR 2002-2003

The Office filed 1,824 criminal charges against 648 defendants in 444 complex, multi-circuit cases.

The criminal charges filed by the Office are among the most serious felonies prohibited by law. They are often joined together in Racketeering (RICO) informations or indictments.

2. TOTAL INVENTORY OF FILED CASES HANDLED IN FISCAL YEAR 2002-2003

The office handled a total inventory of 628 filed cases (inclusive of those described above). The cases were litigated in 30 counties: Alachua; Bay; Brevard; Broward; Clay; Collier; Columbia; Dade; Duval; Escambia; Glades; Hendry; Hernando; Hillsborough; Holmes; Lake; Lee; Leon; Orange; Osceola; Palm Beach; Pasco; Pinellas; Polk; Putnam; Sarasota, Seminole; St. Johns; Taylor; and Volusia.

3. ACTIVE INVESTIGATIONS PENDING IN FISCAL YEAR 2002-2003

The caseload of the Office includes legal and operational assistance to law enforcement officers in major criminal investigations and task force operations. The Office received 494 new requests from law enforcement to assist in their investigations of multi-circuit organized criminal activity. The total inventory of active investigations was 1,000. The investigations were conducted by, or in coordination with, 101 law enforcement or regulatory agencies, and numerous State and Federal Task Forces. Assistance includes the preparation of search warrants and authorizations to conduct wiretaps.

4. CASES DISPOSED OF IN FISCAL YEAR 2002-2003

Of the defendants reaching disposition, 91% were convicted through either jury trials or guilty pleas. Collectively, the sentences obtained in these cases were as follows:

Prison Terms:	1,313 Years
Jail Time:	21,758 Days
Probation Terms:	1,989 Years
Community Control:	65 Years
Community Service Hours:	10,570
Number of Victims:	387 (including 26 government agencies)
Restitution Ordered for Victims:	\$17,862,855
Fines Imposed:	\$5,535,368
Court Costs Imposed:	\$158,529
Costs of Prosecution Assessed:	\$1,295,484
Costs of Investigation Assessed:	\$2,683,966
Total Monetary Assessments:	\$27,536,202

B. STATEWIDE GRAND JURY ACTIVITIES

In February 2003, at Governor Jeb Bush's request to the Supreme Court, the Office of Statewide Prosecution empaneled the Seventeenth Statewide Grand Jury to investigate allegations that adulterated prescription drugs were being sold in Florida by wholesalers who

were failing to verify their authenticity and effectiveness. The Office led the Statewide Grand Jury's investigation. After careful scrutiny of problems enforcing existing prescription drug regulations, the Statewide Grand Jury issued an interim report containing a series of recommendations for sweeping legislative changes to protect Florida consumers. Statewide Grand Jury reports can be found at <http://myfloridalegal.com/swp>.

Based on these recommendations, the Office drafted legislation known as the "Prescription Drug Protection Act." Under the leadership of Attorney General Charlie Crist, these legislative changes closely mirroring these important Seventeenth Statewide Grand Jury's recommendations became law in Section 2003-155, Laws of Florida. Among the changes included in these new laws were stronger criminal laws for failing to verify the origin of prescription drugs and for failing to keep them under safe conditions. In many cases, the criminal penalties were increased from third-degree felonies, punishable by no more than five years imprisonment, to first-degree felonies, punishable by thirty years in prison. Also included were new crimes, punishable by up to life terms in prison, relating to the sale or purchase of adulterated prescription drugs resulting in death or great bodily harm. Drugs that were noted to have been the frequent subject of many adulterations and abuses immediately became subject to strict "pedigree paper" requirements. Finally, the Florida Department of Health received broader seizure and destruction authority for adulterated drugs to ensure that only wholesome drugs be dispensed to consumers.

In July 2003, the Seventeenth Statewide Grand Jury returned two indictments against a total of 19 defendants for crimes associated with prescription drugs. The indictments were the result of investigations by a task force comprised of the Office of Statewide Prosecution, Florida Department of Law Enforcement, Metro-Dade Police Department, Department of Health, the Medicaid Fraud Unit of the OAG, and the Food and Drug Administration. Some of these criminal charges were based on defendants selling mislabeled or diluted drugs used to treat cancer and HIV patients. The Office is continuing to investigate this criminal activity related to prescription drug fraud.

In December 2003, the Statewide Grand Jury returned its second interim report, which focused on the high level of Medicaid fraud associated with the problem of diverted pharmaceuticals. The report found significant fraud in the Medicaid program relating to drug benefits, including fraud by the beneficiaries themselves. While previous enforcement efforts had addressed the issue of provider fraud, this was the first time the focus had been put on recipients. The Statewide Grand Jury found that despite ample evidence of serious fraud by beneficiaries, there were few if any consequences to beneficiaries and even fewer tools at the disposal of state regulators to combat this fraud. The Statewide Grand Jury issued a series of recommendations for change that Attorney General Charlie Crist has again incorporated into comprehensive legislative proposals that will be presented to the legislature this year. These proposals include both enhancements of criminal penalties as well as significant fraud prevention measures.

From July 2001 to December 2002, the Sixteenth Statewide Grand Jury was impaneled to address issues of identity fraud. As a result, the grand jury returned 19 indictments charging 89 defendants with 906 criminal counts. In addition, the Office of Statewide Prosecution assisted in the drafting of legislation significantly increasing the criminal penalties for identity theft

offenses. The legislation was titled “An Act relating to ID Theft and Internet Fraud, Prevention, Investigation, and Prosecution”, and became law in Chapter 2003-71, Laws of Florida. In total, the Office’s identity theft initiative has been responsible for prosecuting 127 defendants with over 1,180 criminal violations responsible for several million dollars worth of fraud.

On September 3, 2002, a federally funded Victims of Crime Act (VOCA) position was created to assist victims of identity theft. The identity theft victim advocate position was believed to be the first of its kind nationwide. The position was created to assist financial fraud and identity theft victims with all levels of direct services, advocacy, information, referral and criminal justice support. In September, 2003, a second position was added to assist with the increasing number of requests for assistance that the Office is receiving due to the rapid increase in the amount of identity theft crimes being committed in Florida and the United States.

C. Health Care Fraud

Since January 2003, the “Stone Cold Task Force” comprised of the Office of Statewide Prosecution, Florida Department of Law Enforcement, Metro-Dade Police Department, Medicaid Fraud Control Unit of the OAG, Federal Drug Administration, and the Department of Health, has seized or assisted in the seizure of \$1.6 million in cash and \$18.7 million in adulterated pharmaceuticals. The Office is continuing to work with this task force which is engaged in the investigation of several criminal organizations that are illegally dealing in adulterated and diverted pharmaceuticals. The Office anticipates that many of these investigations will mature to the point of arrests and prosecutions of numerous individuals in 2004.

The Office also assists the Medicaid Fraud Control Unit with the Office of Attorney General in the investigation and prosecution of Medicaid fraud cases. The Office currently has a number of active Medicaid fraud investigations and filed cases, and it is anticipated the number of these cases will also increase significantly in 2004.

D. Identity Theft

In 1998, the Office drafted and pursued the sponsorship and passing of legislation to criminalize the act of identity theft in Florida. As a result, Section 817.568, Florida Statutes, became law on July 1, 1999. Section 817.568 criminalizes the use of another person’s personal identifying information as defined in the statute. The recent Sixteenth Statewide Grand Jury focused on identity theft and issued two interim reports and a final report addressing identity theft and related issues. Many of the recommendations were adopted by the Florida Legislature and are now law. This Office has remained active in revising or proposing further enhancements to Florida’s identity theft statutes.

Last year the Office handled a total of 127 identity fraud cases with 48 defendants being sentenced to a total of 75 years in prison, more than 6 years in county jail, and 290 years probation with over \$3,975,675 in criminal financial damages. Identity theft is the fastest growing crime in Florida and the United States, and the number of such cases accepted by this Office is expected to increase substantially in 2004.

In October 2003, Attorney General Crist also created new online information on the Office of Attorney General website in order to help victims of identity theft and to provide information on how to avoid becoming a victim of identity theft. This information can be found under the “ID Theft Resource and Response Center;” which can be obtained at <http://myfloridalegal.com/identitytheft>. Since September 2002, there have been 1,634 identity crime related complaints received from the general public. Many of these were received by Attorney General Crist’s new “866-9-No-Scam” hotline designed to detect and prosecute fraud.

In Fiscal Year 2002-2003, the Office provided numerous training sessions to law enforcement personnel, prosecutors and financial institution auditors and investigators on how to investigate and prosecute identity theft related cases. Additionally, many seminars have been conducted for the general public on identity theft awareness and prevention.

E. Computer Crimes

The Office has handled an array of computer crime cases. Among these are several large scale network intrusion (hacking) cases, distribution of child pornography, online solicitation of minors for sexual purposes, communications fraud, internet fraud, and intellectual property crimes. Prosecutors with the Office often assist other law enforcement agencies and prosecutors on computer related investigations and prosecutions. In Fiscal Year 2002-2003, the Office provided numerous training sessions to law enforcement personnel and prosecutors on how to investigate and prosecute computer related and technology assisted crimes. This included presentations before the Florida Prosecuting Attorneys’ Association Annual Conference and the Annual Conference of State Legislatures on the importance of cyber-security and state laws addressing computer crimes, as well as presentations on behalf of the National Association of Attorneys’ General at basic and advanced cyber-crime training.

TRAINING AND PROFESSIONAL DEVELOPMENT

A. Assistant Statewide Prosecutors and Financial Analysts remain available to provide training to law enforcement officers. Members of the Office gave 62 law enforcement training presentations in calendar year 2003.

B. The Office is engaged in pro-active work with a number of Task Forces around the State. The more significant of such activities include:

1. Anti-Terrorist Task Forces

The Office continues to participate in multi-agency anti-terrorist task forces which were created after September 11, 2001.

2. Prescription Drug Task Forces

The “Stone Cold Task Force” was created to study prescription drug fraud. Their work formed the basis for the Seventeenth Statewide Grand Jury’s two reports this year as well as the

indictments of 19 people for drug diversion and the arrests of five other individuals. This task force is working with State and Federal agencies and has resulted in numerous arrests. The Office also participated in a task force formed by the Governor's Office of Drug Control to study prescription drug fraud.

3. Cargo Theft Task Forces

The Office is actively working with other law enforcement agencies in the state dealing with the thefts of cargo containers and haulers, which have adverse economic consequences as well as possible terrorism possibilities. This includes the South Florida TOMCATS Cargo Theft Task Force and the Cargo Theft Task Force out of the Marion County Sheriff's Office.

4. Drug Trafficking Task Forces

The Office has actively participated in numerous drug interdiction task forces around the state. They include the Governor's Florida-Jamaica Drug Liaison Task Force and the Miami Regional Violent Crime and Drug Control Council.

5. Operation LEGIT (Law Enforcement Getting Identity Thieves)

This joint task force between the Office of Statewide Prosecution, the Florida Department of Law Enforcement, and the Florida Highway Patrol and was formed to attack the rapidly growing number of identity theft crimes.

6. Child Exploitation Task Forces

The Office actively participates with child exploitation task forces in an attempt to curb the exploitation of children and distribution or manufacture of child pornography. These task forces include the Law Enforcement Against Child Harm (LEACH Task Force), Central Florida Child Exploitation Task Force, and the Miami Electronic Crimes Task Force (MECTF).

7. Fraudulent Check Task Forces

These include the Secret Service Fraudulent Check Task Force as well as the Pinellas/Hillsborough Counties Bad Check Task Force.

C. In 2003, 25 prosecutors were cross-designated to work cooperatively with State Attorneys and the United States Attorneys in white-collar crime and drug trafficking cases.

D. The Statewide Prosecutor served as Attorney General Crist's representative on the Violent Crime and Drug Control Council and the Governor's Drug Policy Advisory Council.

E. The Office was a member of the following criminal justice associations in 2003:

- Association of Certified Fraud Examiners
- Big Bend Law Enforcement Association
- Central Florida Fraud & Forgery Unit
- Central Florida Intelligence Unit

- Daytona Beach HIDTA Group
- Division of Insurance Fraud/Special Investigation Unit
- DOJ/NIST Technical Working Group on Digital Evidence
- Florida Association of Computer Crime Investigators
- Florida Gang Investigators Association
- Florida Intelligence Units
- Florida Prosecuting Attorneys Association
- Florida Sheriffs Association
- INFRAGARD
- National Association of Attorneys General
- National Center for Justice and the Rule of Law
- National White Collar Crime Center
- Suncoast Analyst Association

F. Attorneys from the Office have lectured at State and legal conferences. Several prosecutors are listed as subject matter experts by the Florida Prosecuting Attorneys Association.

G. Other achievements by the Office of Statewide Prosecution Staff include:

In May 2003, two Davis Productivity Awards were presented to the Office. The first award was based on the Office's involvement with the statewide task force, Operation LEGIT (Law Enforcement Getting Identity Thieves) and the resulting efforts to combat identity theft. The second Davis Productivity award was presented to the Miami Office of Statewide Prosecution for its increased prosecution of narcotics trafficking and money laundering crimes.

The Office's attorneys are admitted to practice in all State and Federal courts in Florida, as well as the state courts of Alabama, California, District of Columbia, Idaho, Maryland, Massachusetts, Missouri, and Wisconsin. Six attorneys from the Office are Florida board certified in criminal law, twenty attorneys are "AV" or "BV" rated by Martindale-Hubbell, and several attorneys have published in Bar journals, and other legal and law enforcement related publications.

Eight attorneys serve on Florida Bar Committees. One attorney serves on the Florida Prosecuting Attorneys' Association (FPAA) education committee and three attorneys have received distinguished service awards from the FPAA.

During 2003, two attorneys were recently appointed to the bench by Governor Jeb Bush. Cynthia Gelmine Imperato was appointed as a Circuit Judge in and for Broward County in February 2003, and John E. Duryea was appointed as County Judge for Lee County in July 2003.

Two attorneys, Henry L. Johnson and Michael J. Scionti, serve in military reserve units and were called to active duty in March 2003, to assist with Operation Iraqi Freedom. Members of the office volunteer their time to community projects, criminal justice oriented civic work, and pro bono legal assistance. Many members of the office serve as mentors to young children in Florida schools. The Statewide Prosecutor serves as a coach for Leon High School's Mock Trial Team in Tallahassee, under the Florida Mock Trial Program sponsored by the Florida Law Related Education Association.

ADMINISTRATION

Below is a list of the Assistant Statewide Prosecutors assigned to each office as of March 1, 2004. All Office Chiefs report directly to the Statewide Prosecutor.

Tallahassee	Jacksonville	Orlando	Tampa	Ft. Myers	Ft. Lauderdale	Miami	West Palm Beach
Ronald Lee Office Chief	Luis Bustamante Office Chief	Richard Bogle Office Chief	John Roman Office Chief		Lisa Porter Office Chief	Jodie Breece Office Chief	Lisa Porter Office Chief
Steve White	Shannon MacGillis	John Craft	Chris Brown	Steven Brangaccio	Jim Cobb	Jason Dimitris	Michael Rachel
		Robert Finkbeiner	Mark Campbell	Jessica Horowitz	Oscar Gelpi Special Counsel	Dawit Fikru	William Shepherd
		David Gillespie	Henry Johnson	George Richards	Kathleen George		Ann Marie Smith
		Jim Schneider General Counsel	Shannon Kennedy		Julie Hogan		
		Thomas Sadaka Special Counsel	Michael Scionti		Margery Lexa		
		Rebecca Springer	Thomas Smith		David Reed		
		Anne Wedge-McMillen			Teresa Williams		

The Office of Statewide Prosecution operates through eight offices located in Tallahassee, Jacksonville, Orlando, Tampa, Ft. Myers, West Palm Beach, Ft. Lauderdale and Miami. Most of these Offices are housed with the Offices of the Attorney General Charlie Crist. In Fiscal Year 2002-2003, the office had 73 positions. Following a ten percent budget cut for Fiscal Year 2003-2004, the office is currently staffed with 66 positions including 41 attorneys, 6 criminal financial analysts, and 19 paralegals, administrative assistants, and executive secretaries. The Fiscal Year 2003-2004 budget is \$5.6 million. The Office also receives an appropriation from the State Courts in the amount of \$158,000 to fund the investigations, operations, and case-related work of the Statewide Grand Jury. Grand Jury fees are also paid from this fund. This appropriation has remained constant since 1991.

Under Article IV, Section IV of the Florida Constitution, the Office of Statewide Prosecution was created in the Office of Attorney General. Accordingly, the Office follows the

administrative policies and procedures of the Office of Attorney General. These policies and procedures are supplemented, when necessary, to address issues related to the prosecution of criminal cases.

In Fiscal Year 2002-2003, the prosecutors and financial analysts recorded a total of 5,875 overtime hours. These employees are not compensated for this extra work due to their Select Exempt Employee status.

GOALS AND OBJECTIVES FOR 2004

The overall goal of the Office of Statewide Prosecution is to continue to make a significant impact on organized criminal organizations in the State of Florida. In 2004, the Office will continue to focus our resources on multi-defendant, multi-circuit cases and the number of jury trials are expected to continue to increase, as they did during 2003. Particular emphasis will be placed on investigating and prosecuting health care fraud, identity theft, other large scale fraud perpetrated on the citizens of Florida or on government agencies, and drug trafficking.

Each attorney will continue to be proactive in their attempts to expedite investigations and filed cases. Increased emphasis will be placed on making the appropriate initial charging decisions, particularly in racketeering (RICO) and aggravated white collar crime cases.

The Office can best accomplish this mission through cooperation and partnership with local law enforcement agencies, as well as Florida's twenty elected State Attorneys, and three appointed United States Attorneys. Efforts to achieve a high level of communication and cooperation between this Office and other State and Federal prosecuting offices will continue in order to insure that investigative and prosecution efforts by this Office complement the work being done by the State Attorneys and United States Attorneys.

The Office and its attorneys will remain available to any law enforcement agency that needs assistance in investigating or prosecuting criminal activity, provided the activity falls within the Office's jurisdiction. When appropriate, and requested to do so by Attorney General Charlie Crist, the Office will also assist in shaping criminal justice policy and legislation.

As a separate budget entity within the Office of Attorney General, this Office will follow the policies and procedures of the Office of Attorney General Charlie Crist. Internal controls necessary to monitor and audit expenditures, office equipment, employee timekeeping, and other administrative or legal requirements will continue to be evaluated and upgraded, if necessary. Office personnel will respond promptly to requests for public records, while insuring that any confidential information is protected. The Office of Statewide Prosecution will continue to achieve the goals and objectives as stated in the Long Range Program Plan.



Peter Williams
Statewide Prosecutor

March 1, 2004