

OUT OF THE MUCK

OUT OF THE MUCK

*A History of the Broward
Sheriff's Office, 1915–2000*

William P. Cahill

Robert M. Jarvis

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On the front cover: The Broward Sheriff's Department "Brahman bull" patch (1935). This insignia was used until 1959 and paid homage to the county's agricultural roots. (Courtesy of Jay Harris/Patch Me Thru)

On the back cover: The Broward Sheriff's Office "Pride in Service with Integrity" logo (2007). This mark was adopted after Alfred T. Lamberti was named interim sheriff. (Courtesy of the Broward Sheriff's Office)

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For Joan and Judith

We are soon forgotten, even those that for a moment seem big among us.

Arthur Brisbane

Fort Lauderdale Sentinel, May 18, 1923

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FOREWORD

For most of American history, the county sheriff shaped the operation of the criminal justice system. To be sure, legislators made state law; prosecutors and state attorneys proffered charges; and judges and juries determined the guilt of defendants and dispensed punishment. But county sheriffs, particularly in more rural regions, have served as the key “gatekeepers” of the legal system. Until relatively recently, when municipal police departments began to supplant county sheriff’s offices, the local sheriff, more than any other public official, determined which laws were to be rigidly enforced, which were to be selectively enforced, and which fell into abeyance.

Without law enforcers, the criminal law was inert. And without sheriffs to apprehend suspects, there were no defendants in most jurisdictions; hence, the work of prosecutors, judges, and jurors depended on the activities of local sheriffs. African-Americans were especially aware of the power of sheriffs. During the Reconstruction era, for example, violent battles over voting rights often hinged on the election of local sheriffs, who then either safeguarded minority rights or permitted the legal system to preserve racial discrimination, regardless of the letter of the law. Likewise, Southern sheriffs played central roles in lynchings during the late 19th and early 20th centuries, by being complicit in the violence or by using their authority to persuade lynch mobs to stand down.

Despite the enormous influence of county sheriffs, historians have largely overlooked these law enforcers. The legislative process and law formation have commanded great attention from legal scholars. Similarly, the operation of the courts, the judicial and social philosophies of judges, and even the means through which juries reach verdicts and make sentencing recommendations, have been analyzed in considerable depth. Although numerous studies of individual crimes and court cases have noted the important role of local sheriffs, these officials have received surprisingly little systematic attention from historians.

Thus, *Out of the Muck: A History of the Broward Sheriff’s Office, 1915–2000* is a welcome addition and contributes to our understanding of the legal, political, and institutional histories of Broward County and of the state of Florida. William P. Cahill and Robert M. Jarvis offer encyclopedic coverage, including

detailed biographical sketches of every Broward County sheriff and careful examinations of the elections and appointments that carried these men to office.

Written in the tradition of local history, the narrative is solidly grounded, using a wealth of government reports, legal records, newspaper clippings, and official correspondence. In addition, it tells an engaging story, complete with larger-than-life characters, vicious criminals, and strident reformers. Among others, Lucky Luciano, Al Capone, Geraldo Rivera, and the rap musicians *2 Live Crew* pass through its pages. *Out of the Muck* discusses corruption scandals, gambling syndicates, prostitution rings, and racial violence, focusing on the role of Broward County's sheriffs in either bringing the criminals to justice or participating in their illegal activities. Furthermore, in charting the history of the Broward County sheriff's office, the authors recount the history of South Florida, particularly the region's transformation from an underdeveloped backwater at the start of the 20th century to a major cosmopolitan population center by the close of the century.

Although Dr. Cahill and Professor Jarvis document the increasing modernization and professionalization of local law enforcement, they also explore the seamier side and the pressures that contributed to the successes, failures, and recurring corruption scandals in the Sheriff's Office. For instance, they identify the sheriffs who participated in racial violence and whose tenures were marred by scandal, such as the three sheriffs indicted while in office and the fourth who went directly from his post to prison. Again and again, the text suggests the ways in which partisan politics shaped the operations of the Sheriff's Office and therefore the criminal justice system in Broward County.

Even as they recount colorful tales about crime and punishment, and as they carefully describe changes in budgets, equipment, and personnel in the Sheriff's Office, the authors underscore the dangers inherent in a system in which the chief law enforcer, as an elected official, is yoked to partisan politics. In sum, *Out of the Muck* simultaneously tells a fascinating story of local development and provides an intriguing glimpse into the political and institutional battles that shaped law enforcement in South Florida. This is a book about Broward County, about Florida politics, and about the ways in which political and legal forces conflicted and collided.

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PREFACE

Of all the types of law enforcement officers in the United States, the one with the most storied pedigree is the sheriff. Although now popularly associated with either the lawless Old West of the 19th century or the racist Deep South of the 20th century, the office actually traces its roots to 10th century England, where each “shire” was headed by a local official known as a “reeve,” whose duties included collecting taxes, keeping the peace, and serving writs.¹ In time, the unwieldy phrase “shire reeve” was shortened to “sheriff,” and it is from this root that we get the word “shrievalty,” which denotes the jurisdiction served by a particular sheriff.

Although sheriffs are still found in nearly all common law countries, there is considerable variation in their modern functions and responsibilities, which run the gamut from administrative (Australia, Canada, and Ireland) to ceremonial (England, India, and Wales) to judicial (Scotland). In the United States, however, the title is most often used to denote the chief law enforcement officer of a county (although in some counties the criminal law enforcement responsibilities of the sheriff’s office—and sometimes even its jail keeping duties—have been taken over by other agencies). In addition, the United States is nearly alone in its practice of electing sheriffs.

The first American sheriffs appeared in Virginia in the 17th century. Like their English counterparts, they were local officials who collected taxes and enforced laws, but they also handled prisoners and ran the jails. Beginning in the 18th century, the practice of appointing sheriffs gradually fell into disfavor, and the position increasingly became an elected one. By the time of the Revolutionary War, the office was well-entrenched throughout the colonies, and has remained remarkably unchanged during the past 200 years.

Today, there are approximately 3,000 sheriffs in the United States, collectively employing some 150,000 deputies. With the exceptions of Alaska (which never has had sheriffs and instead uses state troopers) and Connecticut (where the office was abolished in 2000 following a series of scandals), sheriffs can be found in every state (although in Hawaii they are part of the department of public safety). In some jurisdictions, the office’s formal name is “high sheriff,” although this term now is al-

most never used in everyday conversation. By the same token, the words “under-sheriff” and “vice sheriff,” which refer to a sheriff’s second-in-command, also have fallen into disuse (normally being replaced by the more familiar “chief deputy”).

In Florida, the office is referenced in the state constitution, which requires counties to elect a sheriff once every four years.² Because the constitution also establishes the separate posts of property appraiser and tax collector, Florida’s sheriffs no longer perform the duties of these offices, but instead focus on arresting lawbreakers, operating jails, serving warrants, and assisting the local courts.³

Despite their importance in everyday life, most members of the public know very little about sheriffs. Indeed, when the average citizen thinks about sheriffs at all, he or she is more likely to think of a fictional sheriff—such as the wise Andrew J. “Andy” Taylor (*The Andy Griffith Show*), the befuddled J.W. Pepper (*Live and Let Die*), the buffoonish Rosco P. Coltrane (*The Dukes of Hazzard*), the foul-mouthed Buford T. Justice (*Smokey and the Bandit*), the scheming Elroy P. Lobo (*B.J. and the Bear*), or the fabled Sheriff of Nottingham (Robin Hood’s arch nemesis)—than a real-life sheriff like Patrick F. Garrett, William B. “Bat” Masterson, or Buford H. Pusser (who many viewers know only through his on-screen portrayal by Joe Don Baker in the movie *Walking Tall*).

The public’s lack of awareness is due, at least in part, to the absence of shrieval scholarship. Indeed, for many years, the only readily available work was a treatise aimed primarily at lawyers.⁴ In the last ten years, however, this state of affairs has begun to change due to the appearance of a national sheriffs’ history⁵ as well as two guides to Florida’s sheriffs.⁶ Still more books have appeared about individual sheriffs (many of them autobiographies) or specific departments (including a series by the Turner Publishing Company of Paducah, Kentucky, that features a number of Florida titles).

The history of the Broward Sheriff’s Office dates from 1915, when Aden W. Turner was overwhelmingly elected the county’s first sheriff. In 1922, Turner was suspended by Governor Cary A. Hardee for failing to do enough to curb crime, a decision that was confirmed the next year by the Florida Senate. By and large, Turner’s successors turned out to be even worse, with three of them—Paul C. Bryan, Walter R. Clark, and Allen B. Michell—being indicted while in office and a fourth—Kenneth C. “Ken” Jenne II—being sent to prison after pleading guilty to mail and tax fraud.

Curiously, despite its long and colorful history, no previous work has attempted to tell the story of the Broward Sheriff’s Office. As such, we hereby offer this book. Its title (for those who may be wondering) reflects the historical facts that Broward County was partially formed out of the muck of a massive state dredging project and the Broward Sheriff’s Office has had to repeatedly drag itself out of the muck of scandal.



Andy Griffith, in his role as the sheriff of the fictional town of Mayberry, North Carolina (c. 1965), and William B. "Bat" Masterson, sheriff of Ford County (Dodge City), Kansas (1878–80)

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