

Suspected swindler enters pre-trial diversion program

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BRONSON -- It is done.

Levy County Judge J.T. "Tim" Browning on Wednesday (Aug. 10) allowed Assistant State Attorney Darla Whistler and private defense attorney Shannon Smith of the Smith Law Firm of Chiefland to conclude the case of a suspected swindler, according to records, through Pre-Trial Intervention (PTI).

Lacy Shae Harris

Lacy Shae Harris, 26, is suspected of committing a felony level of fraud by allegedly swindling companies where she bought goods and services for herself by using a credit card that was supposed to be used exclusively for purchases of goods and services for the Levy County UF/IFAS Extension office.

Harris was the office manager entrusted with that credit card. She allegedly made her self-serving purchases and is suspected of having submitted counterfeit receipts that she created herself to trick former Extension Director Albert Fuller, the Levy County Clerk's Office and others.

Although this case had been assigned to Eighth Judicial Circuit Court Judge Mark W. Moseley to rule upon, Levy County Judge J.T. "Tim" Browning was able to rule on the circuit court cases for the absent Judge Moseley on Wednesday.

A county court judge is authorized to act as a circuit court judge on criminal and civil cases in Florida, and due to caseloads and other demands that is not uncommon.

Judge Moseley had set the date for consideration of a possible PTI in the State of Florida versus Lacy Shae Harris case to be on Aug. 10, during a July 6 hearing.

The outcome of this PTI means that Harris may go completely free from a criminal record, if the plea-negotiated agreement Assistant State Attorney Whistler made with private defense attorney Smith concludes without Harris violating the rules of the PTI contract.

In this plea bargain for Harris, she must serve 30 months from Aug. 10 under PTI rules. However, there is a stipulation to possibly reduce that amount of time significantly

If she violates the rules, which are part of a contract between her and the state, then she can be prosecuted for fraud. If that happened, and she went before Judge Moseley, then he would be unhappy, according to what he has told previous defendants in similar cases.

As a result of this one felony charge of fraud for less than \$20,000 in value (Florida Statute 817.034 {4a3}), which is a third degree felony, Harris faced a maximum prison sentence of five years, according to Florida law.

Instead, as a result of this PTI, Harris spends zero nights in jail or prison.

Here is the extent of her 30-month (or less, because it can be reduced) sentence.

Harris must:

- * report to her PTI officer monthly.
- * not violate any law.
- * work regularly at a lawful occupation and advise her employer of her PTI status, and/or attend school.
- * immediately inform her PTI officer of any change in address or employment.
- * truthfully answer all inquiries by her PTI officer, and allow the officer to visit in her home, employment, school or elsewhere and she must comply with all lawful instructions given to her by the PTI officer.

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- * not carry or possess any firearm.
- * pay the State of Florida the cost of supervision at the rate of \$20 per month, and since this is a felony another \$2 monthly fee is added.
- * complete 50 community service hours or make a \$125 donation to Another Way of Lake City.
- * pay restitution, fines, costs and/or fees, plus 4 percent pursuant to Florida Statute 945.31 as directed by the Florida Department of Corrections.
- * pay restitution in the amount of \$9,787.92 to Gallagher Bassett Insurance.
- * not possess or use any illegal drug.
- * submit to urinalysis as instructed and pay for those tests.
- * not leave the county of her residence (Marion County) without first obtaining the consent of her PTI officer.
- * pay the State Attorney fee of \$200.
- * waive speedy trial rights and other rights as a result of this agreement.
- * PTI may be terminated early after restitution and other compliance matters are completed.

Eighth Judicial Circuit State Attorney William Cervone may, during the PTI period, revoke or modify the conditions of this deferred prosecution by changing the period not to exceed an additional 90 days, or he may void the agreement if it is determined that Harris has a significant prior record of adult criminal conviction, or he may prosecute Harris for this offence if she violates any of the conditions to which she agreed.

In February of 2016, Levy County Coordinator Freddie Moody and Levy County Clerk Danny Shipp discovered employee Harris was responsible for numerous credit card charges on the Levy County Agricultural Extension Office's credit card.

Investigators determined Harris made less than \$20,000 worth of charges to companies such as Wal-Mart, Amazon, Vivid Seats LTD and ticketsatwork.com on the card funded by Levy County taxpayers.

If investigators had found Harris defrauded the county out of \$20,000 or more, then that would have bumped the charge up on the scale of felonious crimes, according to Florida Statutes.

None of these credit card purchases had been authorized by supervisors and were deemed to be fraudulent, according to what Levy County Sheriff's Office investigators uncovered.

LCSSO investigators determined the charges made to the credit card were only for Harris' own personal use.

Although Harris lives in Marion County, which is in the Fifth Judicial Circuit (Citrus, Hernando, Lake, Marion and Sumter counties), she has been charged with committing the crime in Levy County, which is part of the Eighth Judicial Circuit (Alachua, Baker, Bradford, Gilchrist, Levy, and Union counties). Hence, she is in the Eighth Circuit for prosecution of the alleged crime.

Until or unless she is convicted, Harris, like any and all other suspected criminals in America, maintains a presumption of innocence.

If Harris is acquitted, or if she completes a PTI arrangement where her charge may be later expunged, then her presumption of innocence continues with her for the rest of her life.