

Charlotte Sun Herald

EDITION



Just Nunsense!

The Charlotte Players have fun with religion in "Nunsense," a wacky musical that opens tonight.

See OUR TOWN

FRIDAY

Vol 101 No.337 Page editor: John Blake

Friday, December 3, 1993

25 cents

'A wonderful feeling'

The case

A jury acquitted Teddy Charles Ryan Jr. Thursday of kidnapping, armed robbery and aggravated assault in the Jan. 22 heist of Westchester Gold Fabricators.

A Charlotte County sheriff's detective arrested Ryan March 8 based on the fact all five kidnapping victims picked his photo from a photo lineup. The acquittal came after his attorney, Richard Barrett, introduced several alibi witnesses who placed Ryan in Ocoee the morning of the crime. Barrett also called attention to bizarre factors in the crime that he said showed the victims' stories "didn't make sense."

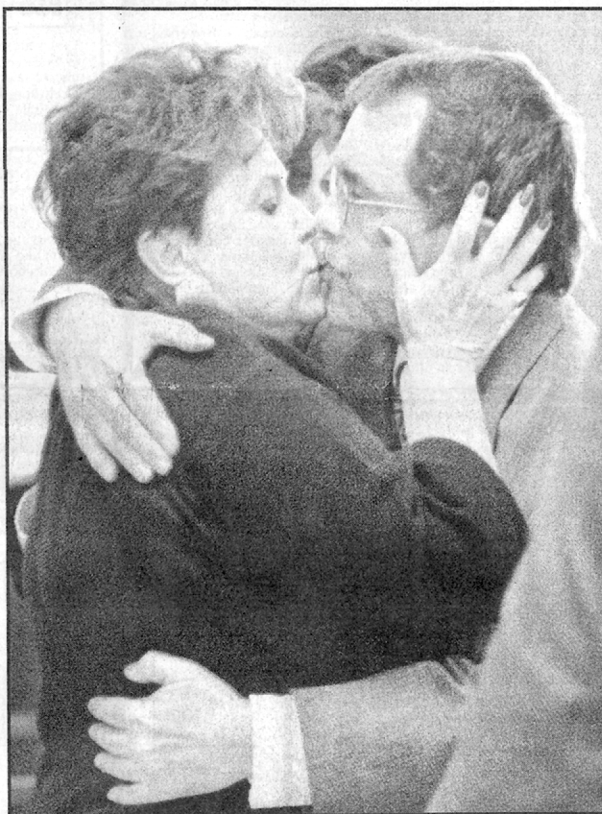
Teddy Ryan's brother, Robert Ryan, 45, of Sanford, Fla. feels his brother's acquittal will help his case. The jury will learn the same five victims who picked him were wrong when they picked his brother from photo lineups, Robert Ryan said.

Robert Ryan said he intends to stand trial in January as scheduled.



"When we opened the case we knew the story didn't make sense. But not in my wildest imagination did I think we'd reveal what we did."

—Attorney Richard Lee Barrett



Staff photos by Paul Schmidt
Teddy Ryan kisses his wife, Norma, after being acquitted Thursday of the 12 charges against him.

Ryan kidnapping and robbery trial ends in acquittal

By GREG MARTIN
Staff Writer

Kidnapping and robbery defendant Teddy Charles Ryan Jr. got to wear his gold wedding ring for the first time since his arrest 270 days ago.

After a two-week-long trial, a six-member jury acquitted him of all 12 charges against him in the Jan. 22 robbery of the Westchester Gold Fabricators jewelry and pawn shop.

A moment before Ryan embraced his wife Norma, she placed his wedding ring back on his finger. He wasn't allowed to wear the ring in the Charlotte County Jail.

"I've spent 25 years in public service, and it's a wonderful feeling to see the jury system work," said Ryan after the verdict. "I think it's a classic case of misidentification."

Although some jurors interviewed said they were convinced their verdict was correct, some of the victims held hostage at gunpoint during the nine-hour heist felt justice was denied.

"The verdict tells all the undesirable citizens in Charlotte County that if you need money, get a gun, rob someone and have a friend come up with an alibi," said Stephen Duke, the owner of Westchester Gold Fabricators. "It beats working."

Duke said he was so shocked by the verdict, he left work and went for a drive in his 1960s Corvette.

"I was in Venice before I realized where I was going. I just opened that Corvette up."

Kathryn Green was the only victim in the case to be in the courtroom when the verdict was announced. She stormed out in disgust and declined comment later.

Ryan, 49, had just been hired to a \$52,000 post as city manager of Cumberland, Md. four days before the crime was committed. He was arrested along with his brother, Robert Ryan, 45, of Sanford, Fla., within six weeks of the crime.

The arrests had come after all five of the victims in the kidnapping picked the defendants' photos from a photo lineup.

The jury deliberated four hours Wednesday and a half hour Thursday morning before acquit-

Please see TRIAL, page 8

★ TRIAL

From page 1

ting Teddy Ryan of five counts of kidnapping, five counts of aggravated assault and two counts of armed robbery.

The brothers were accused of duping Port Charlotte real estate saleswoman Kathryn Green into showing them a house for sale owned by Joyce Zirko. Zirko was dating Duke at the time.

The robbers took Green, Zirko, her 13-year-old daughter and that girl's 13-year-old friend hostage at gunpoint until Duke arrived. The robbers told the victims they were "DEA agents gone bad."

Robert Ryan allegedly strapped plastic explosives to Duke and ordered him to remove the more than \$100,000 in his safe. Teddy Ryan meanwhile guarded the four women who were bound with duct tape, according to the victims.

But Teddy Ryan's lead attorney, Richard Lee Barrett of Orlando, said the crime was so bizarre "nothing made sense."

"When we opened the case we knew the story didn't make sense. But not in my wildest imagination did I think we'd reveal what we did," Barrett said, following the verdict.

"I don't know what really happened. One thing I'm absolutely certain of is that Teddy Ryan was not there," he added.

Two jurors who agreed to comment on the case both said they felt strongly Teddy Ryan got the verdict he deserved.

"I do think it was the right verdict and I do think this man can now get on with the Christian life he said he's trying to live," said Herman James.

A woman juror who spoke on condition she not be named said: "That had to be the verdict. There was no evidence. None."

The woman pointed to discrepancies between how the victims testified in earlier depositions compared to their testimony during the trial.

"The defense attorneys did excellent jobs. The state didn't bungle the case. They just didn't do a good job investigating," she said.

During his closing arguments Wednesday, Barrett pointed to testimony indicating Duke at first didn't know how much money he had in his safe. He had initially estimated as much as \$180,000, but reduced the estimate to around \$100,000.

Barrett also said it didn't make sense that Duke asked the robbery defendant identified as Teddy Ryan if he could keep \$10,000 to operate his store. Ryan agreed but Duke never pressed the point and didn't keep the money.

Barrett also pointed out an employee of Duke's and Zirko's husband both had past drug convictions. Duke also had several past arrests — but no convictions, including one arrest on an organized crime charge.

The charge stemmed only from a sheriff's detective's failed attempt to catch Duke buying a stolen ring from an informant.

The case failed because the informant never told the Westchester Gold pawn broker the ring was stolen.

Barrett also pointed out Zirko had suggested the victims tape themselves back up after the robbers left and report all their money and jewelry stolen. When they didn't agree, Zirko uttered the kidnapping could be used as an excuse to seek a divorce from her husband, John Zirko, who was in prison on drug charges.

Assistant State Attorney Jennifer Harrington, the lead prosecutor on the case, called attention to "interesting coincidences" that corroborated the victims' identifications of the Ryan brothers.

The coincidences included that Teddy Ryan told one of the 13-year-old girls he has two daughters, one named Jennifer. Teddy Ryan in fact has two step-daughters, and Robert Ryan has a daughter named Jennifer.

Also, Robert Ryan using the name "George Reed" told Kathryn Green he had to cut short one visit to discuss purchasing Zirko's house because he had to "visit someone on Siesta Key."

Teddy Ryan in fact met with a friend, Oscar Smith, on Siesta Key during the month preceding the robbery.

Teddy Ryan also purchased his airline ticket to travel to Florida from Massachusetts Jan. 20-24 under the name Oscar Smith, Harrington told the jury.

But the weight of the state's case



Staff photos by Paul Schmidt

Top, Teddy Ryan and his attorneys listen intently as the verdict is read Thursday in his kidnapping and armed robbery trial. Above, Ryan speaks with members of the media following his acquittal.

rested on the identifications by the five victims. Although all said they had no doubt Teddy Ryan was one of the two suspects, they described him differently.

Various victims estimated a range of weights for the suspect, from 180 to 220 pounds. One said he had curly brown hair, others black hair.

Some described variations in how they were dressed.

One of the 13-year-old victims had said in a statement early in the case the suspect had "less hair" than Sheriff's Detective John Columbia, who is bald on the top of his head.

That prompted Columbia to violate an order from Circuit Judge Donald Pellicchia barring any witness from discussing the case with any other witness. Columbia telephoned the father of the girl, George Kats, to explain why the suspect looked balder.

It was because Columbia in January combed his hair over his head to hide his bald spot. He now combs it straight back.

Pellicchia warned the jury to consider the fact Columbia "attempted to influence the testimony" when it weighed the girl's testimony.

Harrington and Assistant State Paul Alessandrone said they accepted the jury's verdict. But

Harrington said she plans to use lessons learned during the trial against his brother, who is set to be tried in January.

"Obviously it's upsetting because of what the victims went through," Harrington said. "It was an aggressive defense. The jury was attentive and set a high standard in reviewing the case before reaching its verdict."

Alessandrone said, "The only comment I have is that Teddy Ryan had very competent attorneys."

"Obviously the jury paid close attention to the evidence. They took their time and I have no disagreement with the decision."

Alessandrone also said the state was able to present all the relevant evidence it possessed against Teddy Ryan, despite the fact some evidence was ruled inadmissible because it pertained only to Robert Ryan's case.

That evidence includes that Robert Ryan has claimed to be a DEA agent in the past and visited Westchester Gold Fabricators several times in 1992. The visits were made to negotiate deals involving country western souvenir coins and coins salvaged from a Spanish galleon.

Robert Ryan has also acknowledged he carried \$14,000 in cash on his person and purchased a 1972

Mercedes during the weekend following the crime.

But, he said the money was lawfully gained from a lawsuit by his mother and from his fiancée, Sompong Crane.

Duke felt the jury was distracted by some of the "red herrings" the defense threw into the case.

"They threw out all this other stuff and it clouded the issue," Duke said. "This isn't about my background, Joyce's background or Kathie Green's background. This is about us getting kidnapped."

He also felt Ryan's alibi — that several former associates saw him at the city of Ocoee the morning of the crime — should have been discounted. Barrett's legal assistant, Michael Barfield, led the witnesses to their conclusions the day they saw Ryan in Ocoee was Jan. 22, Duke said.

Teddy Ryan praised the jury, the judge and his two attorneys.

"The full weight of the government came down in this case," he said.

He said he's lost his job, career, home, car, even his Rolex watch as a result of his arrest and incarceration. But he's gained something more valuable.

"I have nothing left except my freedom, my family and my faith," he said. "God is good."