FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On Friday, July 20, 2012, Special Agent (SA) Claudia Law, Florida Department of Law Enforcement (FDLE), Sarasota, was directed, via chain-of-command, to investigate allegations that State College of Florida Manatee-Sarasota (SCFMS) president Dr. Lars Hafner forged the signature of a former colleague on documents relating to the obtaining of state grant monies.

The allegations that Dr. Hafner forged the signature of Steve Harner, a former Board of Trustees (BOT) member, on an application for state grant funds for the SCFMS Collegiate School program, were presented at a meeting of the BOT on Tuesday, June 19, 2012, by board chair Carlos Beruff.

At this meeting, the BOT members voted to have these allegations investigated.
Attorney Gregory Porges, hired by Beruff, had put together an ensemble of documents supporting the forgery claim.

Subsequently, the information was sent to the Florida Department of Education (FDOE) Inspector General.

The FDLE Executive Investigations (EI) was contacted by the FDOE requesting an investigation into the forgery charges. The initial contact with the FDLE is documented in EI-73-8558. The documents provided are maintained electronically as Related Items to that case file.

SA Law was provided a hard copy of the documents regarding the allegations and began an inquiry immediately.

These documents are maintained as related items to this case file.

Case Number: SA-14-0009	Serial #: 1
Author: Law, Claudia A	Office: Sarasota
Activity Start Date: 07/20/2012	Activity End Date:07/20/2012
Approved By: Scanlan, J Davidson	

Description:Opening IR

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FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On Tuesday, August 21, 2012, Special Agent (SA) Claudia Law, Florida Department of Law Enforcement (FDLE), conducted an interview as part of this investigation regarding allegations that State College of Florida Manatee-Sarasota (SCFMS) president Dr. Lars Hafner forged the signature of a former colleague on documents relating to the obtaining of grant monies.

On that date, 08/21/2012, at approximately 1400 hours, SA Law and Acting Special Agent Supervisor (ASAS) J Scanlan interviewed Carlos Beruff and Gregory J. Porges at the law offices of Porges, Hamlin, Knowles & Hawk, 1205 Manatee Avenue W, Bradenton, Florida, 34205.

Beruff is the chair of the SCFMS Board of Trustees (BOT) and brought the issue of the possible forgery to light during a public meeting of the BOT on June 19, 2012. Porges, an attorney, has been retained by Beruff.

Acting in her capacity as a law enforcement officer, SA Law placed both Beruff and Porges under oath regarding their statements, both verbal and written.

Beruff provided the following information, in substance, to SA Law and ASAS Scanlan:

- Beruff, a local developer, was appointed to the BOT, by the Governor, in August, 2008, and was elected BOT chair in September, 2011. The Governor appoints individuals to the BOT, with the Florida Senate ratifying the appointments.
- In or around June, 2011, Pam Morris was leaving her position as assistant to Dr. Lars Hafner, president of SCFMS. Beruff had discussions with Morris, who was reluctant to provide any information regarding Hafner because she was taking a new position with a new employer and didn't want to "rock the boat".
- In mid to late summer of 2011, Beruff met with Morris. Morris stated that she had seen Hafner practicing the signature of previous BOT chair Stephen Harner and felt something was amiss. Morris provided a photocopy of the document with the practice signatures. Morris also stated that she believed that Hafner had also changed the "minutes" of previous BOT meetings.
- Toward the end of 2011 Beruff was able to locate the identity of the alleged forged document via the Florida Department of Education (FDOE). The document was an application for state grant funds, in the amount of three hundred twenty-five thousand dollars ($325,000.00), for the Charter School to be operated by the SCF.

Case Number: SA-14-0009	Serial #: 2
Author: Law, Claudia A	Office: Sarasota
Activity Start Date: 08/21/2012	Activity End Date:08/21/2012
Approved By: Scanlan, J Davidson	

Description:Interview with Carlos Beruff and Gregory Porges

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- In January, 2012, Beruff met with Harner in Venice, Florida. Beruff showed Harner the document with the signature in question. Harner stated that the signature was not his. Beruff then asked Harner if he (Harner) had ever given permission to Hafner to execute his signature. Harner advised he had not.
- Subsequently, Beruff contacted attorney Porges. Porges had been the SCF outside counsel for in excess of twenty (20) years prior to the college retaining an in-house attorney, and was familiar with the processes of the college.
- In or about March, 2012, met with Hafner and presented the above described issue to him.
- Beruff, not wanting to falsely accuse Hafner, employed an expert in forensic handwriting analysis.
    - The analyst with J. J. Berrie & Associates, Inc. needed to view the original document, as part of the forensic analysis, in order to make a valid determination. The original document is maintained with the FDOE in Tallahassee, Florida, so the analyst, accompanied by an attorney (not identified), traveled to Tallahassee to view the document.
    - After completing the analysis of the original document, as well as others, the following determinations were made: 1) the signature on the grant application was not Steve Harner's, and 2) the person that practiced Harner's signature on the document noted previously was the same individual that signed Harner's name.

- In or around May, 2012, Beruff attempted unsuccessfully to contact with Harner.
- On May 21, 2012, Gregory Porges made contact with Harner. According to an affidavit provided by Porges, Harner stated to Porges that he (Harner) had not given consent to Hafner to forge his signature.
- Beruff then contacted the general counsel for SCFMS, Steve Prouty, to bring this matter to his attention as Beruff felt the activity by Hafner could adversely affect the college.
- Beruff then went to the college to discuss the issue directly with Dr. Hafner. Prouty was present at this meeting. Beruff provided the report issued by the handwriting analyst.
- Beruff believed the issue needed to be addressed at the next BOT meeting and wanted to provide Dr. Hafner the courtesy of addressing the issue with him first. Beruff was asked to not present the issue to the board.
- According to Beruff, when he was presented with the concerns of forgery, Hafner stated

  "I've never forged anything in my life"
- Although the questioned document is a grant application, the grant itself had been voted on and approved by the BOT.
- The grant funds reached the program areas they were designated for and there are no allegations regarding the obtaining of or expenditure of the funds.

Mr. Porges supported the statements made by Beruff. Porges advised that he stands by his affidavit previously provided.

The following information, in substance, was provided in Porges' affidavit:

- He was retained in February, 2012, by Beruff.
- In May, 2012, Porges, at the request of Beruff, met with Harner.

"On Monday, May 21, 2012, your Affiant met with Mr. Harner in the offices of Mr. Harner's place of business, the Crow's Nest Restaurant, located in Venice, Florida and posed the following questions to Mr. Harner:

•A. While serving as the Chairman of the District Board of Trustees of SCF did you execute the Collegiate School Documents; and
•B. If you did not sign the Collegiate School Documents, did you authorize Dr. Hafner, to sign such documents on your behalf, using your name and title, as Chairman?

Mr. Harner responded negatively to both of these questions stating that he did not sign such documents, and the he had not authorized Dr. Hafner to sign his name to such documents"

- On June 11, 2012, Porges spoke to Harner, via telephone, about the above noted questions. Harner confirmed he had not executed the questioned document; he did not authorize Hafner to do so, and had never given Hafner blanket approval to sign his name as Chairman.

At the conclusion of the interview, SA Law was provided a photocopy of an affidavit signed by Pamela Morris and dated June 15, 2012.

A review of Morris' affidavit revealed the following:

- Morris was a full-time employee of SCF, beginning May, 1987 and ending (voluntarily) June, 2011.
- From 2005 until June, 2011, Morris served as assistant to the college president, including Dr. Hafner, from July 01, 2008 until June, 2011.
- On or about January 20, 2010, Morris received documents relating to the SCF Collegiate School, and provided them to Hafner.
- Both Morris and Hafner determined the documents were to be executed by the chair of the SCFMS BOT, Steve Harner.
- Harner was not immediately available and Morris observed Hafner practicing Harner's signature.
- The documents were later returned to Morris, dated January 28, 2010, and bearing the signature of Harner.
- At no time did Morris see Harner enter or leave the office of Hafner.
- After leaving full-time employment with SCF, Morris contacted the BOT chair, Carlos Beruff.

Attached to Morris' affidavit are copies of the questioned document and the document bearing the purported practice signatures Hafner made in the name of Harner.

The Morris affidavit, along with the attached documents, is maintained as a related item to this case file.

NOTE: In the opening investigative report, #01, SA Law states that the original packet of documents was collected by attorney Gregory Porges. This is incorrect. To clarify, Carlos Beruff is the person that constructed the inital package of documents.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On Wednesday, August 22, 2012, Special Agent (SA) Claudia Law, Florida Department of Law Enforcement (FDLE), conducted an interview as part of this investigation regarding allegations that State College of Florida Manatee-Sarasota (SCFMS) president Dr. Lars Hafner forged the signature of a former colleague on documents relating to the obtaining of grant monies.

On that date, 08/22/2012, at approximately 1000 hours, SA Law and Acting Special Agent Supervisor (ASAS) J Scanlan interviewed Stephen L. Harner at his business, the Crow's Nest Restaurant, 1968 Tarpon Center Drive, Venice, FL 34285.

Harner was appointed to the Board of Trustees (BOT) of SCFMS by the Governor of Florida in 2006. He was elected, by his fellow board members, to the position of chair in 2008.

Acting in her capacity as a law enforcement officer, SA Law placed Harner under oath regarding his statements, both verbal and written.

Harner provided the following information, in substance, to SA Law and ASAS Scanlan:

- Harner has owned the Crow's Nest Restaurant in Venice for approximately thirty-five (35) years.
- In 1990 Harner joined the Foundation Board for SCF, which was named Manatee Community College at that time. The Foundation was responsible, in part, for fundraising and outreach regarding the college.
- Harner was appointed to the Board of Trustees (BOT) of SCFMS by the Governor of Florida in 2006. He was elected, by his fellow board members, to the position of chair in 2008. His position expired in June, 2011.
- In or around January, 2012, was contacted, via telephone, by Carlos Beruff. Beruff was chair of the SCFMS BOT and requested to meet in person with Harner.
- Subsequently, Beruff and Harner met. During this meeting Beruff showed Harner a document with what appeared to be Harner's name written over and over. Beruff asked Harner if those signatures were his and Harner replied definitively that they were not his.
- Beruff asked Harner if he (Harner) had given Dr. Lars Hafner permission to physically sign Harner's name on any SCF-related documents. Harner stated to Beruff that he didn't know why anyone would practice the signature but that he had given Hafner permission to sign his name on occasion. *Note: Harner was unable to provide any specific instances to SA Law and ARAC Scanlan in which he gave Dr. Hafner permission to do this.
- A few months later, Harner was contacted by attorney Greg Porges. Porges had been the

Case Number: SA-14-0009	Serial #: 3
Author: Law, Claudia A	Office: Sarasota
Activity Start Date: 08/22/2012	Activity End Date:08/22/2012
Approved By: Scanlan, J Davidson	

Description:Interview with Stephen Harner

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outside legal counsel for SCF for a long time and when Porges called him Harner was unaware he was no longer representing the college.

- Harner met with Porges. At this meeting Harner was told by Porges that he was no longer working for the college but was representing Carlos Beruff. Again, Harner was shown the document with the practice signatures. Harner told Porges the same thing that he had previously told Beruff. He had given Dr. Hafner permission to sign his name on routine matters.
- Harner considers the application for grant funds (the questioned document) to be a routine matter.
- Ultimately Harner provided, at the request of Dr. Hafner, an affidavit stating that he had given Dr. Hafner permission to sign Harner's name.

When asked by SA Law, Harner stated that he does not believe that he specifically gave Dr. Hafner permission to sign the application for grant funds, but in retrospect he would have done so if asked at the time.

SA Law showed Harner the questioned document and Harner stated that it definitely was not his signature.

Harner stated that he was in town during the time frame in question and was unable to identify any benefit of Dr. Hafner bypassing him on the signature.

Harner advised that he doesn't believe that Porges and Beruff are intentionally lying in their affidavits but *"may have been confused"* about Harner's statements to them.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

Throughout this investigation, the print media has published a number of articles regarding Dr. Lars Hafner. Special Agent (SA) Claudia Law, Florida Department of Law Enforcement (FDLE), Sarasota, submitted these articles as related items to the case file (#03). This investigation focuses on allegations that State College of Florida Manatee-Sarasota (SCFMS) president Dr. Lars Hafner forged the signature of a former colleague on documents relating to the obtaining of grant monies.

Any articles printed subsequently will also be filed within related item #03.

Case Number: SA-14-0009	Serial #: 4
Author: Law, Claudia A	Office: Sarasota
Activity Start Date: 09/25/2012	Activity End Date:09/25/2012
Approved By: Scanlan, J Davidson	

Description:News/Print Media

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FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

In late July 2012, Special Agent (SA) Claudia Law, Florida Department of Law Enforcement (FDLE), Sarasota, was directed to investigate allegations that State College of Florida Manatee-Sarasota (SCFMS) president Dr. Lars Hafner forged the signature of a former colleague on documents relating to the obtaining of grant monies.

The allegations center on the January 28, 2010 signature of Stephen (Steve) Harner on an application for grant funds in relation to the State College of Florida Collegiate School operated by the SCFMS. This program allows high school students to take college level courses while still in high school.

The Florida State Statute that address this type of violation is FSS 831 "Forgery and Counterfeiting". The basic elements to be met are:

- 1) Act
  "Whoever falsely makes, alters, forges..."

- *2)* Item
  "a public record...or attestation of any clerk.....or any public officer"

- *3)* With Intent to Injure or Defraud
  "with intent to injure or defraud any person, shall be guilty of a felony of the third degree"

Investigation to date, including documents reviewed and interviews conducted revealed the following:

Dr. Hafner did act by signing the 2010 grant application in the stead of Steve Harner, the then chair of the Board of Trustees. However, Mr. Harner has stated to SA Law, under oath, that he did provide permission for Dr. Hafner to utilize his signature on occasion, albeit not specifically that document. Harner went to say that had Dr. Hafner requested to sign Harner's name on the application he would have agreed without question.

The conflicting statement/affidavits of Carlos Beruff and Greg Porges, in relation to their contact with Harner, remain at odds with Harner's statement to the FDLE. When asked about this directly by the FDLE Harner believes they (Beruff and Porges) might have been confused.

Case Number: SA-14-0009	Serial #: 5
Author: Law, Claudia A	Office: Sarasota
Activity Start Date: 07/20/2012	Activity End Date:09/25/2012
Approved By: Scanlan, J Davidson	

Description:Closing IR

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Case Number	SA-14-0009
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The information provided on the application is credible and the funds requested and received were applied to the proper program within the SCFMS structure. The SCFMS was not defrauded as a result of this document.

Investigation to date has revealed that probable cause does not exist to pursue this matter further.