

# **The Tribune, Scranton, PA**

Thursday, January 11, 2001

## **Chaotic drug bust results in one conviction, one acquittal**

By: Ray Flanagan, Tribune Staff Writer

Two men who are no strangers to local law enforcement officials met different fates at the hands of a Lackawanna County jury Wednesday.

One of the defendants was convicted of dealing heroine while another was acquitted following a trial built around a chaotic buy-bust operation by state police.

The two had previously been implicated in the murder of Karen Ann Maddox by a witness at the trial of a man eventually convicted in that 1997 murder.

Siburt Watler, 24, was the man convicted in the drug case. Judge Terrence Nealon immediately revoked his \$50,000 bail and sent him to county prison to await the completion of presentence investigation.

Assistant District Attorney Christopher Caputo said the man faces a mandatory sentence of three to six years but could serve as many as 10 under sentencing guidelines.

Rafael Rios, 20, was acquitted on charges he conspired with and aided Mr. Watler in the \$800 drug sale on Feb. 16 at a gas station in the 1500 block of South Irving Avenue.

During the Maddox murder trial, Gregory Hayes, who is now serving life in prison for the slaying, said it was Mr. Watler and Mr. Rios who murdered the woman because she owed them money for crack cocaine. Another defense witness said the two had come to his home on the morning Ms. Maddox was killed, acting nervous and asking whether police were looking for them.

In the recent drug trial, the principal prosecution witnesses were Ellen Lasher, who was originally charged as a conspirator in the buy, and Trooper David Hahn, an undercover officer who gave Ms. Lasher the money to purchase the heroine.

The case against Mr. Watler was stronger from the start because he made the sale directly to Ms. Lasher and had \$700 of the marked money used for the buy when he was arrested about 40 minutes later.

The case against Mr. Rios was based on his ownership of the van used in the sale, the discovery of \$100 in marked money in its glove compartment and identifications by Ms. Lasher and Trooper Hahn.

The operation was chaotic because backup troopers lost the van at times so an immediate arrest could not be made. The two men were eventually stopped in the 200 block of South Webster Avenue.

Ms. Lasher's testimony was a lightning rod for defense charges that it was no credible.

First of all, the woman testified charges against her had been dropped and she had been accepted into the county's new Drug Court where treatment instead of punishment is stressed. She was due to start a 90-day in-patient program after testifying on Tuesday. The woman, who said she had used up to 30 bags of heroin a day, admitted on the stand that she had shot up on Monday.

Attorney Joseph D'Andrea, representing Mr. Watler, notes her recanted testimony that there were three men in the van, including one called "Spanky". He argued "Spanky" had made the sale but Ms. Lasher was protecting him because he was her source. He said his client got the drug money from "Spanky".

Attorney Mark Mack, representing Mr. Rios, questioned the identification of his client by Trooper Hahn, who was in the back seat of a van with tinted windows. He also stressed it was not a crime to allow someone to use a vehicle.

Mr. Caputo asked the jury “what two gentlemen from the Bronx were doing here on February 16.” He also noted that \$1,125 as well as the marked money was seized.

“How long do you have to work to make that much?” he queried.