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9-4

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Indict Wecht, DA Expected To File 6 Criminal

By PAUL MARYNIAK

The county grand jury today recommended that six criminal charges be filed against County Commissioner Cyril H. Wecht for allegedly using the morgue while he was coroner "to the benefit" of his private laboratory.

In a 55-page presentment, the grand jury charged that Wecht derived \$139,360 between 1974 and February 1979 by using morgue employees and facilities to perform private work for the Pittsburgh Pathology and Toxicology Laboratory Inc.

Specifically, the grand jury recommended that Wecht be charged with two felonies: theft of services and theft by failure to make required disposition of funds.

It also recommended that he be charged with the misdemeanor of misapplication of entrusted property and property of government or financial institutions; violation of the Clinical Laboratory Act; and two counts of unsworn falsification to authorities.

Coroner from 1970 until he became commissioner in January of last year, Wecht was accused of using county

employees, equipment and supplies "in a manner which he knew was unlawful and which involved substantial risk of loss or detriment to Allegheny County."

The grand jury does not have the power to indict an individual accused of a crime.

District Attorney Bob Colville's office was expected to file criminal charges as recommended by the panel either today or later this week.

The grand jury also charged that there was evidence indicating that Wecht intentionally misled two federal and state agencies that handle licensing for private laboratories.

It claimed that Wecht misled Dr. Carl H. Blank, chief of the Licensure and Proficiency Testing Division at the Center for Disease Control in Atlanta, Ga., in October 1975.

It said that Wecht "conveyed false information" to Blank by informing him that an automatic tissue processor was owned by Pittsburgh Pathology and Toxicology lab and was in good operating condition.

"Wecht knew that this machine was the property of Allegheny County and that the machine was not functional,"

the grand jury stated.

The grand jury also accused Wecht of making written false statements on Feb. 11, 1976, to Joseph W. Gasiewski, chief of the state Health Department's Laboratory Examiners' Section.

Wecht allegedly told Gasiewski that surgical tissues were being processed at the private lab even though Wecht "knew that processing of surgical tissues would not be performed" there and even though "no equipment had been obtained for that purpose."

The grand jury also said there was probable cause to believe that Wecht "operated a clinical laboratory at the Allegheny County Coroner's Office without having obtained a permit from the Pennsylvania Department of Health."

The grand jury charged that all these actions "occurred as part of a continuing course of conduct in connection with the ongoing misuse" of the coroner's office at Wecht's direction.

The grand jury also handed down two supplemental reports that recommended administrative controls over the Professional and Educational Fund at the morgue and the removal of pituitary glands during autopsies.

Jury Urges

Charges

The fund, which was started before Wecht became coroner, was a depository for money received by the coroner's office for out-of-county work.

Wecht and fellow Commissioners Thomas J. Foerster and Dr. William R. Hunt all declined comment on the grand jury action.

"I don't know anything about it," Wecht told reporters as he entered the Gold Room at the Courthouse for today's commissioners' meeting.

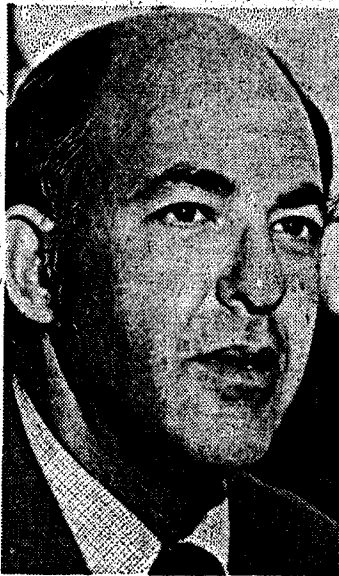
Stating it was "inappropriate" for him to comment, Foerster said there is nothing in the 2nd Class County Code to prevent Wecht from continuing his duties pending his trial.

The district attorney's office began its investigation of Wecht's private money-making activities at the morgue in April of last year, about three months after former County Controller John P. Lynch began his own investigation.

Lynch's inquiry was based on disclosures by The Pittsburgh Press in January 1979.

The grand jury was handed the case shortly after it was empaneled in July of last year.

Lynch's investigation culminated last



DR. CYRIL H. WECHT
Two felony charges recommended.

October with the filing of a \$390,376 surcharge against Wecht.

Earlier this year, Common Pleas Judge Nicholas P. Papadakos, administrative head of the court's civil division, sliced that surcharge by more than half



BOB COLVILLE
Initiated grand jury probe.

after testimony during a hearing indicated Lynch's office was aware of Wecht's private money-making activities at least as early as 1977.

Papadakos ruled that surcharges covered
(Continued on Page A-4, Column 5)

Jury Urges Indictments For Wecht On 6 Counts

(Continued from Page A-1)

ering the period before 1977 could not be collected because of the statute of limitations.

It is expected that Wecht's trial will not be held until next year and will be preceded by a lengthy series of pre-trial maneuvers.

Wecht already has begun the pre-trial maneuvering in the criminal case with a request that the grand jury be disbanded for alleged leaks by Colville's office to the news media concerning the investigation.

Wecht has filed civil action against Colville, four aides and a reporter for the Greensburg Tribune-Review, claiming

that his civil and constitutional rights have been violated by the alleged leaks.

He cited an article in the July 25 edition of the Westmoreland County daily that speculated the grand jury would hand down presentments against Wecht after the Democratic Party's national convention.

The grand jury's investigation was prolonged by a fight that developed last April when Podiatry Hospital of Pittsburgh and West Allegheny Hospital of Oakdale refused to submit reports related to tests performed for the hospitals by two of Wecht's private laboratories.

About two months later, the hospitals turned over the records after the state Supreme Court rejected their claims of patient confidentiality.

Today's presentment explained that Colville entered the investigation "to ascertain the validity of specific allegations that the Allegheny County morgue was being operated for private gain by public servants."

For four months, the report said, detectives from Colville's investigations branch "interviewed numerous witnesses who supported allegations concerning abuses" at the morgue.

But the grand jury was needed in order to subpoena various documents and compel "many relevant witnesses who held positions of trust and responsibility" to cooperate with investigators.

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