

A close-up, artistic photograph of a pair of scales of justice. The scales are made of a dark, polished metal, possibly steel or chrome, and are suspended by a chain. The background is a soft, out-of-focus blue. The lighting creates highlights on the metal surfaces, emphasizing their texture and the curves of the pans.

Your State Attorney's Office

Leading the Path to Justice and Safety



Katherine Fernandez Rundle
STATE ATTORNEY
Eleventh Judicial Circuit, Miami-Dade County



Our Office ...

As State Attorney for the past ten years and as a prosecutor in the Miami-Dade County State Attorney's Office for an additional 15 years, I know firsthand about the sacrifices that employees make when they choose to work in the public sector. In light of that, I want to first state that I am very proud of the dedicated prosecutors and support staff in this Office and of the professional environment we have created. We are the largest prosecutor's office in Florida and the fourth largest in the nation. Our mission is to see that the guilty are convicted through due process, while ensuring that the innocent are protected. Our Office's commitment also focuses on the rights of children, in establishing and enforcing child support obligations. We recognize that the work of this Office is vital to this community as we strive towards creating a safer place in which to live, work, and raise our families. When all is said and done, we realize we work for you—the more than 2 million citizens and residents of Miami-Dade County.

Our Partners ...

The primary mission of our Office is to prosecute those who have been accused of committing crimes in this County. To permanently reduce crime also mandates that we look at ways to prevent crime. I know that there is no simple answer, solution or strategy that will achieve this result. However, as a member of a diverse team that is truly representative of this community, I am proud to say that over the past ten years the State Attorney's Office has worked hand-in-hand with our partners in this effort, *i.e.*, police, schools, business leaders, legislators, prosecutors, courts, corrections and citizens, to effectively reduce crime rates in our community. I am committed to having our Office continue its role as one of the primary leaders in this partnership against crime. If we are to maintain these successes we must remain diligent in this commitment, stay focused and continue to work together.

Our Past ...

In the past ten years, we have confronted many obstacles and faced many challenges. This publication is designed to inform the public of our office's functions and services, to identify innovative ideas we instituted to improve the criminal justice system, and to highlight some of the many accomplishments we have made in the past ten years.

Our Future ...

Working in concert with our business and criminal justice partners, I believe our future looks bright. I am committed to working jointly with all of our partners to continue to keep our community safe. As we have demonstrated in the past decade, together, we can make it happen.

Sincerely,



Katherine Fernandez Rundle



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Historical Overview

10 Years of Leadership

Today, the Office has over 1,200 positions, including over 300 attorneys. In 2002, the Office handled a total of 104,917 cases: 36,286 were felonies; 13,657 juvenile cases; and, 54,974 misdemeanor cases. In addition, the State Attorney's Office Child Support Enforcement Division handled 85,182 cases for the year 2002.

Under Ms. Katherine Fernandez Rundle's tenure over the past ten years, the Office has succeeded in obtaining funding for special projects from the Florida Legislature. For example, Ms. Fernandez Rundle obtained more than \$3.3 million for office automation, funding for a "Hurricane Fraud Task Force" following Hurricane Andrew in 1993, funding for a "Retired Judge Strike Force" in 1995 to address the career criminal epidemic, funding for additional computers and retired judges to expedite the processing of child support orders in 1996, and funding for a countywide truancy prevention program in 1997, which was the first of its kind in Florida.

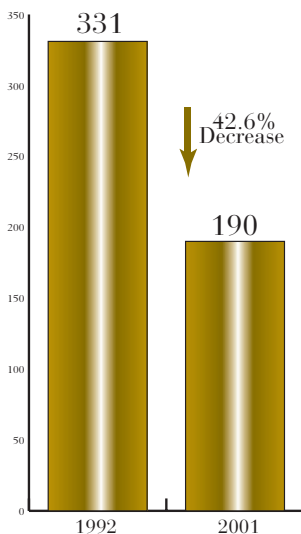
Crime Decreases

While the population of Miami-Dade County has grown 15.3% in the past 10 years, crime has decreased.

- Murders have decreased 42.6%,
- Robberies have decreased 52.8%,
- Burglaries have decreased 41.2%,
- Aggravated assaults have decreased 19.2%,
- Thefts have decreased 17.8%,
- Motor vehicle thefts have decreased 30%.

Miami-Dade County has had a larger percentage decrease in crime than the state overall.

HOMICIDE COMPARISON



Career Criminals from Miami-Dade Sent to State Prison 07/01/1992 – 12/31/2002

FISCAL YEAR	STATE RANKING	NUMBER OF CAREER CRIMINALS SENT TO PRISON	REPRESENTS STATEWIDE PERCENT OF CAREER CRIMINALS SENT TO PRISON
7/02-12/02 (6 months)	1st	385	32.7%
FY 01/02	1st	710	31.7%
FY 00/01	1st	637	29%
FY 99/00	1st	615	25.2%
FY 98/99	1st	585	22.4%
FY 97/98	1st	737	27.5%
FY 96/97	1st	704	28%
FY 95/96	1st	473	26%
FY 94/95	1st	445	23.4%
FY 93/94	1st	295	14.2%
FY 92/93	5th	225	7.9%

Based on prison admission statistics supplied by the Florida Department of Corrections

Focus on Serious & Career Criminals

In the early 1990's, our community was victimized and demoralized by early prison releases, weak sentencing guidelines, and the brazen acts of career criminals. It may be hard for the average citizen to believe, but convicted criminals were serving as little as 25% of their sentences once they entered prison. Since becoming State Attorney on March 12, 1993, Ms. Fernandez Rundle has embarked on a coordinated program to reduce the level of crime and violence.

In 1993, the State Attorney tripled the staff for the Career Criminal Unit. Since then, the Miami-Dade State Attorney's Office has led the state each year in the number of career criminals sent to prison.

- Over 5,500 career criminals have gone to prison with enhanced prison sentences under the administration of Katherine Fernandez Rundle.
- Because 75% of the crime is committed by 20% of the criminals, effective prosecution of career criminals has a huge impact on crime.



Since 1993, there has been a 33% reduction in the number of reported crimes.

REDUCING GUN VIOLENCE THROUGH CONSTITUTIONAL REVISION 12

In 1998, as a member of the Florida Constitutional Revision Commission, Katherine Fernandez Rundle proposed a Constitutional Amendment to close

effort fought to maintain the integrity of our governmental system. The decrease in violent crime allowed Ms. Fernandez Rundle to shift resources to public corruption by establishing an aggressive Public Corruption Unit. This Unit investigates and prosecutes those who use their public offices for their own or a third party's gain. Additionally, the Unit has special expertise in the prosecution of police and correctional officers who have abused their legal authority, and works hand-in-hand with the Internal Affairs detectives from the various 34 police departments in our community. It also coordinates many cases with the Public Corruption Inspector General, the Commission on Ethics, the Florida Department of Law Enforcement, and the Joint Federal Local Task Force on Public Corruption.

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the "gun-show loophole." This loophole allowed convicted felons and potential juvenile offenders to buy firearms at gun shows and flea markets with "no questions asked" and without a background check. Ms. Fernandez Rundle traveled around the state for nearly two years to seek support for closing this loophole. In Florida, 72% of the electorate voted in favor of Constitutional Revision 12; in Miami-Dade County 85% of the electorate favored the revision. The passage of the amendment was an important step in the overall effort to reduce gun violence on our streets.

Public Corruption & Prosecution of Public Employees

The battle against public corruption and dishonest public employees is a constant

In the past two years this unit successfully prosecuted 160 individuals. Successful efforts in this area have included:

- Pursuit of Commissioner Joe Gersten led to his flight to Australia.
- The conviction and forced resignation from office of County Commissioner Bruce Kaplan for falsifying his state financial reports.
- In a case riddled with legal problems, Ms. Fernandez Rundle also convicted former County Commissioner Pedro Reboledo, and forced him from office.
- The arrest of 65 people in a fraudulent absentee ballot scandal that tainted the 1997 election in the City of Miami.
- The arrest, conviction and

incarceration of former City of Miami Commissioner Humberto Hernandez for voter fraud.

- The conviction of former Port of Miami Director Carmen Lunetta.
- The conviction of Hialeah Gardens Mayor Gilda Oliveros for voter fraud.
- The conviction of James Nabors, former Miami Airport Supervisor, who was incarcerated for accepting illegal gratuities at the Airport.
- The criminal prosecution of Opa-Locka City Manager Ernie Neal which led to his resignation from public office and to an ethics complaint.
- The charging of another County Commissioner, Miriam Alonso, also caused the Governor to remove her from office.
- The arrest of 14 Miami-Dade Department of Corrections employees for bribery and the introduction of contraband into a correctional facility.

Since the 2000 session of the Florida Legislature, Ms. Fernandez Rundle fought to get a new law passed that would assist in the fight against corruption. Finally, during the 2003 session, this law was passed and will go into effect October 1, 2003. "The Paul Mendelson Citizen's Right to Honest Government Act," named after her



deceased Deputy Chief Assistant State Attorney, Paul Mendelson, who worked tirelessly to encourage the Legislature to pass these laws, will toughen the penalties for Bribery and Bid-Tampering. In addition, this law will make it a crime for “Public Servants” to use their jobs for profit. Formerly, the majority of those who violated the public trust, as first-time offenders, faced maximum sentences of probation. After October 1, 2003, a conviction for most corruption charges may now actually include a jail sentence.

Gang Strike Force and Prosecutions

In recent years, criminal street gangs have established large-scale drug distribution networks and committed countless violent crimes to secure territory, instill fear and intimidate the residents of affected communities. In 1997, the Miami-Dade State Attorney’s Office, in partnership with the Miami-Dade Police Department, the Miami Beach Police Department, the City

of Miami Police Department, the Coral Gables Police Department, the Hialeah Police Department, the Florida Department of Law Enforcement, and the Drug Enforcement Administration, created the Multi-Agency Gang Strike Force to target, infiltrate and dismantle the most dangerous criminal street gangs in South Florida through the use of long-term proactive racketeering-style investigations and prosecutions. To date, the Gang Strike Force has dismantled nine criminal street gangs, investigated over five hundred crimes, and made over two hundred arrests. This success can be attributed to GSF’s proactive investigation and prosecution strategy designed to promote maximum communication and coordination among the agencies involved in drug interdiction and gang suppression activities, while seeking maximum appropriate sentencing for criminal violations.

PROJECT SAFE NEIGHBORHOODS

Although progress has been made in fighting violent crime in South



Florida, the problem of gun violence still remains intolerably high and its impact is particularly severe on our children. In January 2003, the Miami-Dade State Attorney’s Office, in partnership with the United States Attorney for the Southern District of Florida, the Bureau of Alcohol, Tobacco & Firearms, the Miami-Dade Police Department, and Crime Stoppers, launched a new initiative to reduce gun violence in South Florida. Project Safe Neighborhoods is based on two principles: uncompromising, aggressive law enforcement of existing gun laws and community intolerance for gun violence. More importantly, Project Safe Neighborhoods incorporates and builds upon successful programs in our community and sends a clear message to criminals: *You will do hard time for gun crime.*

Auto Theft

The Auto Theft Unit investigated and supplemented the work done by the various police departments to help decrease the number of auto thefts in this county. Since 1993, prosecutors have been working hand-in-hand with the various police departments and with the Multi-Agency Auto Theft Task Force. This joint effort resulted in a 30% decrease in the rate of car thefts in Miami-Dade County.



Bad Checks Restitution Program

The Bad Checks Restitution Program is an innovative program initiated by the Miami-Dade State Attorney's Office in September 1998 to address the problem of bad checks. The program was created with three important goals in mind: (1) to increase the accountability of those who pass bad checks; (2) to more successfully obtain restitution for victims; and (3) to accomplish the first two goals without increasing the administrative or financial burden to the criminal justice system or the taxpayer. The program involves a unique public/private partnership with the American Corrective Counseling Services, a private business that, in addition to monitoring restitution payments, educates businesses in preventive measures, and requires bad check-writers to complete an intervention class. Because of the way this partnership is structured, there is no expense to the victim or to the taxpayers. As of April 2003, this highly successful program has recovered more than



\$4,577,871 in restitution for the victims of bad check-writers. The State Attorney's Office is particularly proud of the results of this resourceful program.

Juvenile

The Juvenile Courts of Miami-Dade County process two types of cases: delinquency and dependency. Delinquency cases, which consist of all misdemeanor and felony cases committed by juveniles (persons under 18 years of age), are handled by the State Attorney's Office; dependency cases are handled by the Department of Children and Families (DCF). The Juvenile Division of the State Attorney's Office seeks to accomplish two primary goals. First, for juveniles who are first-time offenders or commit minor offenses, the State Attorney's Office seeks to have those offenders participate in various programs in an effort to permanently turn them away from a life of crime. Because statistics indicate that the majority of serious juvenile crime is committed by a small percentage of juveniles, the State Attorney's Office's second goal is to seek maximum punishment for those offenders who have not benefited from rehabilitation efforts. As a result of this two-pronged approach, **between 1994 and 2002, there was a 33% reduction in juvenile arrests.** In addition, a significant decrease was seen during the same time period in the number of serious violent crimes such as robberies, homicides, and more specifically, tourist "smash and grabs" committed by juvenile offenders.

The State Attorney's Office also helped create the Juvenile Assessment Center, which positively identifies juvenile offenders through fingerprints, and significantly increases the quality and efficiency of our case filing, as well as reduces the backlog of cases to be filed. In addition, we have expanded our ability to contact victims and witnesses within 24 to 48 hours after an arrest.

The State Attorney's Office was also instrumental in creating the PAD (Post-Arrest Diversion) program, and the Juvenile Drug Court. PAD gives first-time juvenile offenders charged with misdemeanors a chance to complete sanctions without having an offense record. The Juvenile Drug Court intensively supervises juveniles with moderate to severe substance abuse problems.



Child Support Enforcement

Katherine Fernandez Rundle is the only State Attorney in Florida with a Child Support Enforcement Division responsible for initiating, developing and enforcing child support cases. The Child Support Enforcement Division currently has 404 employees, 17 of whom are Assistant State Attorneys. The Child Support Enforcement Division provides the following services:

- Location of missing parents for child support purposes;
- Determination of paternity when needed;
- Establishment of financial and medical support orders;
- Enforcement of support orders; and
- Modification of support orders.

Victim Witness Services

The Victim Witness Services Unit has almost doubled in staff in the last ten years. Today, there are 52 Victim Witness Counselors in the felony, misdemeanor and juvenile divisions. Specialized counselors are assigned to the Robbery/Career Criminal, Homicide, Sexual Battery, and Domestic Crimes Units. Recent programs developed to better serve crime victims include:

The M.O.V.E.S. (Mobile Operations Victim Emergency Services) Program, funded in 1997, which takes victim/witness counselors, paralegals, and prosecutors out into the community to serve the victims of domestic violence, and to initiate the activities of the legal system.

The V.A.N. (Victim Access Network) Program, which was implemented in 1996, is an automated information system which allows every crime victim to get information 24 hours a day on the progress/status of their case and the custody status of the defendant.

Justice In Motion (J.I.M.) is a 37-foot mobile office equipped with state-of-the-art technology for community-based interviewing. The partnership between the Department of Human Services and the State Attorney's Office evolved to best serve elderly and disabled victims who do not have the ability to come to the State Attorney's Office. In addition to the community-based interviewing, J.I.M. is used to educate the public about services provided by the State Attorney's Office



and offers a Child ID Program. J.I.M. started its journey with the Office in April 2002.

1999 Nova Award

*Tadini Bacigalupi, Jr.
Distinguished Program*

Domestic Violence

In 1986, as Chief Assistant State Attorney to State Attorney Janet Reno, Ms. Fernandez Rundle initiated and established Florida's first specialized prosecution unit in the state, dedicated exclusively to prosecuting felony domestic violence cases. Her tireless efforts in the fight against domestic violence led to her receiving the governor's "Peace At Home" Award in 1996. This Unit is also the first to have a children's playroom for the victims who must bring their small children along. The children are supervised in a comfortable environment while the victim is interviewed. During the year 2002, this Unit handled 3,595 felony domestic violence cases.

In addition to the Unit in the Main Office, there is a satellite branch office in South Dade, North Dade, Miami Beach and the Joseph Caleb Center, with a paralegal trained in domestic violence issues and crimes. The Graham Building Domestic Crimes Unit and the Lawson E. Thomas Courthouse Center provide walk-in components that are exclusively for domestic violence complaints.



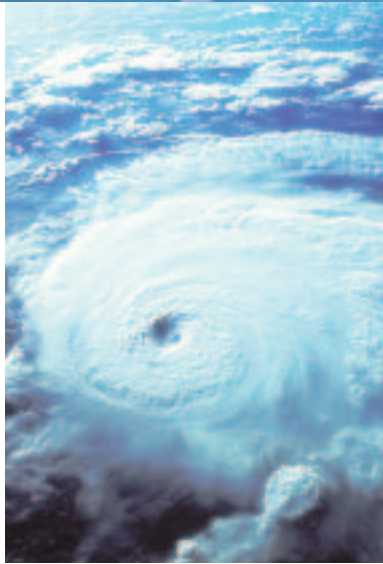
MISDEMEANOR DOMESTIC VIOLENCE COURT UNIT

Presently, this Unit has three divisions serving three domestic violence courts. The unit is staffed with specially-trained prosecutors, victim/witness counselors, paralegal/counselors and secretaries. Contact with the victim is made as soon as possible after the arrest to provide information and support, and to obtain statements of the crime.

The objective of this specialized Domestic Violence Court is to provide affected families with alternatives and support. Approximately 80% of the cases qualify for the Pre-Trial Diversion Program, which requires 26 weeks of anger control training for the defendant (and substance/alcohol abuse treatment if appropriate). Compliance is closely monitored by the court. Upon successful completion of the program, the defendant's case is Nolle Prossed (dismissed).

Hurricane Andrew Task Force

On August 24, 1992, Hurricane Andrew ravaged Miami-Dade County, damaging approximately 135,000 homes, leaving many uninhabitable. Many insurance companies were quick to settle claims and provide money to homeowners in need of assistance. Homeowners raced to rebuild their homes and lives. What resulted was an environment perfect for unscrupulous contractors eager for a "quick buck." In the initial recovery stage after the



hurricane, few complaints were received. However, beginning in approximately January 1993, complaints regarding contracting problems started to increase exponentially. The Hurricane Andrew Task Force was created to address these issues.

The Task Force performed intakes of over 7,000 complaints, screening and assigning those complaints to appropriate law enforcement and regulatory agencies for investigation, and when appropriate, filing criminal charges. The Task Force filed more than 350 felony cases and 290 misdemeanors, resulting in ordered restitution totaling more than **\$3.5 million**. This project won a Harvard University, "Innovation" Award.

Environmental Crime

Recognizing the importance of South Florida's environment and the impact contaminated air, water and soil poses to citizens' health and welfare, the State Attorney, early in her first term, created the Environmental Crimes Unit. Since its inception in 1993, the Unit has become one of the most active Environmental Crimes Units in the country and, perhaps, the world.

One of the Unit's most significant cases was the criminal prosecution of SabreTech for its involvement in the 1996 crash of ValuJet Flight #592, in which 110 persons were killed. Though much of the media coverage of that case focused on the third degree felony-murder and manslaughter charges filed against the company, the core of the case, and the charge upon which the State ultimately prevailed, was the State

Attorney's decision to charge the company with an environmental crime, *i.e.*, causing the unlawful transportation of a hazardous waste, (oxygen generators), without which no murder or manslaughter charge could ever have been filed. In this regard, the State Attorney received recognition from the National Air Disaster Association/Foundation for these endeavors.



Sexual Predator Unit

The Sexually Violent Predator Act (commonly known as the Jimmy Ryce Act) was enacted in July 1998, and became effective on January 1, 1999. The intent of the Jimmy Ryce Act is "to create a civil commitment procedure for the long-term care and treatment of sexually violent predators." Convicted sexually violent predators who have served their criminal sentences may be civilly committed under the Jimmy Ryce Act if it is determined that they continue to pose a serious risk to society at large and need long-term care and treatment. The Miami-Dade State Attorney's Office was instrumental in forming a statewide affiliation and network with, not only all of the State Attorney's Offices around the State, but also networking with the various state agencies, *i.e.*, Attorney General's Office, the Department of Children and Families, and the Department of Corrections. A multi-disciplinary team approach was utilized in order to successfully determine who would qualify under the Act. The State Attorney's Office has filed over 30 petitions against "sexually violent predators" since January 1999, alleging they should be civilly committed until they are no longer a danger to the public.

Community Prosecution

The **Community Prosecution Unit** began serving the Liberty City community in 2001. The members of this Unit, operating out of the Joseph Caleb Community Center, have formed alliances with key community groups and leaders, who meet regularly to discuss pressing community concerns and law enforcement issues. For example, the Unit is working in conjunction with these groups to begin an aggressive campaign to root out and prosecute predatory mortgage lenders that prey upon the elderly. In addition, the Unit has successfully developed a close working relationship with local law enforcement to coordinate the investigations and prosecutions stemming from narcotics activity in the area. Finally, the Unit has developed several venues in the Liberty City area to assist individuals in sealing and expunging their criminal records.

Other Accomplishments

AUTOMATION

Since Ms. Fernandez Rundle took office in 1993, the Miami-Dade State Attorney's Office grew in the area of office automation. In 1992, there were only 216 computers and 5 servers throughout the office. Today 1,200 computers and 25 servers support the office functions. In addition, the Office has access to high-speed Internet sites that are used to receive and send reports, notices and subpoenas electronically.

RECORDS

Since 1993, a computerized records database was created for the Felony Records Center. The ability to access file locations with the touch of a button allowed staff to quickly identify cases that were actually in the Felony Records Center. This saved precious time, especially for the felony secretaries, who could process their morning calendars much faster. In addition, the data inputting and bar-coding of over 300,000 felony case files enabled the Office to query records in the system, determining their location and giving personnel the ability to order the files electronically.

Legislative Achievements 1993-2003

The ability of prosecutors to effectively safeguard the security of a community can be greatly enhanced by recognizing the flaws in our existing state statutes and developing ways to correct those flaws. Over her ten-year period as State Attorney, Ms. Fernandez Rundle has been responsible for drafting a significant amount of "substantive legislation" that was passed by the Florida Legislature. This is no small feat when one considers that, in most years, more than 3,000 bills are filed in the Florida Legislature and normally, fewer than 300 pass. Highlights of existing laws that were initiated and authored by Ms. Fernandez Rundle include:

- **The Florida Punishment Code** strengthens criminal sentences, insuring more felons face greater prison sentences and eliminates senseless loopholes. (For instance, in 1994, a criminal had to be convicted of ten burglaries before he received a sentencing guideline recommendation of mandatory state prison sentence. The enactment of Ms. Fernandez Rundle's proposals in the Florida Punishment Code allowed judges the option of sending a convicted burglar to prison after the first Burglary conviction.)
- Statewide passage of **Constitutional Revision 12**, to close the "gun-show loophole" which had previously allowed convicted felons and juveniles to buy firearms at gun shows with "no questions asked" and without a background check.
- The "**Paul Mendelson Citizen's Right to Honest Government Act**" – increases penalties for public officials convicted of Bribery and Bid-Tampering.

OTHER BILLS:

1994	SB70	Contractor Fraud Penalties
1995	HB2513	Domestic Violence – Indirect Criminal Contempt
	SB82	Elderly Abuse
	SB114	Death Penalty/Aggravated Child Abuse
1996	HB23	Statute of Limitations in Death Cases
	HB211	Abolish Appeals for Guidelines Departures
	HB571	Broadened Jurisdiction of State Attorney Investigators
	HB1949	Child Support Writs Entered into FCIC
	HB2712	Attempted Felony Murder
	SB156	Curtilage/Burglary
1997	SB198	The Jennifer Act (Child Stalking)
1998	SB1402	Election Reform/Penalties
1999	HB349	Possession of a Firearm by a Juvenile
	SB54	Elimination of a Voluntary Intoxication Defense
	SB1178	Juvenile Pre-Arrest Diversion

The Miami-Dade State Attorney's Office provided substantial assistance in the Legislature to help gain the passage of the following important pieces of legislation:

- **The Evelyn Gort Bill** – provides for the long-term incarceration of "the worst of the worst" felons. It became Florida's equivalent to what has been termed "3 strikes and you're out" legislation.
- **The Stop Turning Out Prisoners ("STOP") Bill** – requires criminals to serve 85% of sentences.

Organizational Structure of the State Attorney's Office

The State Attorney's Office includes the **Felony Division**, which includes **Felony Screening, Criminal Intake and Worthless Checks**. Further, the **Specialized Units** include, **Public Corruption, Racketeering/Organized Crime, Civil Forfeitures, Gang Prosecutions/Gang Strike Force Unit, Economic Crimes, Environmental Crimes, Domestic Crimes, Sexual Battery, Narcotics, and Drug Court**.

Other Operational Units of the State Attorney's Office include: **Juvenile; County Court; Community Prosecution; Victim/Witness Services; Child Support Enforcement Division; and Investigations**. The following is a description of Divisions/Units that were not previously discussed in this brochure.

THE FELONY DIVISION

The Felony Division includes the **20 Felony Court Divisions**, (one division per Circuit Court Judge); the **Senior Trial Counsel** (who prosecute the most serious and complex felony cases); the **Felony Screening Unit**; the **Criminal Intake Unit**; and the **Specialized Units**.

The Miami-Dade State Attorney's Office Felony Court Divisions are responsible for processing the majority of felony cases involving adult offenders who have been arrested. Each Felony Court Division consists of a Division Chief Assistant State Attorney and three other Assistant State Attorneys.

There are numerous subdivisions or special units within the main Felony Division. For example, there is the **Felony Screening Unit** which screens the majority of felony cases that are instituted by arrests. The **Criminal Intake Unit** primarily receives citizen complaints and evaluates cases to determine whether an arrest should be made and charges filed. The primary purpose of the **Worthless Checks Unit** is the processing of worthless check complaints and the filing of criminal charges when appropriate. When defendants choose not to participate in the *Bad Checks Restitution Program*, their case is transferred to the Worthless Checks Unit. Members of the Unit also answer questions for

merchants and the general public, and oversees the **Bad Checks Restitution Program**.

SPECIALIZED UNITS

There are a number of specialized units that focus on the prosecution of particular felony crimes within the Felony Division.

The Racketeering/Organized Crime Unit ("OCU") deals with the complex prosecutions necessary to undertake effective legal action against organized criminal enterprises, and investigates and prosecutes cases such as insurance fraud and money-laundering. These complicated cases generally require special skills in the area of wiretap and electronic surveillance, as well as the effective interaction with undercover police officers and informants. OCU



handles the investigation and prosecution of cases involving racketeering, cargo theft, and complex gambling groups. Death threats against judges, prosecutors, and police are also handled by this Unit. Further, OCU conducts proactive prosecutions, where cases are built by climbing the food chain of criminals, *i.e.*, charging lower members of a group, convicting them and requiring them to testify against other members, ultimately reaching the management level of a criminal organization.

The **Civil Forfeitures Unit ("CFU")**, (part of OCU), in direct contact with the Florida Department of Law Enforcement and the South Florida Money-Laundering Strike Force, proactively and reactively investigates, arrests, and prosecutes Domestic and



International Money-Laundering Organizations and Narcotic Traffickers. The CFU prosecutors provide legal support for both the criminal and civil components of the task force. Specifically, the civil forfeiture prosecutor works closely with the task force to use the civil courts to force criminal defendants to legally forfeit contraband, such as money, boats, automobiles, weapons, and residences that were used as “stash-houses.” The unit also seeks forfeiture of the “proceeds” of any contraband. The forfeited items are returned to the investigating agencies to help fund the continued pursuit of money-laundering and narcotic trafficking.

Historically, the **Economic Crimes Unit (“ECU”)** has handled sophisticated and complex “white-collar” crimes. Prosecutors in ECU have an expertise in understanding business records and procedures, proficiency in the rules of evidence, as well as knowledge of the statutes directed at financial crimes. The types of cases handled by this unit include Bank Fraud, Mortgage Fraud, Credit Card Fraud, Theft of Taxes Collected, Employee Theft, Forgery, Insurance Fraud, Investment Fraud, and Theft of Funds held in Trust. During the last three years (2000 – 2003), the total restitution ordered in cases prosecuted by this Unit was **in excess of \$27.9 million.**



Due to the immense growth of the Internet in recent years, ECU prosecutors have developed an expertise in the investigation and prosecution of “Cyber Crime” cases. Working in conjunction with law enforcement agencies, ECU is dedicated to the investigation and apprehension of criminals utilizing computers to commit crimes, and exploit children. ECU is now also involved in the investigation and prosecution of cases involving Child Pornography stored and transmitted by electronic means, and Internet Predators. In addition, this Unit has become involved in the investigation and prosecution of unlicensed medical activity, elderly exploitation, and, in conjunction with the Attorney General’s Office, Medicaid Fraud cases.

The **Sexual Battery Unit** handles cases involving Child Homicides, serious Aggravated Child Abuse, serial rapists, Capital Sexual Batteries, and Adult Sexual Battery cases, usually involving serious injury or an elderly victim.

The primary responsibility of the attorney assigned to the **Legal Division** is to advise the prosecutors in the Office on legal issues they confront in court or in the preparation of cases for trial, particularly cases involving the death penalty. In addition, the Legal Division attorneys appear in court to argue particularly complex or novel legal



issues. When warranted by the facts or significance of a particular case, an attorney from the Legal Division will represent the State on appeal. Attorneys in the Legal Division also handle extradition matters for the Office.

The **Narcotics Unit** investigates and prosecutes all major drug trafficking cases and targets major narcotics trafficking organizations through wiretap/electronic surveillance and integrated legal support. The Unit also provides local, state and federal law enforcement officers with “24/7” on-call narcotics prosecutors to provide immediate tactical legal advice to ensure the successful prosecution of cases.

In **Drug Court**, non-violent drug offenders are diverted from traditional jail sentences into a Diversion and Treatment Program. Drug Court, a specialty court which is the first of its kind in this state, is designed to process nonviolent drug users and abusers through the criminal justice system while giving them a chance to turn their lives around.

The **Investigations Unit** is composed of certified police officers who serve as functioning liaisons to the various police agencies (local, state and federal) which operate every day in Miami-Dade County. Investigators have



limited statewide jurisdiction to make arrests on felony warrants or when a felony is committed in their presence. The Investigations Unit also participates in the investigation of various criminal activity and specializes in the investigation of white-collar economic crimes, working closely with the attorneys of the ECU.

COUNTY COURT

County Court has two main divisions: DUI/Traffic & Crimes, and Misdemeanor Domestic Violence (described earlier in this brochure).

The **DUI/ Traffic & Crimes Division** handles a wide variety of cases, such as DUI cases, criminal traffic violations (e.g., suspended driver's license), and misdemeanor crimes, such as simple battery and theft.

GRAND JURY

The State Attorney acts as legal advisor to the **Eleventh Judicial Circuit Grand Jury**, which is an investigative and reporting body. The Grand Jury consists of twenty-one citizens who have been summoned and empanelled by a Circuit Court Judge. No one may be prosecuted for a capital crime except by a vote of the Grand Jury. One of its primary functions is to listen to testimony to determine whether probable cause exists to issue Indictments charging the person or persons with First Degree Murder. The State Attorney, through her

Assistant State Attorney for Administration, is responsible for presenting capital crime cases to the Grand Jury, which is uniquely independent and is answerable to no person or agency of government except the court that empanels it. The Grand Jury also makes investigations, on its own initiative, regarding how public officials conduct their offices and discharge their public trust, and whether public institutions are being properly administered and conducted. The tradition of our Grand Jury has been to address issues that impact our community's well-being. These reviews, and often scathing reports, have led to significant reforms. The State Attorney, through her Chief Assistant State Attorney for Administration, is responsible for presenting witness testimony to the Grand Jury during these investigations and to prepare a report at the conclusion of the investigation, setting forth the Grand Jury's findings and recommendations.

Graham Building



F I N D O U T M O R E !

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