

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
OF FLORIDA IN AND FOR THE COUNTY OF DADE

FALL TERM A. D. 1959

FINAL REPORT OF THE GRAND JURY

Filed

May 10, 1960

Circuit Judge Presiding

PAT CANNON

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TO THE HONORABLE PAT CANNON, JUDGE OF THE ELEVENTH
JUDICIAL CIRCUIT, IN AND FOR DADE COUNTY, FLORIDA

The Fall Term 1959 Dade County Grand Jury was impaneled on November
10, 1959, and the following oath was administered by the Court:

"You, as grand jurors for the body of this County of
Dade, do solemnly swear that you will diligently inquire,
and true presentment make, of all such matters and things
as shall be given you in charge; the counsel of the State
of Florida, your fellows and your own, you shall keep
secret, unless required to disclose the same by some
competent court; you shall present no man for envy,
hatred, or malice, neither shall you leave any man
unpresented for love, fear, favor, affection, reward, or
hope thereof, but you shall present things truly as they
come to your knowledge, according to the best of your
understanding. So help you God."

Judge Pat Cannon delivered his charge to the Grand Jury, instructing us as
to our duties and we have faithfully endeavored to abide by the oath administered,
and follow the instructions given to us by the Court.

We have carefully considered all criminal cases and other matters which were
presented to us or came to our attention, and having concluded our work, we now
make this our Final Report to the Court.

CAPITAL AND OTHER CRIMINAL CASES PRESENTED TO THE GRAND JURY

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
PAUL BUSH	First Degree Murder	True Bill
ERNEST WATKINS, JR., also known as JUNIOR WATKINS	First Degree Murder	True Bill
CLIFFORD HUGH FULLER	First Degree Murder	True Bill
JESSE JAMES JACKSON	Contributing to the Delinquency of a Minor	True Bill
NELLIE MAE DURDEN, also known as NELLIE M. DURDEN; CARMEL G. DURDEN, also known as CARMEL DURDEN	Incest	True Bill
CATHERINE TRESSLER, also known as KAY ERICKSON	First Degree Murder	True Bill
JOHN RICHARD PEACON, also known as JOHN PEACON	First Degree Murder	True Bill
JAMES J. SEITZ	First Degree Murder	True Bill
ALBERT DOTSON	First Degree Murder	True Bill
DELORES MITCHELL	First Degree Murder	True Bill
FRED HARRIS, CELESTER BROWN, and HERMAN ALLEN	First Degree Murder	True Bill
EPHRIAM EVANS, JR.	First Degree Murder	True Bill
JAMES CAMBRIDGE, also known as JAMES KING	Second Degree Murder	True Bill
JIMMIE LEE MILLS	Rape	True Bill
JAMES SUMMERSET JAMES SAMUEL PITTS	Rape	No True Bill
HAROLD GUTHRIE	Manslaughter	True Bill
RAYMOND HAMILTON	Unlawful Intercourse with Unmarried Female Minor of Previous Chaste Character	True Bill
CARMEL G. DURDEN, also known as CARMEL DURDEN; NELLIE MAE DURDEN, also known as NELLIE M. DURDEN	Lewd, Lascivious and Indecent Assault upon a Female Child under Fourteen Years of Age, without Intent to Commit Rape	True Bill

CAPITAL AND OTHER CRIMINAL CASES PRESENTED TO THE GRAND JURY

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
NEWTON LEE CHESTER HAGGARD	Second Degree Murder	True Bill
RICHARD SOLOMON	Second Degree Murder	True Bill
WILLIE JAMES HOLLAND and JOHN FARMS, JR.	First Degree Murder	True Bill
PEDRO CRUZ RIVERA	First Degree Murder	True Bill
JACK M. DOWNING	Manslaughter	True Bill
RANDOLPH SMITH and JOHNNY FIELD	Manslaughter	True Bill
MODESTO ORTIZ REYES	Rape	True Bill
EUGENE CLYDE CASON	Second Degree Murder	True Bill
BUFORD WESLEY JACKSON	Rape	True Bill
MOZELLE PENDLETON AUSTIN	Manslaughter	True Bill
LAWRENCE ANDREW MATTIKO	First Degree Murder	True Bill

BOLITA

The Grand Jury made an extensive investigation into the numbers racket which is commonly referred to as Bolita or Cuba in Dade County.

This investigation was made to determine if Bolita was operating and being sold in the negro sections of the City of Miami on a "wide open" basis, and whether such operation was with the knowledge and approval of the Miami Police Department. Also, to determine if negro patrolmen working in the negro sections of the City of Miami who attempted to enforce the laws against Bolita had been punished by their superior officers and now were in fear of reprisal if they attempted to make Bolita arrests.

Forty-eight witnesses testified before the Grand Jury, including officers and patrolmen of the Miami Police Department, and various city officials. The records of the Miami Police Department relating to Bolita and other fields of crime were examined, and we reviewed the history of the gambling picture in Dade County.

Our investigation revealed that:

1. The laws against Bolita are laxly and loosely enforced by the Miami Police Department. The prevailing attitude is "We always had it, and we will always have it."
2. Illegal gambling is the life blood of organized crime and rackets.
3. Public confidence in law enforcement is destroyed when illegal gambling exists openly.
4. The Courts in Dade County have failed to adequately punish those found guilty of violating the gambling laws.
5. Within the Miami Police Department there is insufficient liaison between negro patrolmen and their superior officers.
6. The morale of negro patrolmen of the Miami Police Department is very low.
7. Inadequate liaison exists between the Miami Police Department and other enforcement agencies in regard to Bolita.

Method of Operation

The evidence before the Grand Jury indicates that the most prevalent lottery racket in the City of Miami is the operation known as Cuba. In Cuba, there is a national lottery and the winning number is announced over the Cuban radio every Saturday. The local Bolita operators pay off weekly on the winning number of the Cuban National Lottery.

In the past, a Bolita operation known as the Day House was quite prevalent in Miami. This operation consisted of a daily throwing of Bolita and announcing a daily winning number. The method of selecting the winning number was to fill a bag with 100 consecutively numbered Bolita balls. The bag was then tied at the top and given to a group of bystanders who tossed the bag from one person to another. Finally, someone would grab one of the Bolita balls and tie it off from the others and this ball was cut free from the bag and its number would become the winning Bolita number for the day. This is the origin of the expression "cutting a number" and "throwing Bolita."

In the course of time, it became apparent to the players that the Bolita operators were cheating in determining the winning number because the number with the lowest amount of play for the day would repeatedly come up as the Bolita winner, and the numbers receiving the greatest play would seldom if ever win. This cheating caused loss of confidence in the operation of Day House Bolita, which was thereafter succeeded by the weekly "Cuba" Bolita.

In all other facets of both types of Bolita the operation is the same. The sellers of Bolita give their day's receipts to a runner who takes it to the "Counting House." The "Counting House" is sometimes referred to as the "Nest." A group of workers, generally women, add up the weekly receipts on adding machines and make other necessary computations. This meeting is held weekly on Saturday, the day on which the Cuban National Lottery winning number is announced. The location of the "Counting House" or "Nest" is constantly changed in order to avoid detection. The people at the top of the Bolita operation are commonly referred to as bankers

and only on rare occasions do they go to the "Counting House" or contact those who work for them.

Obtaining evidence in Bolita cases is difficult for several reasons. The exclusionary rule of evidence which is the law of this State will not permit the use in Court of evidence obtained by an illegal search of person or property without a search warrant, or with an invalid search warrant. To obtain a search warrant from the Court, the application must contain an affidavit of some person having actual knowledge of the Bolita operation or having knowledge of sufficient facts upon which to base a reasonable belief that a Bolita operation is being carried on.

The evidence before the Grand Jury indicates there are several separate Bolita operations in Dade County. It is practically impossible to obtain sufficient evidence to prosecute the bankers or those at the top of a Bolita operation without constant surveillance by the police.

The Federal Government has achieved success in this area as the result of surveillance of known Bolita operators. There is no reason why a similar program by the Miami Police Department and other law enforcement agencies would not produce results.

The Effect of Bolita on the Community

As stated above, illegal gambling is the life blood of organized crime and rackets. The professional gamblers as a group set up an efficient organization to prey upon the weaknesses of others. It is not long before this scavenger attitude manifests itself in the expansion into other fields of crime such as narcotics and prostitution. In addition to this spread into other fields, gambling itself and Bolita in particular, has the effect of taking money from those people who can least afford to sustain the loss.

When the gambling laws are not strictly enforced, the confidence of the public in the Police Department and other law enforcement agencies is undermined, although there is adequate enforcement of other laws. The testimony before the

Grand Jury revealed that Bolita is a problem confined to and located within the negro sections of the city, although its tentacles are moving into the areas inhabited by Puerto Ricans and Cubans.

Another disastrous effect of the failure to strictly enforce the law is a breakdown in the morale of individual police officers. Many years ago, during the time of the so-called "liberal policy" the Vice Squad of the City of Miami Police Department was in charge of enforcing the laws against illegal gambling and other police officers were not permitted to make arrests on any gambling charge, although it may have been committed in their presence. At that time, illegal gambling of all types was operating wide open. Bolita sellers would set up tables on street corners and sell Bolita to any person passing by. When the Paymaster at the City of Miami Incinerator would pay off the negro employees, Bolita operators would set up tables right next to the Paymaster and sell Bolita to these employees as they received their weekly wages. Although a city patrolman was assigned to guard the Paymaster, he completely ignored the Bolita operation, and under the situation existing at the time, was powerless to make an arrest.

During the period when the "liberal policy" was in effect, the "top brass" in the Police Department would not permit police officers and patrolmen to enforce the gambling laws. There was only a token enforcement of gambling laws and young police officers grew up in an atmosphere not conducive to good law enforcement. With the breakup of the notorious S & G Syndicate, open bookmaking has been virtually eliminated in this county. However, Bolita is still prevalent. In many realms of enforcement, the confidence of the public in our Police Department and other law enforcement agencies has been elevated. However, the public is aware that an inadequate effort has been made to enforce the law against illegal Bolita operations. The effect of wide open Bolita on the negro patrolmen of the Miami Police Department, whose work is confined to the negro sections, has been to lower the morale of these patrolmen. A great many negro patrolmen have testified

before the Grand Jury that they are afraid to make Bolita arrests because, in the past, negro patrolmen who have made such arrests have been punished by being assigned to what they consider undesirable duty in the Police Department. The "top brass" and other officers of the Miami Police Department deny that negro patrolmen are afraid to make Bolita arrests for fear of reprisals. The "brass" also denied that morale of negro patrolmen was low. However, the many negro patrolmen appearing before the Grand Jury have been almost unanimous in their testimony that such fear of reprisal exists among all negro patrolmen. The morale of the negro patrolmen of the Miami Police Department is obviously at a low ebb and this is the almost unanimous opinion of all negro patrolmen. It is ironic to note that at the request of certain high ranking Miami police officers, we interrogated three negro patrolmen whose white superior officers claimed would testify that Bolita was being curtailed and there was adequate enforcement. Instead, these negro patrolmen supposed to present "the other side," also testified that morale was low among the negro patrolmen.

Negroes should be given the same formal police training before being given a badge and assigned to police work as are white men. We understand that negroes are now being sent through the training program of the Miami Police Academy which should cover this situation.

This opinion on the part of the negro patrolmen that the "top brass" of the Miami Police Department does not want the law against Bolita enforced is augmented by the attitude of the older police officers "We have always had Bolita, and always will have it."

Captain Raymond W. Tanner of the Detective Squad of the Miami Police Department continues to use a liquor bar as his unofficial headquarters despite a 1951 Dade County Grand Jury report criticizing this practice. This is hardly a practice inclined to induce respect for law enforcement.

Negro patrolmen see defendants in Bolita cases receive a nominal fine but no jail sentence. A fine in Bolita cases is no punishment at all, but merely amounts

to a license fee for those engaged in such illegal activities. Negro patrolmen, as well as white officers and virtually everyone else, know that giving a fine to a convicted Bolita or bookmaking operator is tantamount to no punishment at all.

We have mentioned the attitude that "There has always been Bolita and we will always have it" as stifling vigorous law enforcement in this field. One need but look at another area of police work to see what a good job can be done when the officers are not hamstrung by the old fashioned idea, but rather have a high morale and give vigorous effort to the stamping out of vicious crime. We refer to the Narcotics Squad and its operation against the hoodlums peddling in this field. The officers of the Narcotics Squad actually make more arrests for narcotics violations than the Detective Squad make in Bolita, although certainly the Bolita operation is much broader in scope. Furthermore, the narcotics officers have a much tougher assignment. It is much more difficult to investigate and make a case in this field than in Bolita. In addition to this, they are doing it with fewer men. Their record of conviction in narcotic cases is far greater than in Bolita cases, and further, the Courts do not hesitate to inflict jail sentences in narcotic cases. In view of the results obtained in the field of narcotics enforcement, it is apparent to the Grand Jury that results equally as good can be obtained by adequate enforcement of the Bolita laws.

There is an almost total lack of communication and liaison between the negro patrolmen and their superior officers. The officers testified that the negro patrolmen's morale was high, and yet almost to a man, the negro patrolmen have advised this Jury that morale is low. This includes the aforementioned witnesses given to us by the officers as patrolmen who do a good job and whose morale is high.

This report is not intended to cast a reflection on the entire Miami Police Department. We are confident that the great majority of Miami police officers are honest, efficient and energetic. In many realms of law enforcement, we have one of the finest police departments in the entire United States. There is no reason

that in the field of fighting Bolita and other organized crime that the same reputation for integrity and efficiency should not exist.

We commend the new City Manager, Melvin L. Reese, for the attitude he has taken in regard to the enforcement of the Bolita laws.

RECOMMENDATIONS

The Grand Jury makes the following recommendations:

1. That all law enforcement officers charged with the duty of stamping out Bolita be given intensive, continuing training courses in the law of arrest, search and seizure, and orientation training to emphasize the real nature and importance of gambling crimes.
2. That the City Manager take such steps as are necessary to eliminate the attitude in the Police Department of the City of Miami that "We have always had Bolita and we will always have it."
3. That all agencies concerned with law enforcement lend their efforts and seek the cooperation of the press, radio and television to inform the public as to the real nature of organized gambling, although the Grand Jury believes that the news media and the public in general are already far ahead of the Police Department in this field.
4. We strongly urge and recommend to the Judges of the several courts in this county who try Bolita and other gambling cases to sentence to jail all persons who violate the law against Bolita and bookmaking. The giving of jail sentences in such cases will go a long way towards eliminating Bolita in Dade County, whereas the imposition of a fine is merely "a license fee to do business" and encourages people to engage in this illegal and nefarious business.
5. We recommend that the Police Department of the City of Miami and other law enforcement agencies in Dade County adopt a realistic, hard hitting program of enforcing the law against Bolita and other illegal gambling. We believe that if the law prohibiting Bolita was

enforced by the Miami Police Department and other police officers in Dade County with one-half the zeal and vigor of traffic laws and other laws and ordinances that Bolita would be wiped out in short order.

6. That the City Manager of the City of Miami conduct periodic checks to determine to what extent the Bolita laws are being enforced by the Miami Police Department. If Bolita is found to be operating on a "wide open" basis, then the City Manager take appropriate action under Civil Service Regulations to bring proceedings against the police officers responsible for failure to enforce the Bolita laws.
7. That the Dade County delegation to the State Legislature seek the enactment of a law prohibiting radio and television stations in this State from broadcasting the winning numbers of the weekly Cuban National Lottery.
8. That an efficient program of surveillance of known Bolita operators and Bolita bankers be established by the Miami Police Department and other enforcement agencies. Specially trained officers should be given this assignment on a rotating basis.
9. That an adequate liaison and cooperation program between the Miami Police Department and all other enforcement agencies in the County, especially the Metropolitan Sheriff's Office, be established. Bolita is a transient business that knows no artificial boundaries.

FAILURE OF CITY OF MIAMI TO COLLECT LICENSE FEES ON APARTMENT
AND ROOMING HOUSES IN NEGRO AREAS

The Grand Jury made an investigation to determine why the City of Miami, for a period of approximately twenty years, did not collect occupational license fees for the operation of apartment houses and rooming houses in the negro sections of Miami.

We learned that a civil suit was filed in the Circuit Court of Dade County by a rent collection agency against the City of Miami, and in the year 1941 a Circuit Judge, who is no longer on the bench, issued an injunction restraining the City from collecting occupational license fees for the operation of apartment houses and rooming houses in the negro sections. Although it appears that this decision of the Circuit Court, restraining the City from collecting these taxes, was contrary to law, for some unexplained reason it was never appealed to the Supreme Court of Florida. In the year 1949 an Ordinance was enacted which, in effect, nullified the restraining order of the Circuit Court and permitted the City of Miami to resume collection of these occupational license fees in the negro sections. Despite the enactment of this Ordinance, no action was taken to resume the collection of these occupational license fees.

In 1957 the Chief of the License Division of the Finance Department requested, and received from the City Attorney, a written legal opinion that all apartment houses and rooming houses were subject to the payment of occupational license fees with no exemption allowed to any individuals within certain designated areas. Upon receipt of this Opinion from the City Attorney, the Chief of the License Division conferred with the then Finance Director, who instructed him not to resume the collection of occupational license fees for apartment houses and rooming houses in the negro sections of the City. We are unable to determine why the Finance Director refused to permit the collection of these occupational license fees and no satisfactory explanation of his action in this matter has been given to the Grand Jury.

For whatever reason these occupational license fees were not collected, the failure to collect the same is inexcusable and has caused the loss of between twenty-

five and thirty thousand dollars in revenue annually. The facts disclosed to the Grand Jury in this case do not justify the institution of criminal charges against those public officials responsible, but it does constitute neglect of duty.

The former Acting City Manager and the present Finance Director advised us that they had taken steps to resume the collection of occupational license fees for the operation of apartment houses and rooming houses in the negro sections of the City of Miami. We are also advised that the City has recently instituted procedures whereby the License Division of the Finance Department will be notified in all cases when the Building Department issues a Certificate of Occupancy for any newly constructed apartment house, rooming house, or other building requiring an occupational license for its operation.

We wish to commend the officials who initiated the collection of these occupational license fees and strongly urge such action as is necessary to recoup the substantial amount of money which is due and owing for uncollected license fees for the past twenty years.

We recommend that the City Manager investigate the obvious lack of departmental liaison and communication within the official family; that all department heads and officials be given written notice that when in the execution of their official duties they learn of changes in regulations, ordinances, court decisions or laws, such information shall be immediately transmitted in writing to the department heads affected by such changes and that a copy of such information shall also be filed with the City Manager.

We suggest that the succeeding Grand Jury further inquire into this matter and ascertain whether or not the City of Miami is continuing to collect these occupational license fees, and what steps have been taken to recoup the money due and owing for uncollected occupational license fees for the last twenty years.

SCHOOL BOARD INSURANCE PROGRAM

The Grand Jury made an inquiry as to what action the Dade County Board of Public Instruction had taken in regard to their school insurance program. The previous Grand Jury recommended the establishment of an insurance department, that all insurance be purchased on a competitive bid basis, that the School Board institute court action to resolve the legality of purchase of non-assessable mutual insurance, that existing appraisal facilities of county agencies be used to determine property values, that a limited self insurance program be established, that the patronage system of awarding insurance contracts be discontinued, and that such action be taken forthwith.

Following this report which was filed November 10, 1959, the School Board appointed a committee to investigate their insurance program. The testimony before this Grand Jury is that the committee has met just one time in the intervening six months and has made no report to the School Board. Following the Grand Jury report and the appointment of this investigative committee, the School Board acquiesced in a change of its policy as to school insurance effective December, 1959. In January, 1960, the School Board received another opinion from its attorneys that they could not do business legally with mutual insurance companies.

While this Jury does not believe that its findings or opinions, or those of prior Grand Juries, are necessarily a panacea for the ills of Dade County, we fail to see how the School Board can keep silent their intentions, nor continue to delay action on the prior Grand Juries' recommendations. We feel that these recommendations should be adopted, proven wrong, or some alternative program submitted to the public.

We recommend that the succeeding Grand Jury continue the inquiry as to the progress made by the Dade County Board of Public Instruction in this direction.

DADE COUNTY CIVIL DEFENSE UNIT

At the request of the Director of the Public Safety Department and others, and because of the seriousness of this matter, the Grand Jury made an extensive investigation into the operation of the local Civil Defense Unit, and filed a comprehensive Interim Report.

We found that the Dade County Civil Defense Unit was being operated in an efficient manner considering the limited facilities available, including the lack of financial support, and commended Sheriff Thomas J. Kelly, Director of the Dade County Civil Defense Unit, his subordinates, and other local officials, as well as the many civilian volunteers for their untiring efforts in this program.

We found that the Civil Defense program was inadequate to furnish the necessary protection for the people of Dade County and made the following recommendations for its improvement:

1. That the Federal Government take a more active role in civil defense as its constitutional duty.
2. That sufficient funds be made available by both the Federal and State governments to adequately finance a realistic civil defense program.
3. That the Dade County Civil Defense Unit continue as a function of our local government with the Director of the Public Safety Department as Director of Civil Defense.
4. That periodic air raid drills be conducted. (We now further recommend that adequate laws be passed to require strict observance of such drills.)
5. That adequate food supplies be purchased and stored with the Civil Defense Control Center for use in the event of an emergency or disaster. (It may be advisable to incorporate this food storage with the Dade County Stockade supplies.)
6. That blast valves for the air bomb shelters be purchased for the Civil Defense Control Center and that the filters and blast valves be installed as quickly as possible.
7. That sufficient sirens be purchased to enable all persons in Dade County

to be warned of an impending bomb attack.

8. That new government and commercial buildings be constructed with bomb and fallout shelters.

9. That local citizens should be encouraged to construct bomb and fallout shelters by exempting the cost of such construction from county and municipal ad valorem taxation, and by giving Federal Income Tax credits for depreciation of shelters.

10. That experienced civilian volunteer workers be brought into active participation in the local civil defense unit and all persons be encouraged to participate.

11. That a Metropolitan Dade County ordinance be enacted to provide for succession of authority within local government in order that government will continue to function in time of disaster, resulting in governmental casualties.

12. That a continuous program of civil defense training be maintained for local governmental employees and civilians.

13. That an additional emergency generator be installed at the Dade County Civil Defense Control Center.

14. That a skeleton crew be maintained on a 24 hour basis at the Civil Defense Control Center.

15. That adequate directions as to evacuation routes be conspicuously posted.

We suggest that the succeeding Grand Jury inquire into this matter and determine what steps have been taken to carry out the recommendations contained in our Interim Report.

PENALTY FOR ENCOURAGING OR CONTRIBUTING TO
CHILD DELINQUENCY

The attention of this Grand Jury has been called to the need for a change in the law relating to Encouraging or Contributing to Child Delinquency.

The penalty under the present statute is woefully inadequate. It calls for a fine not exceeding one hundred dollars or imprisonment in the County Jail for not more than three months. We have seen many cases in which this penalty was not sufficient punishment for the crime involved.

There are many situations in which prosecution for more serious offenses will not lie, but in which the facts demand a more severe punishment than is provided for in the above mentioned statute.

We strongly recommend and urge the next session of the legislature to revise this statute and provide for a minimum penalty of one thousand dollars and/or one year in the County Jail.

INSPECTION OF PUBLIC BUILDINGS AND FACILITIES

METROPOLITAN COURT

We attended several sessions of the Metropolitan Court in various locations in the County. They appeared to be efficiently conducted. The Judges presided fairly, giving all persons appearing before the Court an opportunity to present their side of the case. The Assistant State Attorneys prosecuted the cases in an able and thorough manner. The atmosphere of the Court was friendly but firm, and decorum was maintained at all times.

We recommend the installation of a public address system in all Metro Court rooms, so that all persons in attendance may benefit from the instruction and the remarks of the Court.

We also recommend that the Judges of the Metropolitan Court re-examine the requirement providing that all offenders who commit minor moving traffic violations must appear in Court. If the present program is making a substantial contribution

to traffic safety, then it should be continued. If a less stringent program will not seriously hinder the American Bar Association's plan for an ideal traffic court operation, then it may be well to relax the requirement slightly for the convenience of the public.

DADE COUNTY STOCKADE

The Grand Jury made an inspection of the Dade County Stockade and found that while the buildings are old, they are in good condition and well maintained. The food served was well prepared, providing adequate and balanced meals. Security at the Stockade was good and discipline was maintained. At the same time, prisoner morale appeared good. The prisoners were kept occupied by doing labor on various County projects such as the laundry for the Kendall Hospital, burials in the County cemetery, and right of way clean up crews.

The Jury did find, however, that there is need for improvement in some areas: The bathroom facilities need painting with the latest type of plastic paint to aid in the sanitation of these quarters; additional guards are needed to man the motor vans in order that the highway clean up detail may fully utilize this equipment. We recommend that these two measures be taken.

This report would not be complete if we did not give a special commendation for the excellent work being done at the Stockade by the officer in charge, Russell Sims.

In connection with the Stockade, the Grand Jury has one further observation and recommendation to make. In an Interim Report filed before the Court on February 2, 1960, it was suggested that an adequate food supply be kept on hand at the Dade County Civil Defense Control Center in accordance with nationally recognized standards. In making our inspection of the Stockade, it was determined from Lt. Sims that the oldest stock of food supplies is used first to prevent spoilage. It is the Jury's recommendation that an investigation be made with regard to the possibility of increasing these food stocks so that they may be used by the Civil

Defense Control Center in the event of an emergency. The Civil Defense Control Center is located adjacent to the Stockade. We believe that food could be transferred to the Control Center in the matter of a few minutes were an emergency to arise. By using the supply from the Stockade, the Control Center would have the benefit of having a fresh supply of food with which to maintain itself during an emergency.

DADE COUNTY JAIL

The Grand Jury inspected the Dade County Jail located in the courthouse. The jail and its facilities are obsolete but clean and as well kept as could be expected. The menu furnished the prisoners is adequate and provides a well balanced diet. The kitchen is kept exceedingly clean. The medical clinic was adequate and well stocked with medications.

CITY OF MIAMI STOCKADE

The Grand Jury inspected the City of Miami Stockade and found the grounds and buildings to be neat and clean and the Stockade efficiently operated. The food served the prisoners was well prepared and the weekly menus were adequate and furnished a well balanced diet.

We are advised that prisoners are fed at the Stockade at a cost of 45¢ per day per person and wish to commend those responsible for this economy.

A well equipped clinic with registered nurses on duty at all times is maintained at the Stockade.

MIAMI SANITORIUM

The Grand Jury investigated the Miami Sanitorium located at 7831 N. E. Miami Court. This is a private institution founded in 1927. This institution houses principally mental, alcoholic and narcotic patients. By an informal agreement with the County Commission, county patients are housed in the Sanitorium.

At the time of our inspection, the facilities were undergoing a modernization. However, in spite of this work, we found that the physical plant was especially clean, that the persons involved in the operation seemed to have a high morale and have the best interests of the patients at heart.

The doctors admitted to the staff of this Sanitorium have the highest reputations in our community.

Our inspection was conducted so as not to disturb or interfere with those private patients in the institution, but we can report that the facilities for the private patients and the county patients are the same.

The one shortcoming of this institution is the lack of facilities for occupational therapy. A program of occupational therapy requires a much larger staff and space than the Miami Sanitorium presently has available.

We recommend that the County Commission examine the possibility of enlarging the Mental Clinic at Jackson Memorial Hospital, or perhaps even acquiring the Pratt General Hospital, now operated by the Veterans Administration, in order to establish a sanitorium with a better rounded program for the treatment of patients residing therein.

JUVENILE AND DOMESTIC RELATIONS COURT

The Grand Jury investigated the Juvenile and Domestic Relations Court located at 800 N. W. 28th Street. The Jury found that this was a modern building maintained in fine condition inside and out; that an active and efficient staff has kept astride of the latest methods in dealing with delinquent youth and their problems.

We did find, however, that these facilities suffer from overcrowding and the staff itself is unable to operate as efficiently as desired by being overcrowded.

Previous Grand Juries have made recommendations as to increasing the probation staff and the facilities at the Juvenile and Domestic Relations Court. We heartily concur in their recommendations and while great steps have been made in this field, we believe that additional measures are necessary to complete the program as recommended by prior Grand Juries.

KENDALL HOME

An inspection was conducted by this Grand Jury of the housing of juveniles at the Dade County Home located at Kendall, Florida. We found that numerous cottages are in the process of construction to relocate most of the juveniles in accordance with recommendations of prior Grand Juries.

We also found that the County has instituted a foster home care program for the very young dependent children so that they are no longer institutionalized. They are to be commended for this effort. However, additional cottages should be constructed to take care of all the children housed in the older buildings. The new cottages under construction are modern, efficiently arranged, and offer the opportunity to work with children in small groups.

The new cottages are superior to any other institutional buildings this Grand Jury has inspected in Dade County, and are certainly superior to any other institutional construction which we have seen in Dade County.

In addition to the physical plant, the Grand Jury has noted a complete change in attitude and system of handling juveniles while they are retained at Kendall. The most advanced theories on institutional care for delinquent children are being put into practice by the staff. It is our recommendation that the succeeding Grand Jury make an investigation into this new program in order to insure the welfare of the children and the community.

OPERATION OF
JACKSON MEMORIAL HOSPITAL

The Grand Jury received complaints from Dr. Joseph B. Pomerance, a member of the medical profession, relative to the operation of Jackson Memorial Hospital.

Our inquiry into this matter disclosed shortcomings which might be expected in a hospital handling such a great volume of patients, but we found the overall operation of the hospital to be satisfactory.

MISCELLANEOUS INVESTIGATIONS

This Grand Jury has investigated numerous matters not included in this Final Report. The reason that they are not included in this report is that no wrongdoing was found on the part of anyone and the bare mention of the principals or the problems involved might cast a cloud of suspicion over the individuals or governmental agencies involved.

Our Jury, of course, received its share of complaints from the irresponsible citizens who continue to plague each Grand Jury with their imagined grievances. Other complaints, however, do come from responsible citizens who request our investigation. Frequently, these complainants base their accusations on a misunderstanding of the facts or the law. For example, we have had complaints in regard to the dedication of streets and public ways of this county. In each instance, investigation revealed no illegal nor improper activity.

We mention this to inform the people of Dade County that all matters referred to the Grand Jury receive appropriate attention.

IN APPRECIATION OF THE COURT

We wish to express our sincere appreciation to the Honorable Pat Cannon, Circuit Judge assigned to this term of the Grand Jury. When we were impaneled, Judge Cannon gave the Grand Jury an impressive charge in which he instructed us fully as to our duties and responsibilities. We found him to be considerate and courteous, always maintaining dignity and decorum.

E. B. LEATHERMAN - CLERK OF THE CIRCUIT COURT

The Honorable E. B. Leatherman, Clerk of the Circuit Court, and his deputies have been cooperative and helpful to this Grand Jury and we wish to express our appreciation to them.

ADMINISTRATIVE ASSISTANT - BAILIFF

The Grand Jury's work was expedited and facilitated by the effort of its Administrative Assistant, Eleanor M. Robinson and its Bailiff, W. Rufus Holzbaaur. Both are to be commended for their efficient manner and cooperative attitude in the performance of their duties.

RICHARD E. GERSTEIN - STATE ATTORNEY

All matters coming before the Grand Jury were fairly and capably presented by the Honorable Richard E. Gerstein, State Attorney.

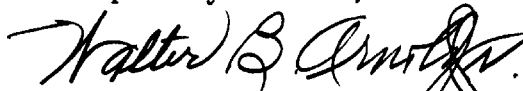
The State Attorney gave us his full and complete cooperation and his services and those of his able Assistants were so efficient as to preclude the necessity of considering the employment of special legal counsel.

We were highly impressed by the attention and alertness of the State Attorney to the wishes and desires of the Grand Jury. He interrogated witnesses in a courteous and fair manner, always seeking to learn the full truth by thorough and complete examination.

Richard E. Gerstein is an able lawyer and a dedicated public servant, and his advice and guidance were invaluable to this Grand Jury. He is devoted to the duties and responsibilities of his office and we appreciate this opportunity of close association with him.

We also wish to acknowledge the assistance of John C. Wynn, Chief Assistant State Attorney, and Messrs. George Eadie Orr and Irwin J. Block, Assistant State Attorneys, and commend them for their untiring efforts in our behalf.

Respectfully submitted,



Walter B. Arnold, Jr., Foreman
Dade County Grand Jury
Fall Term 1959

Attest: Frank N. Irwin, Jr.
Frank N. Irwin, Jr.
Assistant Clerk

Date: May 10, 1960