

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

FALL TERM A. D. 1975

FINAL REPORT OF THE GRAND JURY

Filed
May 11, 1976

Circuit Judge Presiding

HAROLD R. VANN

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JANE SEVIER SMITH, Vice Forewoman

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Official Court Reporter

FRIEDMAN & LOMBARDI

Bailiff

WALLACE D. CULBERTSON, JR.

CAPITAL AND OTHER CRIMINAL CASES PRESENTED TO THE GRAND JURY

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
JACK JORDAN	First Degree Murder Aggravated Assault	True Bill
CLARA BELLE ROBERTS	First Degree Murder	True Bill
ROGER GEISER and JAMES DAVID RODENBAUGH	First Degree Murder	True Bill
FRANKIE KELLER	Accessory After The Fact	True Bill
JAVIER APARICIO MOREJON	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Attempted First Degree Murder	True Bill
VICTOR JONES	First Degree Murder	True Bill
JANICE JOHNSON, also known as JANICE ELAINE BROWN and ESTELLE HARRIS	First Degree Murder	True Bill
GREGORY LEE and JEROME WIMBERLY	First Degree Murder Robbery Robbery	True Bill
AZELL ARCHIE, DEREK ARCHIE	First Degree Murder Burglary Involuntary Sexual Battery	True Bill
ALBERT LEROY WILBURN	First Degree Murder	True Bill
WINDSOR EDWARDS COOKS	First Degree Murder Burglary and Assaulting Person Therein	True Bill
ALPHONSO GONZALEZ	Second Degree Murder	No True Bill
JOHN WILLIE YOUNGS	First Degree Murder	True Bill
WILLIAM WITHERSPOON	First Degree Murder	True Bill
RAMIRO GONZALEZ, a/k/a INFANTE GONZALEZ, a/k/a RAMIRO GONZALEZ INFANTE, a/k/a RAUL GARCIA DURAN	First Degree Murder Assault with Intent to Commit First Degree Murder Possession of a Firearm by a Convicted Felon First Degree Murder Assault with Intent to Commit First Degree Murder Possession of a Firearm by a Convicted Felon	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
WESLEEN McDUGLE	First Degree Murder	True Bill
LESTER YORK	First Degree Murder Carrying a Concealed Firearm Attempted Robbery	True Bill
HARRY ELDIN WARREN	Involuntary Sexual Battery Involuntary Sexual Battery	True Bill
JAMES ANGELO HAMPTON	First Degree Murder	True Bill
CHARLES EDWARD McBRIDE and NORMAN OLIVER FOX	First Degree Murder Conspiracy to Commit First Degree Murder Robbery Conspiracy to Commit Robbery Aggravated Assault	True Bill
JAMES A. DAMPIER	First Degree Murder	True Bill
NORMA JEAN MOSER	First Degree Murder	True Bill
JERRY ANTHONY JONES	First Degree Murder	True Bill
ONELIO RUIZ SANCHEZ also known as RAMON MOLINA	First Degree Murder First Degree Murder	True Bill
STEVEN JABAR LAWSON	First Degree Murder Robbery	True Bill
STEVEN JABAR LAWSON DEREK ARCHIE	First Degree Murder Robbery	True Bill
MOSES O'NEAL	First Degree Murder Aggravated Assault	True Bill
ALEXANDER BAIN	First Degree Murder Robbery	True Bill
BERNARD L. JONES	First Degree Murder Attempted Robbery	True Bill
JOHN RICHARD BLACKWELL	Sexual Battery Sexual Battery Sexual Battery	True Bill
ROCCO JAMES SURACE and WILLIAM LEE THOMPSON	First Degree Murder Kidnapping Involuntary Sexual Battery	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
LOUIS RABIN	Grand Larceny Grand Larceny Grand Larceny Petit Larceny Petit Larceny Attempted Grand Larceny	True Bill
JOHN BLACKWELDER	Sexual Battery Sexual Battery Sexual Battery	True Bill
JEROME FELTON WILLIAMS	First Degree Murder	True Bill
ANTONIO RIVERA, also known as JUAN ACOSTA, also known as JUAN ACOSTA RIVERAS	First Degree Murder Aggravated Battery	True Bill
GASPAR NAGYMIHALY	Payment of Unauthorized Compensation	True Bill
DONALD BRUNDIDGE	Lewd, Lascivious or Indecent Assault Upon a Child Involuntary Sexual Battery Lewd, Lascivious or Indecent Assault Upon a Child Involuntary Sexual Battery Involuntary Sexual Battery Involuntary Sexual Battery Involuntary Sexual Battery Involuntary Sexual Battery Involuntary Sexual Battery Robbery	True Bill
WILLIAM KENNETH GURBERT, JOSEPH MICHAEL MAYER and PAUL BAKER	First Degree Murder First Degree Murder	True Bill
DALE JAMES KING, PHILLIP BRANNON COURTNEY and JAMES RANDOLPH JACOBS	First Degree Murder First Degree Murder Attempted Murder Attempted Murder	True Bill
ROBERT BECKE	First Degree Murder	True Bill
JOSE LUIS NUNEZ and MARIO PEREZ CIMADEVILLA	First Degree Murder	True Bill
MANUEL J. FINS	Payment of Unauthorized Compensation	True Bill
ERNESTO GIARROCCO	Payment of Unauthorized Compensation	True Bill

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SAFETY, SECURITY AND DISCIPLINE
IN THE PUBLIC SCHOOLS

The Grand Jury heard extensive testimony from persons involved in the public schools of this County from student to School Board Member to determine the extent of crime and other disruptive behavior occurring in our public schools.

For an eight month period from November 1974 to June 1975, 11,675 offenses were reported as having occurred on the grounds of Dade County Public Schools. These figures included 25 reported rapes, 195 robberies, 1420 assaults and 5,734 offenses against property.

The total property loss in the public school system for the fiscal year 1974-75 was \$797,480 resulting from robbery, theft, vandalism, arson and other actions.

Representatives of the Dade County Public Schools Security Services Department tell us that the reports of vandalism from July 1974 to February 1975 are up over 18% for the similar period in 1975-76. Assaults on personnel and students are up 24% for the same periods.

But these figures do not tell the full story. While the Superintendent of Schools requires that all offenses occurring on school grounds be reported to the Security Services Department, representatives of that department, staffed by trained policemen, tell us that offenses go unreported to those officers. We are told that some principals do not even want school security officers on their school grounds.

Thus, it is difficult to assess the magnitude of the problem in a school system having a population of 244,000 regular students, 25,500 employees, and 150,000 students in night classes.

This lack of understanding and communication at all levels is a situation which particularly distressed the Grand Jury.

All who appeared before us, however, agreed that the school system faced a significant problem in determining how to control this vandalism and violence. We asked what happened to students who broke the law on school grounds. The answer shocked us. In one school a student might be suspended for chewing gum while in another school a student who beat up a fellow student might be sent home and told to come back the next day. In one school, a student who broke a window might be referred to the School Security Officer for action while a student in another school who threatened a teacher with a knife might be sent to an alternative school. No certainty of punishment exists for those youngsters who break the law in school. As the student who appeared before us said: "Something happens to kids caught breaking the law, but we (the student body) are not sure what." Such doubt is no deterrent to crime.

The disruptive student may be counselled, suspended for 10 or 30 days, expelled, referred to alternative schools, referred to counselors, visiting teachers, psychiatrists, psychologists, substance abuse specialists, drug abuse agencies, or the Division of Youth Services and ultimately the Juvenile Courts.

But the simple fact is that out of that variety of alternatives no one is sure where the child who breaks the law in school will be referred.

The Security Services Department says the initial responsibility for disciplinary action lies with the principal. The Administration of the school system states that the Security Office is the ultimate judge of whether students should be referred to the Courts. School Security reported a close working relationship with some schools and principals. However, we sensed a lack of coordination between the efforts of School Security, the principals and the Pupil Personnel Services.

We realize that all offenders who commit crimes cannot and should not be punished or treated uniformly for the same crime. However, we strongly

urge a more uniform policy for the punishment and treatment of children who break the law on school grounds. Certainty and more uniformity in punishment will, we think, do two things:

1. Deter crime by those who think they can get away with anything under certain principals;
2. Create greater respect for the law on the part of students who are puzzled by the suspension of a student for chewing gum while the student who destroys property remains in school.

We were also distressed about the lack of a uniform central means of keeping records of children committing offenses on and off the school grounds. The Division of Youth Services keeps a record of all offenses referred to it by law enforcement agencies. However, not all school offenses are referred to the Division. Thus, it is impossible to develop an accurate profile of children who break the law so that effective action can be taken to break the recidivist pattern.

We were puzzled at the confusion and concern expressed by representatives of the school system over the use of corporal punishment, the old-fashioned spanking. Administrators described it as an effective remedy but we heard that principals were hesitant to use it because of confusion in administration guidelines or because of fear of civil suits. Principals have been advised by written memo from the Administration that they can administer corporal punishment. In 1972 only two suits were filed against administrators for the use of corporal punishment; five in 1973; two in 1974; and two in 1975. Anyone who drives an auto is exposed to the risk of a law suit. Principals should not be afraid to do their duty.

Finally, we were alarmed to learn that the Superintendent although aware of continued problems with the control of disruptive student behavior in one school and although concerned with the principal's ability to control that behavior, took no steps to transfer the principal. Neither tenure or any other influence should stand in the way of discipline and safety in

the schools. If the administration has any doubts about a principal's ability to control his school, it should resolve those doubts in favor of the student's safety and remove or transfer the principal.

To remedy the problems we described, we recommend the following:

1. All criminal offenses committed on school grounds should be reported to school security and to the police agency in the jurisdiction in which the school is located;

2. All criminal offenses in cases in which the offender is identified should be reported to the local police agency and Division of Youth Services;

3. A system of checks and balances should be instituted to insure that principals report all offenses and that no cover-up occurs;

4. The School Security Services Department should be adequately trained and staffed so that a Security Officer may be assigned to all schools experiencing a significant incidence of crime or other disruptive behavior. The budget of this Department should not be cut. Principals should not control or inhibit the assignment of security officers to their schools;

5. The School Board should establish uniform policies for the treatment and punishment of criminal offenses committed on school grounds with exceptions to be made only in specially checked circumstances;

6. Free and open discussions should be held by School Board Members, Administrators, Principals, Teachers and Students on the school grounds so that all involved may be informed of the extent of crime in the schools and the effort being made to combat it. Teachers should feel free to talk to principals, representatives of the Administration or Board Members without fear of reprisal. All school personnel should feel free to talk to Board Members and the Administration should take steps to encourage open discussion. Board members should consider it their duty to regularly visit schools on a random basis to learn first hand the problems they face;

7. Laws relating to tenure should be clarified, if necessary, to permit the removal of any principal or teacher who cannot effectively control disruptive student behavior occurring within their authority.

8. Effective coordination and communication should be established between the Division of Youth Services and the School System at the intake level and at the dispositional level. If dissatisfied with a decision of the Division of Youth Services with regards to filing charges against a youngster, the school system through its security officers should advise the Division of Youth Services.

9. Parents should cooperate with the schools and report all incidents which are brought to their attention to local school officials. They should urge their children to follow through and testify as to such incidents when necessary. Likewise, parents of children guilty of disruptive behavior are liable for the damages caused by such behavior. This liability should be enforced.

We are impressed with the wide variety of alternatives developed by the school system to deal with students who break the law. We commend the efforts of the school system which has successfully overcome the group disruption of the early 1970's which was, in part, racially oriented. There are many fine and dedicated principals, teachers and students committed to establishing a law abiding atmosphere in our schools in which education can flourish.

We have no sympathy, however, with those that attribute the current problems to the conditions of society generally and who say we are doing all we can to cope. More can be done. We urge the School Board and the Administration to take immediate action. We urge the incoming Grand Jury to continue this investigation to insure that action is taken.

TERRORIST ACTIVITIES IN DADE COUNTY

This Grand Jury heard extensive testimony concerning terrorist activities in Dade County. The indiscriminate, savage bombings must not be permitted to continue. We have issued an Interim Report on the Regulation and Control of Explosives. We urge the Legislature and County Commission to take immediate action to implement the recommendations of this Interim Report.

All law enforcement agencies and federal and state prosecutors must join together in a unified and effective effort to identify the persons who have committed these senseless acts and to put them in jail permanently.

The Cuban community must not tolerate this killing, maiming and destruction. Responsible members of the community must come forward with any and all information which could be helpful.

The people who have committed these crimes are nothing but the worst kind of criminals and they should be treated as such.

SAFETY AFTER DARK IN DOWNTOWN MIAMI

Many of us had the opportunity, working late with the Grand Jury, to observe Downtown Miami after dark for the first time in many years. It is not a comfortable place to be. One does not feel secure. We heard from Chief Garland Watkins, of the City of Miami Police Department. He stated and we think it is true that:

"The Miami downtown business district, like the downtown business districts of other major cities, is a common ground for uncommon people. This one simple fact, or condition of being, could go far to explain the incidence of crime in the downtown business district of Miami and other cities. It took the neglect over years of an entire community to produce this condition; it will take the commitment over years of an entire community to alter this condition."

This community must make a commitment to revitalize downtown Miami to make it a common, pleasant ground for all the people of this community who

wish to live, work, shop and enjoy themselves.

Chief Watkins also pointed out:

"Relatively few people reside in the downtown business district according to the census and they do so, statistically, in meager circumstances. Undoubtedly, many who live there are uncounted -- the social derelicts, the drunks, the eccentrics, the dissolute -- but the problems they pose for the downtown business district are countable at least indirectly as the victims mostly, perpetrators occasionally, of crime. To the extent that these persons are seen through the eyes of many middle class commuters or tourists as living evidence of the insecurity of the downtown business district, a cost is incurred. That they are so seen is neither humane nor tolerant on our part; but, it is a fact, brutal as it may be. Even more brutal is the thought that if we can not make contact with them for a census -- as even the Census Bureau admits -- how can we deliver social services to them? For too many such persons, the only services received are police services which are irrelevant to their real needs, wasteful of police manpower and time, and a burden to courts and corrections. The Myers Act decriminalized drunkenness, but after the 47 beds at Live Oaks are filled then what to do -- except to jail. And, who takes them there -- the police."

Chief Watkins tells us that crime statistics cannot tell the story and we agree. There is no uniformity of statistics from jurisdiction to jurisdiction. Each jurisdiction defines and collects statistics in a different fashion. The statistics relate to different people and to different environments.

What we sense from testimony we have heard is that Downtown Miami suffers "both from the incidence of crime and the fear of crime." That fear can be controlled to some extent by foot patrols and constant police presence within the community.

Yet, the Miami Police Department has just so much manpower. To cope with calls the police must place them in order of importance and respond as they are able. Different segments of the community demand different priorities. The police department reacts to what a citizen considers a high priority only to find the Courts expressing indifference to the offense as one of little importance.

Some areas of Downtown Miami are in shabby and dangerous shape physically. This Grand Jury issued an Interim Report concerning fire prevention in this City. In that investigation we learned that there are a number of old buildings like the Avondale Hotel which are decrepit and unsafe.

To make Downtown Miami a place of which this community can be proud, we recommend:

1. Immediate action to eliminate the decrepit and dangerous buildings
2. A concentrated community effort to rebuild Downtown Miami.

The new police station is a good beginning.

3. Agreement among community leaders and representatives of the criminal justice system on the priorities which should govern police response and the efforts of the entire criminal justice system.

4. Development of appropriate facilities where drunks and derelicts can be placed off the streets.

5. Uniform police officers should be highly visible at all times in the downtown area, particularly during morning and evening rush hours.

INSURANCE FRAUD

We indicted Louis Rabin, an attorney, for grand larceny and attempted grand larceny arising out of insurance fraud. We were shocked at the open and blatant fashion in which Mr. Rabin attempted to defraud the insurance companies involved.

But the ultimate victims of Rabin's actions are not the insurance companies. The victim is the premium paying public.

We urge all law enforcement agencies and prosecutors at both the State and Federal level to continue their efforts to ferret out the doctors and lawyers who disgrace their professions and convict them.

We urge insurance companies to identify those they believe to be committing fraud and join with law enforcement agencies in attempting

to put a stop to this thievery.

We urge the Florida Bar and the medical boards to continue to expel such thieves from their profession.

We urge the incoming Grand Jury to continue the investigation of insurance fraud in this County.

NORTH BAY VILLAGE POLICE DEPARTMENT

The prior Grand Jury criticized the operation of certain small municipal police departments. We reviewed these criticisms of the North Bay Village Department. Officers of the Department who had testified before the Grand Jury complained that they were disciplined solely because they testified before the Grand Jury. We heard testimony from these officers, the Police Chief at the time and the City Manager. We are appalled at the lack of professional judgment and standards involved in the operation of the North Bay Village Police Department and urge that City to take steps to comply in a realistic fashion with the recommendation of the prior Grand Jury. Law enforcement is one of the most complicated and sensitive tasks of government. Minimum standards for professional, efficient law enforcement agencies must be established in this County.

Finally, this Grand Jury and, we expect, future Grand Juries will not tolerate any person who seeks to intimidate or punish a person for appearing in good faith before a Grand Jury to criticize the operation of government at any level.

PROBATION, PRISONS AND PAROLE IN FLORIDA

The 1973 Spring Term Grand Jury made an exhaustive study of Florida's correctional system. It concluded

"The present system does not work. Probation is meaningless; prisons are schools for crime."

The situation remains unchanged two and one-half years later. But if the 1973 Grand Jury thought matters were bad, they are going to get worse in the light of Federal Court orders limiting prison populations. This state must be prepared to respond. For too long we have known of the problem not to have taken effective action. But instead of a sound, coordinated effort to solve the problem, State and local governments have approached these issues in fragmented, piecemeal disarray.

The Florida Parole and Probation Commission through its individual members continue to attempt to retain control of parole and probation field staff which the Legislature transferred to the Department of Offender Rehabilitation. The Commission perpetuates the mystery of its existence by refusing to hold its meetings in the Sunshine and by refusing to let the public know the basis on which offenders are paroled.

The Florida prison system's population increased by 4,294 inmates in 1975 to a total of 16,024 inmates in February 1976, a figure which is totally unsafe in terms of security for the prisons.

To solve the problem we suggest the following:

1. The Department of Offender Rehabilitation should present to the Legislature in this session what facilities are needed both at a state and local level to house all those who should be sent to jail, prison or half way houses in this state.
2. The Legislature should appropriate funds to meet those needs after reviewing them to assure their accuracy.
3. The Department of Offender Rehabilitation should immediately construct those facilities. No delay in such efforts should be tolerated.

4. Efforts by the Florida Parole and Probation Commission or its members to retain its field staff should be immediately terminated. The Department of Offender Rehabilitation should be responsible for all correctional efforts whether it be probation, prison or parole. In the past responsibility has been diffused between agencies. Today the buck should stop with the Department of Offender Rehabilitation after the Legislature properly funds it.

5. The Florida Parole and Probation Commission should be required to meet in the Sunshine. Only after its policies, procedures and priorities are exposed to public scrutiny will we be able to properly assess the work of the Commission. The Commission should be required to meet, as a group, with a quorum present to interview any person it determines to parole. The Commission presently paroles an individual by sitting in its office in Tallahassee and looking at a file. It is little wonder that criminals on parole commit further crimes when they are paroled in this fashion.

6. The State should not impose its problems on local government which is already stretched to the breaking point. The State should provide facilities for one who should be sent to prison so that judges do not have to resort to the Stockade as a place to sentence hardened criminals.

7. Prisons are a state responsibility. State officials should stop talking and start acting to meet this responsibility.

ILLEGAL ALIENS IN FLORIDA

We are concerned about the great number of illegal aliens in the State of Florida. We believe their presence is encouraged by the willingness of local employers to employ such aliens. Illegal aliens are securing social security cards and becoming eligible for other tax supported benefits. These aliens place a tremendous burden on welfare programs, unemployment compensation systems, hospitals and other medical facilities, and other tax supported programs and institutions. The resultant impact on the taxpayer should not be tolerated.

We, therefore, make the following recommendations with respect to illegal aliens.

1. The Federal Government should properly fund and staff the Immigration and Naturalization Service so that the entry of illegal aliens may be properly controlled;

2. The State Legislature should adopt legislation similar to that passed in California prohibiting the employment of non-authorized illegal aliens by employers in this State. The California Statute was recently upheld by the Supreme Court of the United States.

COURT REPORTERS

The Grand Jury has been concerned about the amounts paid by it for transcripts of Grand Jury testimony. We urge future Grand Juries to use electronic recording equipment as well as court reporters to perpetuate testimony to avoid costly transcripts whenever possible.

FACILITIES FOR JUVENILE OFFENDERS

The Grand Jury toured the existing Youth Hall and Juvenile Court facilities, the new detention facility soon to be occupied, and Pentland Hall - a facility for girls adjudicated delinquent.

We are impressed with the care and treatment juvenile delinquents receive from the personnel of the Division of Youth Services. Pentland Hall is a pleasant and appropriate facility for the placement of such youngsters. We believe, however, it is under-utilized.

The existing Youth Hall is a disgrace. On the other hand, we were appalled at the elaborate construction and facilities provided in the new juvenile detention facility. The average time spent in this new facility will be seven days according to current statistics. In addition, the Division of Youth Services is placing far more emphasis on non-secure detention for children in their own homes or some foster home arrangement. The facility is capable of little expansion.

It will cost \$9,718,120 to construct the detention and intake facility and the adjacent shell for courtrooms. Additional money will be required to construct the courtrooms in the building. Until they are constructed dangerous delinquents will have to be transported to the existing dilapidated and disgraceful court facility.

It makes little sense to spend so much money on such an elaborate facility which will be utilized for such a brief period per child and by such a very few of the children charged with crime. We would have preferred to see the money spent to complete the entire complex and for much needed facilities for all delinquent children. We hope the court complex will be completed as soon as possible by the County.

We question whether the qualifications, training and salary of detention personnel are adequate. We urge the Legislature to upgrade these positions as soon as possible.

MARTIN LUTHER KING JR. BOULEVARD
DEVELOPMENT CORPORATION

We received reports of misuse of federal funds channeled to the Martin Luther King Jr. Boulevard Development Corporation. We refer this matter to the Federal Grand Jury and urge them to investigate.

CONTROL OF BUILDING INSPECTIONS

The Grand Jury heard testimony concerning building inspection practices in Dade County and the City of Miami. One former inspector told us that inspection practices of the last several years have resulted in the construction of buildings which could be blown away in another "1926 Hurricane." The evidence we heard supports this statement.

County officials themselves condemned inspection practices during the period of increased construction in Dade County. A Building Department official said that to keep construction going an inspector had to inspect 30-36 sites a day. No inspector could properly and adequately inspect that many sites in one day. In other areas we heard that Dade County Building Inspectors failed even to perform inspections. No excuse, whatsoever, can exist for the County to permit such inaction.

Instead of requiring thorough, proper inspections, the County gave into the pressure of the building industry. The County should have been prepared to adequately staff the Department during peak periods of construction with trained personnel. It was not prepared.

As a result, boondoggles such as the El Conquistador Condominiums were built. Last year a Dade Circuit Judge awarded unit owners in this complex a \$1,174,869 judgment for defects including code violations in the construction of the buildings.

Proper inspections would have revealed these defects and proper enforcement would have resulted in these defects being corrected before the Final Certificate of Occupancy was issued. Lack of manpower is no excuse. The County should have provided manpower for the Building Department.

Building Department officials told us that often inspectors rely simply on contractors whom they feel they could trust. The sad fact is, however, that the Building Department cannot be sure that the contractor who secures the building permit will actually supervise the construction. Neither the City of Miami or Dade County Building Departments have been able to insure that licensed contractors are supervising a particular job. This is a sad commentary on inspection practices.

Building officials told us that many of the problems that have arisen involve only workmanship and not human safety. Officials claim that the South Florida Building Code does not address itself to workmanship standards. Shabby workmanship should not be tolerated. Proper standards for workmanship should be included in the Building Code.

In the meantime, officials of both the City of Miami and Dade County Building Department should do everything within their power to make sure all structural defects in a building are corrected before issuing a Certificate of Occupancy.

We were disturbed at statements from a City of Miami Building Official that the City accepts less than the South Florida Building Code requires. For example, stair heights of 6'10" are accepted when the Code requires 7 feet; block wall widths of 7 5/8 inches are accepted when the Code requires 8 inches. If the Code specifies a standard that standard should be met. Statements that individual inspectors must make judgments in these situations are absurd.

We were concerned at the lack of training on the part of building inspectors in either the City of Miami or Dade County Departments. Inspectors come from the trades and are oriented toward the private contractors. The job of inspector must be professionalized, formal training must be provided and salary scales should be set in a flexible fashion capable of attracting competent persons even in boom times.

Dade County Building officials themselves described their book-keeping and record keeping as sloppy. They described files, too often as lost. We are concerned about such a situation.

We believe any Building Department should serve the public and the construction industry in a fair, impartial and efficient manner. We heard some complaints that inspections are not promptly made even in less hectic times of construction. We heard Building Officials themselves express concern at the length of time required to process plans.

To remedy the problems we have described, we recommend the following:

1. Building inspectors should receive formal training as inspectors before assuming their duties. They should be examined and certified as competent to perform the work of inspectors before undertaking their duties.

2. Salary scales should be established which make the position of inspector competitive with that of jobs in the trades no matter what the economic conditions are at the time.

3. All Building Departments should be able to expand to meet rising construction demands for inspection promptly, efficiently and thoroughly. Quality should never be sacrificed for quantity.

4. Sufficient staff in decision making positions should be available to efficiently expedite the processing of plans.

5. Uniform standards for workmanship should be immediately incorporated into the South Florida Building Code.

6. Fire inspectors should be required to regularly inspect all new construction from the moment construction commences.

7. All Building Departments should institute procedures to insure that the contractor who obtains the permit actually supervises the job. Failure to do so should result in the imposition of severe penalties.

8. Immediate steps should be taken by the Dade County Building and Zoning Department to develop proper bookkeeping and record-keeping procedures.

9. No temporary Certificate of Occupancy should be issued so long as there is any violation of the South Florida Building Code in existence.

RECOMMENDATIONS WITH RESPECT TO THE
GRAND JURY SYSTEM

We have had a rare and invaluable opportunity to participate in the Grand Jury system. We have found the Grand Jury to be an effective institution through which citizens may act to correct problems which plague this community. We believe the Grand Jury should be sustained, encouraged and made as effective as possible. In this light, we make the following recommendations:

1. The present method of selecting grand jurors from names proposed by the Circuit Judges should be continued, to insure the selection of grand jurors who are competent to deal with complicated problems the jury must consider.
2. The orientation of new grand jurors should be made more effective by the clarification and simplification of the charge delivered by the presiding judge to new jurors and the preparation of a manual for grand jurors by the

Supreme Court setting forth the law and procedure governing the work of grand juries. In addition, we think it essential that the foreman of the outgoing grand jury meet on at least two occasions with the incoming grand jury to advise them on practices and procedure of the jury. The initial appearance of the outgoing foreman should be at the second meeting of the new jury after it has had a chance to become accustomed to its new surroundings. The outgoing foreman's presence and advice could be invaluable to a new jury and could save the incoming jurors much wasted time and effort involved in orienting themselves to their new responsibilities.

3. The area available for witnesses waiting to testify before the Grand Jury should be rearranged to keep the identity of the witnesses secret.
4. The media should not be permitted on the fifth floor of the Dade County Courthouse when the Grand Jury is in session. Public identification of witnesses entering the Grand Jury quarters destroys the essential concept of Grand Jury secrecy.
5. We urge the Legislature to provide for one-year terms for Grand Juries instead of the present six-month terms. Longer terms would prevent wasted time and effort involved in new grand juries learning their new duties.
6. The compensation for County grand jurors should be the equivalent of that paid to Federal grand jurors.
7. The oath of secrecy administered to witnesses appearing before the Grand Jury should be expanded to caution witnesses against making any statements to anyone concerning what was said or done by the witness or the Grand Jury.