

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

FALL TERM A.D. 1988

FINAL REPORT OF THE GRAND JURY

FILED
May 10, 1989

Circuit Judge Presiding

GEORGE ORR

Officers and Members of the Grand Jury

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RAMON E. ARGUELLES
Vice Foreperson

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Official Court Reporter

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Bailiff

GEORGE BARNES

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THE NEW TURNER, GUILFORD, KNIGHT CORRECTIONAL CENTER

On April 17, 1989, Metro Dade opened its new 1,000 bed jail, the Turner, Guilford, Knight Correctional Center (TGK), to alleviate the overcrowding in its correctional system. We toured this facility. The Metro Dade Correctional Department is distinctly proud of this "third generation" facility. In addition to being an evidently pleasant and accommodating facility, they argue that jails of this type are more cost effective to operate than traditional "first generation" jails. Unfortunately, we remain unconvinced that the construction and furnishing costs of such a facility are warranted. The living conditions of the TGK Center are strikingly superior to the other jails we visited. Each inmate is provided with an individual room, desk, chair and commode. Each pod is equipped with four televisions, a ping-pong table, private visiting rooms, exercise equipment and a basketball court. While no one advocates medieval conditions, college dormitories do not provide as comfortable an environment as does the TGK Center.

Children, elderly and the homeless needing health and human services, drug addicts and their families requiring counseling and those living in unsafe, deteriorated housing all desperately seek Dade County tax dollars to deal with their problems. At the TGK Center, individuals charged with or convicted of a crime will have access to services and living conditions beyond the attainment of many law-abiding citizens. Simply put, to most people, this does not seem either fair or proper.

But we think the County can justify the expense involved by using this new facility to create more in-jail programs which break the cycle of arrest, release and rearrest. The new center provides a golden opportunity to provide drug treatment aimed at reducing crime fueled by drug addiction. Recent urinalysis studies indicate that at least 80% of arrestees booked through the Dade County Jail have drugs in their system.

We applaud the County's recent decision to expand its existing drug treatment capability from 80 to 200 inmates. The "pod" structure of the TKG Center is perfectly designed for use as a therapeutic environment, and we hope that an even greater number of inmates will be treated.

Treatment experts have indicated that to provide drug treatment with a counseling staff 7 days a week, 12 hours a day within a jail facility can cost as little as \$8 to \$10 per day per inmate. This represents a significant savings when compared to \$60 a day in a community residential treatment facility. Since the main costs of an institution are already provided, the counseling staff is the sole additional cost. Citizens understand and appreciate financial spending which is aimed at breaking the cycle of drugs and crime.

However, in order to provide effective rehabilitation programs an inmate must be incarcerated long enough to benefit from the program. Thus, it makes sense to place convicted offenders with potential to benefit from rehabilitation in a treatment program in the TKG Center, for a specified period of time.

The Florida Department of Corrections faces an overcrowding crisis. In contrast, Dade County has attempted to keep pace with the increasing need for jail space and recognizes the need for effective rehabilitation programs. Even as the TKG Center opens, the County has begun planning for additional jail space. Dade County recognizes that building jails and developing programs are both necessary. Every effort should be made to utilize the TKG Center to its fullest potential as part of this overall effort.

GRAND JURY SERVICE

Few problems have been so repeatedly addressed by successive Dade County Grand Juries as have the issues of the inadequate number of Grand Jurors permitted to serve and their meager per diem pay. Like lonely voices in the wilderness, eight Grand Juries since 1978 have urged the Legislature to increase the number of jurors permitted to serve and increase compensation in an effort to make the Grand Jury service less onerous. The Legislature has failed to respond to these pleas.

The existing statutory number of Grand Jurors creates an unreasonable burden on those who serve. The 18 members of the Grand Jury are subject to the same perils and problems which are a part of everyone's daily existence. During a six month term people become ill, move away, die, leave town on business, marry, or have relatives who become ill, need surgery or die. Over the years, these circumstances have caused the simultaneous absence of several jurors making it impossible to obtain a quorum to conduct official business. Such situations have created lengthy delays, postponements or, as in one extreme case, required a grand juror to appear on an ambulance stretcher.

Dade County's Grand Jury meets every week for six months to perform its duty of reviewing our community's most serious crimes and its most serious problems. During an average term, the Dade County Grand Jury hears 70 capital homicide cases. In addition, the Grand Jury has tackled such problems as public housing, drugs, prison overcrowding and high school drop-outs. While Grand Jury service has its personal rewards, it presently remains unnecessarily burdensome, frequently inhibiting the ability of the Grand Jury to fulfill its duty as effectively as possible.

The per diem compensation paid to Grand Jurors, presently \$10 per day, is totally inadequate to compensate many who serve on the Grand Jury. Since 1978, when the buying power

of \$10 was markedly greater than it is today, pleas have been made to upgrade this barely significant payment. To the single parent, \$10 is inadequate to cover child care costs. To the owner of a small business or the independent contractor, a reimbursement of \$10 in no way comes close to easing the burden Grand Jury service imposes.

This Legislative Session presents the opportunity for the Legislature to prove its support for the mandated responsibilities of Grand Juries. Several pending bills before the Legislature call for an increase in the number of jurors serving and an increase in per diem pay. We urge the Legislature to maintain the quorum at 15 and increase the number of jurors to be impaneled from the present 18 up to 23 persons. This would allow each judicial circuit the discession to impanel between 18 and 23 jurors. We also urge the Legislature to increase the daily compensation a juror receives from \$10 to \$30 per diem. It is high time the Legislature approved these long overdue amendments in order for a Grand Jury to carry out its statutory duties and to do so effectively.

CAPITAL AND OTHER CRIMINAL CASES PRESENTED TO THE GRAND JURY

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
GREGORY LEWIS JORDAN, also known as CHICKEN MAN	First Degree Murder Attempted Robbery Unlawful Possession of a Firearm while engaged in a Criminal Offense	True Bill
JOSE RAFAEL HENRIQUEZ	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder	True Bill
VALMER FRANCOIS, also known as DREAD	First Degree Murder Possession of Controlled Substance	True Bill
CARLOS ANTHONY CAMPBELL	First Degree Murder	True Bill
ANTONIO DEARMAS, JOSE LUIS TAPIA, and RODNEY COOK	First Degree Murder	True Bill
JIMMY BRYANT	First Degree Murder Possession of a Firearm in the Commission of a Felony	True Bill
TRENT FIZGERALD CROWELL	First Degree Murder	True Bill
JOLIE LAVERNE ETTINGER (A) and CHARLES GLENN HARLESS (B)	First Degree Murder (B) Second Degree Murder (B) Attempted Armed Robbery (B) Accessory after the fact (A)	True Bill
DONALD LEE CRAIG and HENRY LEE NEWSOME	First Degree Murder Armed Robbery Aggravated Assault	True Bill
LENNIE RUSSELL	First Degree Murder Armed Robbery Armed Robbery Escape	True Bill
DALE DOWNS	First Degree Murder Grand Theft - Second Degree Possession of a Firearm during a Criminal Offense	True Bill
ARAMIS PERDOMO and ENRIQUE LIONEL GONZALEZ	First Degree Murder Attempted Robbery	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
MATTHEW DIXON	First Degree Murder Possession of a Firearm during the Commission of a Felony Possession of a Firearm by a Convicted Felon	True Bill
LAVARITY ROBERTSON	First Degree Murder First Degree Murder Robbery with a Firearm Robbery with a Firearm Armed Burglary Possession of a Firearm while engaged in a Criminal Offense	True Bill
JAMES WESLEY SMITH, JR., also known as "BROTHER"	First Degree Murder	True Bill
CHARLES HARRY STREET	First Degree Murder First Degree Murder Robbery Armed Robbery Armed Robbery Armed Burglary Attempted Armed Robbery Armed Robbery Armed Burglary Possession of a Firearm in the Commission of a Felony Possession of a Firearm by a Convicted Felony	True Bill
MIGUEL ARENCIBIA	First Degree Murder	True Bill
WALTER LEWIS	Armed Burglary Armed Robbery First Degree Murder Killing of unborn child by injury to Mother	True Bill
ANDRES VEGA	First Degree Murder Attempted First Degree Murder	True Bill
SHAUN DELONTE MINICK	First Degree Murder Unlawful Possession of a Firearm during the Commission of a Felony	True Bill
ISMAEL RAMOS	First Degree Murder Unlawful Possession of a Firearm while engaged in a Criminal Offense Aggravated Assault	True Bill
WILLIAM BENEDIT	First Degree Murder Unlawful Possession of a Firearm in the Commission of a Felony	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
LEONARD BANCROFT TRACEY	First Degree Murder	True Bill
FRANK MARTIN and, ERNEST STAFFORD	First Degree Murder Attempted Armed Robbery	True Bill
JOSE MAQUEIRA	First Degree Murder First Degree Murder Armed Burglary Attempted Robbery	True Bill
CLIFF ANTHONY SMITH, also known as TIM SMITH	First Degree Murder Armed Burglary Armed Robbery Unlawful Possession of a Firearm by a convicted Felon	True Bill
SANTOS TAYLOR, also known as SANTOS RODRIGUEZ	First Degree Murder	True Bill
SOLOMON BRAGGS	First Degree Murder Shooting into Occupied Vehicle	True Bill
LUIS FERNANDO RUIZ	First Degree Murder Aggravated Assault Armed False Imprisonment Aggravated Battery	True Bill
ALEX RUSSELL	First Degree Murder Armed Robbery Possession of a Firearm in the Commission of a Felony Possession of a Firearm by a Convicted Felon	True Bill
MAMIE LOU LAWTON	First Degree Murder Aggravated Child Abuse	True Bill
WILLIAM BENEDIT "A" and ALEXANDER INCHAUSTI "B" (prev. presented 1/11/89)	First Degree Murder "A" Unlawful Possession of a Firearm in the Commission of a Felony "A" Accessory after the Fact (First Degree Murder) "B"	True Bill
GARFIELD HUDNELL also known as DANIEL GARFIELD	First Degree Murder Attempted Armed Robbery	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
TORRANCE SHERMAN, and RAMON RILEY, also known as WILBERT, also known as WILL	First Degree Murder Possession of Weapon While Engaged in a Criminal Offense Aggravated Battery Aggravated Assault Tampering with a Witness Tampering with a Witness	True Bill
ANDREW ERISTE	First Degree Murder	True Bill
SOLOMON BROOKS and JERRARD DANIELS, also known as "JAMES DANIELS", also known as "MARK"	First Degree Murder Unlawful Possession of a Firearm while engaged in a Criminal Offense Carrying a Concealed Firearm Tampering with a Witness	True Bill
JERRARD DANIELS, also known as JAMES DANIELS, also known as MARK	Armed Robbery Attempted First Degree Murder Unlawful Possession of a Firearm while engaged in a Criminal Offense	True Bill
JOHNNY C. HARRIS, "B" and JOHN L. DARBY, "C"	First Degree Murder, "B" & "C" Armed Robbery, "B" & "C" Armed Robbery, "B" & "C" Armed Robbery, "B" & "C" Armed Robbery, "B" & "C" Armed Robbery, "B" & "C" Attempted Armed Robbery, "B" & "C" Possession of a Firearm during the Commission of a Felony, "B" & "C" Possession of a Firearm by a Convicted Felon, "B" & "C" Possession of a Firearm by a Convicted Felon, "C"	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
OSCAR HERRERA, also known as MIGUEL MAYNALDE, also known as LUIS A. PEREZ	First Degree Murder Attempted First Degree Murder Unlawful Possession of a Firearm while engaged in a Criminal Offense Shooting a Deadly Missile into an Occupied Vehicle	True Bill
BIZMARK ANTONIO GUADAMUZ	First Degree Murder Armed Burglary	True Bill
HOWARD TERRY SCIPPPIO	First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
GARFIELD HUDNELL, also known as DANIEL GARFIELD and VERNAL JONES, also known as VERNON JONES (Prev. presented 1/24/89)	First Degree Murder Attempted Armed Robbery	True Bill
JAMES ALBERT HUDSON	First Degree Murder Armed Burglary Armed Robbery Burglary Grand Theft	True Bill
SHEILA PERKINS	First Degree Murder	True Bill
JORGE ROBERTO PEREZ, also known as RAFAEL MUSULI, and ADOLFO NAPOLES (Prev. presented 8/10/88)	First Degree Murder Armed Burglary Unlawful Possession of a Firearm while Engaged in a Criminal Offense Robbery Possession of Firearm by Convicted Felon	True Bill
ARLIE PHANEUF	Kidnapping First Degree Murder	True Bill
ANGEL SANTIAGO LAZA	First Degree Murder Armed Burglary Attempted Armed Robbery	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
ARON O'CONNOR	R.I.C.O. Burglary of Structure Robbery Kidnapping Kidnapping Grand Theft-Second Degree Possession of a Firearm during the Commission of a Felony First Degree Murder Armed Burglary Possession of a Firearm during the Commission of a Felony Attempted Robbery Aggravated Assault Attempted Sexual Battery Attempted Sexual Battery Kidnapping Kidnapping Sexual Battery Sexual Battery Sexual Battery Aggravated Battery Robbery Robbery Robbery Robbery Robbery Robbery Robbery Burglary of Structure	True Bill
LUIS FERNANDEZ, REGLA HERNANDEZ, GERMAN ANTONIO GARCIA, and JOSE LUDENA	First Degree Murder Armed Robbery Armed Kidnapping Armed Kidnapping	True Bill
RAYMOND PADILLA	First Degree Murder Attempted First Degree Murder	True Bill
JIMMY NEWSOME, also known as TYRONE DAVIS	First Degree Murder Robbery Kidnapping Burglary	True Bill
JEFFREY CARR	First Degree Murder Armed Robbery Armed Burglary	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
TRAVIS JACKSON "A", HERNSO HANSEL BAPTISTE "B", and HELEN CALLINS, also known as HELEN JACKSON "C" ("A" and "B" prev. indicted 8/10/89 and 9/20/89)	First Degree Murder "A", "B" & "C" Armed Burglary "A", "B" & "C" First Degree Murder "A", "B" & "C" Armed Burglary "A", "B" & "C" Armed Robbery "A", "B" & "C"	True Bill
EDWARD FRANK PETERSON	First Degree Murder Armed Robbery Burglary Possession of a Firearm by Convicted Felon Possession of a Firearm in Commission of a Felony	True Bill
WADE FELDER	First Degree Murder	True Bill
MANUEL PIEDRA	First Degree Murder Possession of a Firearm while engaged in a Criminal Offense	True Bill
JOSE LOPEZ	First Degree Murder	True Bill
ALFREDO A. ALVAREZ	First Degree Murder	True Bill
JOSE DEAHORA, SR.	First Degree Murder	True Bill
LARRY JAMES BELL	First Degree Murder Unlawful Possession of a Firearm while engaged in a Criminal Offense	True Bill
JAMES HERNDON	First Degree Murder First Degree Murder Kidnapping Aggravated Assault First Degree Murder Attempted First Degree Murder	True Bill
THEODORE DUKES	First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
DENNIS JAVIER ESCOBAR and DOUGLAS MARTIN ESCOBAR	First Degree Murder Grand Theft Possession of a Firearm in the Commission of a Felony Possession of a Firearm by a Convicted Felon	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
LEROY ANTHONY WILLIAMS	Sexual Battery Sexual Battery Sexual Battery Aggravated Child Abuse Aggravated Child Abuse Aggravated Battery Aggravated Battery	True Bill
JESUS RAMIREZ-HERRERA and ERNESTO CORRAL-ARIAS	First Degree Murder Armed Robbery	True Bill
FREDERICK QUIXOTE NEAL	First Degree Murder Unlawful Possession of a Firearm during the Commission of a Felony	True Bill
FREDERICK E. DUNWOODY	First Degree Murder	True Bill
TERRY JOE SLOAN	First Degree Murder Robbery Burglary	True Bill
DEMONE EDWARD BLACKMAN and JONATHAN WENDELL MOSS	First Degree Murder Attempted Armed Robbery Armed Burglary	True Bill
BOBBIE LEE ROBINSON (A); RONNIE JOHNSON (B), also known as RONNIE BOO, also known as "BOO", also known as "BLACK"; DAVID BERTRUM INGRAHAM (C) also known as "DAVE-O", also known as "BOOPIE"; and RODNEY O'NEAL NEWSOME (D)	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Possession of a Firearm by a Convicted Felon	True Bill
RONNIE JOHNSON, also known as RONNIE BOO, also known as BOO	First Degree Murder Armed Burglary	True Bill
ELVIRA CANTU	First Degree Murder	True Bill
JOHN ERVIN BELL, CARLOS STRIDIRION, and JAMES GRANT	First Degree Murder Conspiracy to Commit a Felony	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
LUIS C. ORTIZ and CANDIDO LOPEZ	First Degree Murder Kidnapping Third Degree Murder False Imprisonment	True Bill
ADOLFO LEON MUNOZ	First Degree Murder Attempted First Degree Armed Robbery Armed Burglary (Dwelling) Burglary (Conveyance)	True Bill
ROBERT MILLER	First Degree Murder Possession of a Firearm in the Commission of a Felony	True Bill
ERIC ALBREE COLLINS, FREDERICK ANTHONY JOHNSON, and EARL LESTER COLLINS	First Degree Murder Attempted First Degree Murder Shooting into Occupied Vehicle	True Bill
CEDRIC HENRY WITHERSPOON also known as "JABO"	First Degree Murder Attempted First Degree Murder	True Bill
ARON O'CONNOR and CHRISTOPHER DALEY (ARON O'CONNOR Indictment prev. presented 2/22/89)	R.I.C.O. (A) Burglary of Structure (A) Robbery (A) Kidnapping (A) Kidnapping (A) Grand Theft - Second Degree (A) Possession of a Firearm During the Commission of a Felony (A) First Degree Murder (A), (B) Armed Burglary (A), (B) Possession of a Firearm during the Commission of a Felony (A) Attempted Robbery (A), (B) Aggravated Assault (A), (B) Attempted Sexual Battery (A) Attempted Sexual Battery (A) Kidnapping (A) Kidnapping (A) Sexual Battery (A) Sexual Battery (A) Sexual Battery (A) Aggravated Battery (A) Robbery (A) Robbery (A) Robbery (A) Robbery (A) Robbery (A) Robbery (A) Robbery (A) Burglary of Structure (A)	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
EUGENIO FONDON	First Degree Murder Armed Robbery Armed Burglary Attempted Kidnapping	True Bill
RICHARD BEDAL and DANIEL BEDAL	First Degree Murder Armed Burglary Aggravated Battery Aggravated Battery	True Bill
JAMES FRANKLIN McCOY	First Degree Murder	True Bill
ANTHONY LEE BROWN	First Degree Murder Unlawful Possession of a Firearm while engaged in a Criminal Offense	True Bill
JUAN DAVID RODRIGUEZ	First Degree Murder Armed Robbery Conspiracy to commit a Felony Attempted Armed Robbery Armed Burglary with an Assault Aggravated Assault Attempted Murder in the First Degree	True Bill

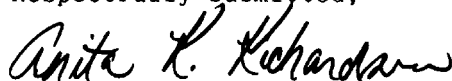
ACKNOWLEDGMENTS

We would like to express our thanks to His Honor George Orr, Chief Judge Gerald Wetherington, and State Attorney Janet Reno. We would like to thank the people who made our term run so smoothly: George Barnes, our Bailiff who took good care of our needs; Rose Anne Dare, Administrative Assistant to the Grand Jury who tirelessly expedited mountains of paperwork for our research; and Chief Assistant State Attorney Katherine Fernandez Rundle, who, due to her tenacity, expertise, research skills and unfailing good humor, we were able to compile this report.

During our Term we heard numerous capital crime cases. We acknowledge the professionalism of all the Police Departments, including Metro-Dade, City of Miami, Hialeah, Miami Beach and North Miami in the performance of their duties. Additionally, we wish to acknowledge the dedication of our police who put their lives on the line daily in the performance of their work. The tragedy of the Charles Street case will burn in our memories forever.


Our analysis of the overcrowding problem in our jails and prisons was greatly enhanced by the professionalism and insightful guidance of federal, state and county correctional staff. Overall, we were very impressed with the dedication of these professionals. We are particularly grateful to Captain Kevin S. Hickey and his staff for the time and effort expended on our behalf. Captain Hickey's distinct expertise and knowledge were invaluable to us.

Respectfully submitted,



Anita R. Richardson, Foreperson
Dade County Grand Jury
Fall Term 1988

ATTEST:



Shannon Gilmore
Clerk

DATE: May 10, 1989