

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

FALL TERM A.D. 1994

FINAL REPORT OF THE DADE COUNTY GRAND JURY

FILED

July 20, 1995

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MARTIN GREENBAUM
Associate Circuit Judge Presiding
JUDITH L. KREEGER

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DADE COUNTY'S IV-D CHILD SUPPORT SYSTEM

I. INTRODUCTION

Parental responsibility for the care and well-being of children is a basic demand of adulthood. Yet, there are countless Americans who have repudiated this primary duty by ignoring the financial needs of their offspring. The rationalizations for this financial abandonment are as varied as they are numerous. However, parents who fail to support their children deprive them of the financial and emotional support necessary to succeed in a tough, competitive world. The actions of non-supportive parents can be compared to those of a thief, but rather than stealing one's possessions, this thief instead steals the future of a child.

Lack of financial support has made children the poorest segment of American society. One in four infants and toddlers under the age of three is poor. Nearly 13 million American children live in poverty, 2 million more than a decade ago.¹ As a nation, we say we care for our children and, in a general, non-specific way, perhaps we do. But when we start to address the real needs of specific children by seeking to focus on the demands of parental responsibility, this impression quickly starts to disintegrate.

The unmet, basic needs of our children, who represent our future, and the neglect they experience by the inaction of their non-supportive parents create a hole in the fabric of society. Obtaining and enforcing continual adequate child support is a national problem. Nationwide, custodial parents are owed more than \$17.7 billion.² Many custodial parents have been forced to accept government assistance in the form of Aid to Families with Dependent Children (AFDC), also referred to as welfare, to support their children. In 1975, in an effort to address the growing problem of non-custodial parents failing to support their children, the Federal government established the Child Support Enforcement Program, Title IV-D of the Social Security Act. The federal government reimburses each state approximately two dollars for every dollar it spends to collect child support from delinquent parents and to recoup AFDC monies.

Of the 50 states, Florida ranked 38th in the collection of child support payments.³ Statewide for the month of April, 1995, the Child Support Enforcement Program collected \$25, 588,112 of the \$60,686,074 non-custodial parents owed (approximately 42 percent).⁴ The amount of unpaid child support grows month to month, year to year. Despite vigorous enforcement efforts, Dade County custodial parents, according to the records of the Dade County Central Depository, are presently owed over \$240 million.

Everyone in our community suffers when a child is deprived of the support he or she needs and deserves. While the child and the custodial parent suffer most immediately, every taxpayer is also suffering the financial burden of the absent and nonpaying parent. It is because of these parents who have shirked their responsibility that federal, state and local governments have had to intervene and establish programs to address the problem. The unpaid debt, the arrearage of uncollected child support payments ordered by a court, must be accounted for and collected. This debt is owed to our children and to our entire community. It is in everyone's best interest that its collection be accomplished as efficiently and effectively as possible.

Not every divorce or birth to a single parent results in a Child Support Enforcement action. Many adults accept their parental responsibility without the need of any judicial or governmental prodding. Such cases too often go unnoticed, never having come to anyone's attention.

The focus of our review was on the IV-D Child Support Enforcement Program in Dade County as operated by the State Attorney's Office, which deals with those non-custodial parents who do not support their children. It is our hope to offer insight and support and make recommendations which we believe will improve the effectiveness of this regrettably necessary governmental entity.

II. OVERVIEW OF CHILD SUPPORT ENFORCEMENT IV-D PROGRAM

Many levels of government and several agencies are partners in the child support collection effort. The Federal Office of

Child Support Enforcement is responsible for providing technical assistance and establishing the requirements that each state must meet to receive IV-D funding. It also audits each state for compliance with those requirements. States that do not follow federal requirements, such as supplying assistance to all custodial parents regardless of their own income, could lose federal funding.

The Department of Revenue (DOR) is Florida's IV-D agency responsible for the statewide administration of the Child Support Enforcement Program. DOR develops policy and procedure to ensure compliance with federal requirements; it submits proposed legislation to the state legislature for changes to Florida's statutes and program funding; and it is responsible for the daily operation of the program in sixty-five of the sixty-seven counties in Florida.

In 1987, the Department of Health and Rehabilitative Services (HRS), who had responsibility for the program before the Department of Revenue, established pilot projects in Dade and Manatee Counties whereby the Dade State Attorney's Office and the Manatee Clerk of Court, through a contract with DOR were responsible for the day-to-day operations of the programs.

The Clerk of Court in each county operates the central depository that processes all IV-D child support payments and routes them, through the Florida Clerk of Court Association computer system, to Tallahassee where they are reconciled with the state's child support computer system. The Clerk also provides the family court with the official payment records in child support cases.

The State Comptroller is also a participant in the process. The Comptroller is charged with the responsibility of mailing IV-D child support warrants (checks), upon receipt, from local central depositories to custodial parents.

The Courts of the Eleventh Judicial Circuit and the Metro-Dade Police Department are the final participants in our local child support collection effort. The Courts provide hearing officers who are dedicated to IV-D child support hearings

and finalize court orders via judicial review and signature. The Metro-Dade Police Department, by contract with the State Attorney's Office, has two officers assigned to locate absent parents who have failed to appear for court hearings.

In Dade County, the child support collection process begins when a custodial parent, seeking assistance in both AFDC and non-AFDC cases, comes to the State Attorney's Office Child Support Enforcement Division (CSE). Eighteen Intake Case Analysts are assigned to interview new clients, determine the specific service required, e.g. establishment of paternity, development of a new case, enforcement or modification of an existing order, etc. and process the paperwork accordingly. Approximately 10,000 new case interviews are conducted in the Dade County CSE Division each year. In cases where a client can provide sufficient information to file a case immediately, the case is forwarded directly to the Legal section of the CSE division for court action. If more information is needed, e.g., the non-custodial parent's address, the case must be forwarded to the Case Development Unit for additional processing before legal action can occur. Each Case Development Analyst is responsible for following up on approximately 1,800 cases at any given time. They must locate absent parents so that they can be served with court papers and they must verify incomes so that child support can be awarded fairly. Upon successfully completing their search, they can refer the case to the legal department for court action.

Once a court order for child support has been obtained, the case is transferred to a Case Enforcement Analyst. Each Case Enforcement Analyst is responsible for monitoring approximately 800 cases. The majority of these cases require much more than simple monitoring. Enforcement Analysts must also locate non-custodial parents, verify income and assets, and implement administrative enforcement actions, such as wage withholding, drivers license suspension, IRS intercept, and referral to Credit Reporting Agencies.

Case Enforcement Analysts, as well as Case Development Analysts, must respond to a voluminous number of telephone calls and complaints from frustrated custodial parents. Their

complaints range from checks that are a week or more late to frustrations with non-custodial parents who owe thousands of dollars in back support. It is obvious from the number of cases handled and the amount of work required on each case, that case analysts bear an impossible caseload burden. To expect them to perform efficiently and effectively under these extreme circumstances is unrealistic. Their inability to handle all of the telephone calls they receive causes further frustration for custodial parents.

THE COURT PROCESS

Due to Florida's present divorce and out-of-wedlock birth rates, one half of the children born in the state are potential child support recipients. However, the legal system, because of its inherent technical nature and because of the overriding concern for due process for the non-custodial parent, is a system rife with delays. The inevitable conflict between the needs of children and the legal safeguards of the non-custodial parent is one more frustration for desperate custodial parents. This delay comes at the end of the frequently lengthy process of locating and serving non-custodial parents, verifying income and assets, and processing legal documents. Custodial parents who are seeking to establish paternity and obtain orders for child support can experience the most lengthy delays. Once cases are forwarded to the legal department and the non-custodial parent is served with the legal papers, he or she may hire an attorney. The legal process can drag on as depositions both of the custodial and non-custodial parents may be taken. These delays are intolerable.

III. STRENGTHS OF THE DADE CHILD SUPPORT ENFORCEMENT PROGRAM

As mentioned previously, Dade County is unique in its handling of the IV-D Child Support Enforcement Program. Beginning in 1987 as a demonstration project, the State Attorney's Office has contracted yearly with the Department of Revenue to operate the Dade County program. Because the Dade State Attorney's Office comprises both the operational component

of the program as well as the legal component, there is better coordination of the legal issues.

In addition, it appears that the Dade State Attorney's Office, with its ties to the local community and its close relationship with the various local agencies, is in a better position to understand and meet the needs of Child Support Enforcement in Dade County's complex environment. The special concerns unique to Dade County are arguably better understood and dealt with on a local level. One result of local coordination efforts was the establishment of the "one-stop" shop. Local agency leaders pooled their resources and co-located the child support enforcement staff with the courts and the central depository. One-stop service has not only been cost-effective, but it has also provided convenience to both custodial and non-custodial parents alike. The good relationship between DOR and the Child Support Division of the State Attorney's Office is a recognition of this success. Based on all that we heard, this good relationship is expected to continue.

Continuous local efforts to collect child support have already been yielding tangible results in Dade County. Since fiscal year 1989-90, when \$24.1 million was collected, there have been significant annual increases in monies collected. By the end of fiscal year 1993-94 (the last year of available data), \$43 million of child support had been obtained for Dade County's children. This amounts to a 78.2% increase in collections in that four year period.⁵

IV. WEAKNESSES OF THE DADE CHILD SUPPORT PROGRAM

Two of the main weaknesses we identified in the Dade IV-D Child Support Enforcement Program are problems prevalent throughout Florida's Child Support System. As we discussed in the overview of the process, insufficient staffing is probably the most serious problem the program faces. Case Analysts cannot be expected to do their jobs effectively and efficiently when deluged with countless telephone calls from frequently highly agitated custodial and non-custodial parents. It is a vicious cycle. High caseloads cause delays in processing cases and

- resolving problems which cause frustrations for both custodial
- and non-custodial parents. These parents then call their case
- analysts to complain and demand swifter handling of their cases
- which in turn delays action for everybody.

- Adding to the problem is a telephone system that lacks the
- technological sophistication to adequately respond to the volume
- of calls and the needs of the callers. Analysts cannot be
- expected to do their jobs when, according to a statewide study
- conducted by the Department of Revenue, case analysts spend
- fifty-one minutes out of every hour answering phone calls and
- fielding complaints, correcting errors and investigating
- perceived errors.⁶ This leaves only nine minutes per hour to
- complete their other tasks. It is not hard to understand that
- one of the most frequent complaints voiced by both custodial and
- non-custodial parents, ironic as it may seem, is that case
- analysts are not available to answer their calls.

- The third weakness we identified in Dade's IV-D Child
- Support Enforcement Program is the cumbersome process of
- finalizing court orders. Although the use of hearing officers
- instead of judges to hear child support cases was implemented as
- a cost-saving measure, it appears that this system inherently
- causes a delay in the process. Since hearing officers cannot
- finalize child support orders and can only sign recommended
- orders, there is one more time-consuming step in the process--a
- judge must read the testimony and the facts in each case and then
- approve and sign the final court order. There are also delays in
- the sending and the return of each child support case file since
- judges are not part of the one-stop shop. Approximately sixty
- court orders are generated in a day--one can imagine the
- man-hours involved in this last, essential step in the process.
- In addition, since fifteen different judges are assigned this
- responsibility on a rotating basis, the logistics are mind-
- boggling.

- Lack of a signed court order even delays the court's ability
- to bring a non-custodial parent into court when that parent
- ignores the court's jurisdiction. In cases in which there is a
- court order requiring child support and the absent parent does

not appear in court for a contempt proceeding, the hearing officer can order that parent's arrest by means of a Writ of Bodily Attachment. This is an extremely effective tool. However, the Writ of Bodily Attachment cannot be acted upon until there is a signed order. This can lead to some absurd situations. If the absent parent chooses to surrender to the court rather than being arrested, he/she cannot even do so since there is no signed order allowing their detention.

A fourth weakness we identified is an insufficient number of police officers to serve the Writs. Presently, only two Metro-Dade police officers are assigned to this duty even though the Child Support Program pays Metro-Dade for such services. Additionally, since the Writ is not a criminal court order, the officers cannot gain entry into the subject's home, even if probable cause exists to believe he/she is inside. Using such limited manpower, these officers cannot stake out the subject's home, waiting to take the non-custodial parent to jail and court. While these Writs are not being served, non-custodial parents are ignoring court authority and continuing to delay court action and evading their responsibility.

The problem is aggravated by a lack of dissemination of the order to take the parent into custody. There is no centralized statewide computer system, such as the Florida Criminal Information Center (FCIC), for the notification of any police agency. So when a nonpaying parent is stopped in Broward County for a traffic violation, the system will not presently alert the officer of the individual's court order status in Dade and the non-paying parent will escape detection.

V. CURRENT INITIATIVES

In an effort to improve upon the overall effectiveness of the statewide IV-D Child Support Enforcement Program, the Florida Legislature transferred this statewide responsibility from the Department of Health and Rehabilitative Services (HRS) to the Florida Department of Revenue (DOR), effective July 1, 1994. The focus of the Department of Revenue is clear:

The Department of Revenue's role is to establish and collect debt. The main goal is to get the dollars which are necessary to provide food, shelter, clothing and other basic needs for the children.

DOR has undertaken several initiatives to improve collection efforts on a statewide basis. We met with Larry Fuchs, the Executive Director, who impressed us with his aggressive and creative approach to this complex problem. While it may be premature to claim success, we are certainly hopeful that based on the Director's expressed determination, this move will prove to be a welcome improvement to the process for many children and custodial parents.

DOR recognizes the need to focus on innovation while also supporting the efforts of agencies involved in CSE collections. Recently, DOR and the State Comptroller developed a new mailing system for support payment checks (warrants) which is projected to save \$300,000 statewide. Hopefully, these new savings will be channeled back into the staffing needs of the CSE system and result in the hiring of more case analysts. The agency's desire to experiment with the privatization of child support collections is another innovative effort. If this initiative proves successful, the cost savings for the CSE system and the federal incentive monies obtained from Washington could also be channeled back into the CSE system to stimulate further improvements to benefit other children dependent on child support monies. Innovation, coupled with more formalized coordinated efforts of the relevant local partners such as the sheriffs, private process servers, court clerks, judges, attorneys and employers, will make these enforcement partners better able to insure the proper financial support of our community's children.

Other DOR initiatives include: instituting a program that mandates that employers with more than 250 employees notify the Florida Department of Labor and Employment Security of the hiring of new employees, information which will then be shared with child support enforcement agencies; increasing enforcement authority in bankruptcy, foreclosure, and probate proceedings; and expanding the use of property bonds to allow a court to seize

a tangible item of value, such as a diamond ring, boat or car, until the overdue support is paid.

While participating in the DOR initiatives, the Dade State Attorney's Office Child Support Enforcement Program also has its own initiatives. Some of these initiatives include: specialization whereby staff members can develop more expertise in one area of the process, such as the enforcement effort; automation of the legal process; a formalized meeting of the local partners to develop long-term strategies as well as improved use of current limited resources; implementation of a volunteer program to augment the work force; a customer service unit; and a reduction on the reliance of a single analyst being responsible for all case activity and a custodial parent's point of contact.

VI. ADVOCACY GROUPS

While there are advocacy groups on behalf of custodial parents, such as Children Against Deadbeat Dads, non-custodial parents have formed their own advocacy groups in response to the negative image that has developed and to confront a system that they believe favors custodial parents. The non-custodial parent was another voice that we felt needed to be heard.

Perhaps the main message the non-custodial parent wanted to communicate was the need for the system to view them as more than a statistic or a paycheck. The same basic human respect and dignity that the judicial system strives to supply every defendant and plaintiff should not be lost on the non-custodial parent. Although many of their concerns may not prove legitimate or worthy of remedial action, awareness of the concerns may provide insights into the perspectives of the people refusing to support their children. Saying this, we recognize that the focus of government and the community must always be on the well-being and needs of the children.

A non-custodial parent representing one of these advocacy groups addressed the grand jury and offered a number of observations:

- 1) Mechanisms by which a modification of child support may

be obtained are too inflexible for the needs of the non-custodial parent;

- 2) The guidelines establishing child support payments should be reviewed, revamped and redesigned to set a minimum level of payment, not a maximum level;
- 3) The guidelines are erroneously calculated upon a parent's imputed income which assesses his/her ability to earn, not the actual earning opportunity;
- 4) A parent who remarries and has a new family should get greater consideration for the new obligations to the children in the new family;
- 5) When a custodial parent remarries, the income of the new spouse should be considered an important factor in the child support payment formula;
- 6) Child support payment due dates should be more flexible;
- 7) Income deduction orders should be capped at a maximum level amount;
- 8) Child visitation issues should be made part of the child support payment equation.

VII. CONCLUSION

We, as grand jurors, learned that the problem of child support is a problem in every neighborhood, cutting across racial and economic lines. We learned it is not so much a question of blame but of individual responsibility. It is a moral question, not merely a dollar and cents issue. As parents and members of society, we must recognize that parenthood imposes obligations and responsibilities that cannot and should not be passed on to government.

We discovered that upon entering the child support system one may encounter problems, but we also met with the people who were committed to making the system work and admired the energy they brought to a very tough job. Most of the problems we encountered were budgetary and could be solved with the infusion of sufficient resources. We must work towards achieving a stronger base of community support which will make child support enforcement a community and legislative priority and which will obtain for child support enforcement the long-overdue resources necessary for success. Allowing the impoverishment of children, when there are individuals who are legally mandated to provide

financial support, serves no one. Supporting our children is too important an issue for any of us to ignore.

VIII. RECOMMENDATIONS

1. Notwithstanding the benefits of automation and the initiatives mentioned earlier, the entire child support process will still need increased staffing, especially case analysts, if the desired goals of efficiency, effectiveness and service are to be met. The Florida Legislature must make a strong budgetary commitment to the people and the children of Florida to accomplish this goal.
2. Computerization of the courtroom process is absolutely necessary. By installing personal computers in the courtroom for use during the hearing, essential time savings will occur. The court order can be generated immediately at the conclusion of the hearing and given both to the custodial and non-custodial parent. This will eliminate the expense and time required to mail out the orders.
3. A full-time judge needs to be assigned to hear IV-D child support enforcement cases instead of hearing officers in order to shorten the time it takes to obtain a signed court order. The assignment of a judge will eliminate the time delay caused by the current need to send files and recommended orders to various judges in various locations throughout Dade County.
4. The Metro-Dade Warrants Unit, responsible for serving Writs of Bodily Attachment, needs to assign more officers to serve all of the Writs issued in Dade County. The present low staffing level results in too many failures to serve these Writs. In addition, outstanding Writs of Bodily Attachment should be entered into the statewide criminal computer system, FCIC. Non-custodial parents with these outstanding Court Orders could then be brought to the

authorities' attention by routine police activity, such as the issuance of traffic tickets.

5. The child support analysts are forced to spend so much of their time fielding routine phone calls from clients that their other tasks are neglected. A simple solution is to install an automated telephone system which would provide the caller with information about his/her case, such as where it is in the process, what is being done in the case and what information is needed. Such a system would significantly cut down on the time analysts must spend on the telephone.
6. The current process that allows for statewide CSE units to be notified of new employees in Florida's larger businesses is commendable and viable. This program should be expanded to reach smaller businesses employing fewer than 250 workers.

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>	<u>DATE</u>
ROBERT SMITH	First Degree Murder Attempted First Degree Murder Shooting or Throwing a Deadly Missile Unlawful Possession of a Firearm by a Convicted Felon	True Bill	11/16/94
DANIEL SERPA	First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill	11/16/94
BENJAMIN TORRES "A" and MARCO AURELIO GONZALEZ "B"	Armed Burglary Grand Theft Third Degree Dealing in Stolen Property	True Bill	11/16/94
JOSE ANTONIO PINEY and BENJAMIN TORRES	Attempted First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Shooting or Throwing Deadly Missile Shooting or Throwing Deadly Missile	True Bill	11/14/94
MICHAEL THOMAS WEAVER	First Degree Murder Armed Robbery Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill	11/16/94
TERRY EUGENE SEARS	First Degree Murder Unlawful Possession of a Weapon While Engaged in a Criminal Offense Unlawful Possession of a Firearm by a Convicted Felon	True Bill	11/16/94
EUGENE STEFAN HAYES	First Degree Murder Burglary with Assault or Battery Therein While Armed	True Bill	11/23/94
ANTHONY GENE WEST	Armed Robbery Armed Robbery Grand Theft Motor Vehicle Resisting an Officer Without Violence	True Bill	11/23/94

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>	<u>DATE</u>
HITLER FLEURINORD (A) and BILLY ALEXANDER, also known as WILLIAM MOISE (B)	First Degree Murder First Degree Murder Conspiracy to Commit First Degree Murder	True Bill	11/23/94
JEFFREY OBTAIVIUS SMITH	First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill	11/30/94
MANUEL JESUS SANCHEZ	First Degree Murder Attempted Second Degree Murder Attempted Second Degree Murder Carrying a Concealed Weapon	True Bill	11/30/94
MARK DEMETRIUS HADLEY JOSEPH BERNARD HOLDER	First Degree Murder Attempted First Degree Murder Armed Robbery	True Bill	11/30/94
CESAR ESPINAL	First Degree Murder Unlawful Possession of a Firearm by a Convicted Felon Unlawful Possession of a Weapon While Engaged in a Criminal Offense	True Bill	12/07/94
DANIEL FIGUEROA "A", SAMUEL FIGUEROA "B" and LEANDRO SUAREZ "C"	Armed Robbery	True Bill	12/07/94
JOKIVIA EAGLEFEATHER, JOHNNY HARRIS and CHARLES DREW, JR., also known as JASON RICH CORK, also known as MARK RICH	Armed Robbery Attempted Robbery/Carjacking	True Bill	12/07/94
KAREEM McNEIL, also known as KARFEM McNEAL	Kidnapping Sexual Battery - Deadly Weapon or Force Sexual Battery - Deadly Weapon or Force	True Bill	12/07/94
ANTHAWN D. RAGAN, also known as SANDTANNER LEWIS	First Degree Murder	True Bill	12/07/94

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>	<u>DATE</u>
MANNY D. COLLINS "A" and TORREY HIGGS "B"	First Degree Murder Robbery Resisting an Officer Without Violence Burglary with Assault or Battery Therein While Armed Grand Theft Motor Vehicle	True Bill	01/11/95
JEREMIAH SYKES	First Degree Murder Attempted First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill	01/11/95
ANDRE BURKE, also known as "DRE"	First Degree Murder	True Bill	01/11/95
KARY COLLINS	First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill	01/11/95
LEE JONES SIMON	Burglary with Assault and Battery Attempted Robbery/Home Invasion	True Bill	01/11/95
EDDIE BERNARBE FAJARDO	First Degree Murder Aggravated Child Abuse	True Bill	01/11/95
DWAYNE SMITH "A" and ANTONIO WILDER "B"	Armed Robbery Armed Burglary Attempted Armed Kidnapping Attempted Armed Carjacking	True Bill	01/11/95
GARY W. MINCEY "A" and TARDRICK HOLIDAY "B"	Armed Robbery Armed Burglary	True Bill	01/11/95
LEROY PETERSON	First Degree Murder Unlawful Possession of a Firearm by a Convicted Felon	True Bill	01/11/95
DANIEL BOYD	First Degree Murder Shooting into an Occupied Vehicle Possession of a Firearm During Criminal Offense	True Bill	01/11/95
CHRISTOPHER DOLPHE and JOEL ST. SURIN	First Degree Murder Armed Burglary with an Assault Therein Armed Robbery Resisting Arrest Without Violence Resiting Arrest With Violence	True Bill	01/11/95

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>	<u>DATE</u>
HANSIS ANTONIO COLLADO and VICTOR ESPINAL	Armed Robbery Armed Robbery Armed Burglary Aggravated Assault Aggravated Assault	True Bill	01/18/95
ARMANDO LAZARO BELLON	First Degree Murder Attempted First Degree Murder (6 Counts) Arson First Degree Carrying a Concealed Weapon	True Bill	01/18/95
RAMONA DEJESUS PEREZ	First Degree Murder	True Bill	01/18/95
LUIS M. AGUILAR and NOE CORONA	First Degree Murder Armed Burglary	True Bill	01/18/95
CANUTE GEORGE AUSTIN	First Degree Murder	True Bill	01/25/95
FRANKLIN HIGGS, CECIL JEROME WILCHCOMBE and JOSE JORGE SAMA	Armed Robbery Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill	01/25/95
FRANTZ CHERENFANT	Attempted First Degree Murder Attempted Armed Robbery Robbery/Attempted Armed Carjacking	True Bill	01/25/95
BARBARA LAIDLER, also known as BARBARA WILLIAMS	First Degree Murder Burglary with an Assault or Battery Therein While Armed Armed Robbery	True Bill	01/25/95
REGINALD SMITH	First Degree Murder Burglary with Assault or Battery Therein While Armed Kidnapping Home-Invasion Robbery	True Bill	01/25/95
BARBARA J. LAIDLER, also known as BARBARA WILLIAMS	First Degree Murder Burglary with Assault or Battery Therein While Armed Robbery/Home Invasion	True Bill	01/25/95
ARMANDO U. ORTEGA	First Degree Murder	True Bill	01/25/95
DESMAR AKINS	Armed Robbery Armed Burglary Aggravated Battery	True Bill	02/08/95

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>	<u>DATE</u>
CEDRICK SAMUEL DENSON	First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill	02/08/95
ANDREW WILLIAMS, JR.	First Degree Murder Attempted First Degree Murder	True Bill	02/22/95
FFRANKLIN HIGGS, CECIL JEROME WILCHCOMBE and JOSE JORGE SAMA	Attempted Armed Robbery Conspiracy to Commit a First Degree Felony Occupied Burglary	True Bill	02/22/95
FRANKLIN HIGGS, CICIL JEROME WILCHCOMBE and JOSE JORGE SAMA	Armed Robbery Armed Burglary	True Bill	02/22/95
TARRESSE LEONARD, DESONNE COLLIER, DONNELLE DURDEN and ANTWAN DEVINE	Armed Robbery Aggravated Battery with a Firearm	True Bill	02/22/95
ANTONIO SHAVAIL WILSON, VONTORIA DEVON WALKER, DWAYNE VIRGIL WILLIAMS and CLARENCE GERALD BROWN	First Degree Murder Armed Robbery Armed Burglary	True Bill	02/22/95
FELIX CASTILLO, also known as ERNESTO LINARES	First Degree Murder	True Bill	02/22/95
EDWEEN GELIN, JIMMY LOUIS, also known as DIMITRY AUGUSTE	Attempted First Degree Murder Armed Burglary Conspiracy to Commit a First Degree Felony Grand Theft Third Degree	True Bill	03/01/95
ANDREW WINNINGHAM	First Degree Murder Armed Robbery Attempted Armed Robbery	True Bill	03/08/95
LUIS RAUL DIAZ	Burglary of Occupied Dwelling Kidnapping	True Bill	03/08/95

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>	<u>DATE</u>
GERARDO PLAZA "A", ROMAN BROCHE "B", and ROLANDO PEREZ "C"	First Degree Murder Armed Burglary Armed Robbery Armed Robbery Armed Robbery Use of a Firearm in the Commission of a Felony	True Bill	03/08/95
HECTOR DAVID QUINONES	First Degree Murder Shooting or Throwing Deadly Missile Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill	03/15/95
GABRIEL DARDEN, also known as WIDNER GABRIEL	Burglary with Assault Therein Robbery/Home Invasion Battery on Person 65 Years of Age or Older	True Bill	03/15/95
"A" CEDRIC D. BRANTLEY, and WIDNER BABRIEL, also known as GABRIEL DARDEN, also known as "B" DANIEL GABRIEL	First Degree Murder Attempted First Degree Murder	True Bill	03/15/95
MARCON FRANCISCO BUSTOS and VOUSELL PARET, also known as YOSEF VOUSELL PARET	Armed Robbery Armed Robbery Armed Robbery Armed Burglary Kidnapping with a Weapon Kidnapping with a Weapon Kidnapping with a Weapon	True Bill	03/29/95
JAVON GEORGE RAINES and MICHAEL DUPONT	First Degree Murder Possession of a Firearm by a Convicted Felon (A) Possession of a Firearm by a Convicted Felon (B) Use of a Firearm During the Commission of a Felony	True Bill	03/29/95
DEMETRIUS B. SHERMAN	Armed Burglary Grand Theft Third Degree	True Bill	03/29/95
DEMETRIUS B. SHERMAN	Armed Burglary Grand Theft Third Degree	True Bill	03/29/95

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>	<u>DATE</u>
PRESTON LEE, DAWAYNE COOLEY, FREDDIE MAC TAYLOR, ERICK BLATCH, SPENCER EDWARD HICKS, JOSEUA CLARK, ALVIN CANIDATE, DONYELLE JACKSON, GHANA NKUMAH PAGE, DANTE McCRAY and DANNY LEE LEWIS	First Degree Murder First Degree Murder First Degree Murder First Degree Murder Burglary (Unoccupied) Grand Theft Motor Vehicle Burglary (Unoccupied) Grand Theft Motor Vehicle Burglary (Unoccupied) Grand Theft Motor Vehicle Burglary (Unoccupied) Grand Theft Third Degree	True Bill	03/29/95
GREGORY ALEXANDER, also known as "NEW YORK", also known as TITO ALEXANDER, also known as ARTHUR MARSHALL, also known as ARTHUR ALEXANDER	First Degree Murder First Degree Murder Attempted First Degree Murder Armed Burglary Armed Robbery Armed Kidnapping (CTS. 6, 7, 8, 9, 10, 11, 12) Armed Burglary of a Vehicle Aggravated Assault (CTS. 14 and 15) Armed Burglary of a Dwelling/Curtilage Armed Robbery Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill	03/29/95
LACARVIA GAMBLE	First Degree Murder Armed Burglary Armed Robbery Armed Robbery	True Bill	03/29/95
ALBERTO URPIANO MATEO	First Degree Murder Aggravated Stalking Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill	03/29/95

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>	<u>DATE</u>
JORGE ALEXANDRE SANDOVAL and DAVID HERNANDEZ	First Degree Murder Armed Robbery	True Bill	04/05/95
MacARTHUR GRIFFIN	First Degree Murder	True Bill	04/05/95
JOEL TELFORT	First Degree Murder Attempted First Degree Murder Burglary with Assault or Battery Therein While Armed Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill	04/05/95
ARMANDO E. ACOSTA	First Degree Murder Armed Burglary Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill	04/05/95
ANTHONY GRANT PRATT "A" and JEFFREY DOREUS "B"	Attempted First Degree Murder of a Law Enforcement Officer Attempted Armed Robbery Attempted Armed Burglary	True Bill	04/05/95
ALBERTO URPIANO MATEO [Prev. presented 02/29/95]	First Degree Murder Aggravated Stalking Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill	04/05/95
LACARVIA GAMBLE "A", JERMAIN RANDOLPH "B" and FREDRICK WILSON "C"	First Degree Murder Armed Burglary Armed Robbery Armed Robbery	True Bill	04/12/95
CHRISTOPHER THOMAS, also known as "CRIP", CHUCKNEY BETHEL, WILLIE BROWN, also known as "LITTLEMAN", HARRY KWAN FIGGERS, SHARIKA SHANTAY MORGAN, FRANKLIN MONROE, DWAYNE COOLEY, and FRANKIE LEE JAMES, also known as "J.R."	First Degree Murder First Degree Murder First Degree Murder First Degree Murder Attempted Burglary (Unoccupied) Attempted Burglary (Unoccupied) Grand Theft Motor Vehicle Grand Theft Motor Vehicle Grand Theft Motor Vehicle	True Bill	04/12/95

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>	<u>DATE</u>
LOUBIN PIERRE	Burglary with an Assault Kidnapping Strong Arm Robbery Home Invasion Robbery	True Bill	04/19/95
JESSIE DRAYTON	First Degree Murder Armed Robbery	True Bill	04/19/95
TRAVIA MOSS	First Degree Murder Aggravated Child Abuse	True Bill	04/19/95
BENTSY MURAM, also known as BENNY MURAM, also known as DAVID MARRONE	First Degree Murder Attempted First Degree Murder	True Bill	04/19/95
JAMAL DEWAY EDIE	First Degree Murder	True Bill	04/19/95
MARIA ELENA GARCILAZO	First Degree Murder	True Bill	04/19/95
JERRY CHARLES "A" and PATRICK JONES "B"	Armed Robbery	True Bill	04/26/95
JOSEPH S. HALL	First Degree Murder Possession of Cocaine	True Bill	04/26/95
MARLON JOSEPH SMITH, RICARDO GRANT, and VINCENT LAMAR JOHNSON	First Degree Murder Burglary with Assault or Battery Therein while Armed Kidnapping with a Weapon	True Bill	04/26/95
OCTAVIES JOHNSON and QUINTINN T. MAYS	Attempted First Degree Murder Robbery	True Bill	05/03/95
JERRY CHARLES "A" and PATRICK JONES "B"	Armed Robbery	True Bill	05/03/95
DAVID GARARD "A" and DAVID WILLIAMS "B"	Armed Robbery Burglary with Assault or Battery Therein While Armed	True Bill	05/03/95
MOISES ABRAHAM MEDRANO	Burglary with an Assault Therein Robbery/Attempted Carjacking	True Bill	05/03/95

ACKNOWLEDGEMENTS

We wish to thank the Honorable Judge Martin Greenbaum and the Honorable Judge Judith L. Kreeger, Chief Judge Leonard Rivkind and State Attorney Katherine Fernandez Rundle. We especially thank Chief Assistant State Attorney Michael Band, whose dedication and skill in presenting the facts and explaining the law made our task more enjoyable and certainly easier to perform.

To Rose Anne Dare, Administrative Assistant to the Grand Jury, who graciously and expeditiously managed the myriad of administrative details of the Grand Jury; Arthur Lewis, our faithful bailiff and Angela Garcia, our Deputy Clerk of Court, all of whom contributed greatly in assisting this Jury in fulfilling its duties, we express our gratitude.

We gratefully acknowledge and thank the many dedicated representatives of the law enforcement agencies of Dade County and its municipalities, whose skill and professionalism have earned our lasting respect.

Respectfully submitted,



Ann McMillan, Foreperson
Dade County Grand Jury
Fall Term 1994

ATTEST:



Ellis McMillon
Clerk

DATE: July 20, 1995