

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

FALL TERM A.D. 1998

FINAL REPORT  
OF THE  
MIAMI-DADE COUNTY GRAND JURY

FILED  
June 9, 1999

Circuit Judge Presiding  
**JUDITH L. KREEGER**

Officers and Members of the Grand Jury

**OLGA HANEK**  
Foreperson

**LINDA CLARK**  
Vice Foreperson

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Treasurer

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State Attorney  
**KATHERINE FERNANDEZ RUNDLE**

Chief Assistant State Attorney  
**CHET J. ZERLIN**

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Clerk of the Circuit Court  
**HARVEY RUVIN**

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Administrative Assistant  
**ROSE ANNE DARE**

\* \* \* \* \*

Bailiff  
**NELIDO GIL, JR.**

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**FINAL REPORT OF THE**  
**FALL TERM 1998 MIAMI-DADE COUNTY GRAND JURY**

Like many in our community, we have watched while a steady stream of allegations and investigations have washed over Miami-Dade County depicting many despicable acts by those in government whom we once trusted. Some were criminal, resulting in much needed arrests and prosecutions of those responsible. Others, while not criminal, served to reveal the sheer magnitude of the fiscal mismanagement, ineptitude and malfeasance that had occurred. Criminal behavior usually received the greatest notoriety. However, any governmental action that abdicates fiscal responsibilities, reduces faith and confidence in government, or leads to the wasteful use of our tax dollars, should be viewed as equally intolerable. Over the past six months, at the request of our State Attorney Katherine Fernandez Rundle, our grand jury has undertaken the difficult and frustrating job of trying to make sense out of this corruption and attempting to find a way to do something constructive about it. For our term, we undertook an inquiry of the system by which our local governments enter into contracts with private companies. This inquiry has been an eye-opening experience for us all.

We have reviewed a number of contracts, all entered into willingly and knowingly by local county and city government officials, that made absolutely no fiscal sense to us as taxpayers. We have found instances where existing contracts had been misused for the apparent benefit of the private sector and totally contrary to the fiscal responsibilities of good government. We have found some contracts where the politics surrounding their approval led to actions and results lacking logic, reason or fiscally sound judgment. In many of these instances, the benefit of the bargain was clearly not for the benefit of the community who had entrusted these tax dollars to their governments in the first place. To us there is no question that, as a result, huge sums of tax dollars have been wasted and vast resources of government have been misused. The single most important question that remains is “why?” In a few of these contracts, there is a overarching atmosphere which leaves us with a strong impression that the actions leading to the waste we found were not just the result of negligence or malfeasance. In these few instances we feel, but can not yet prove, that someone or something must have improperly benefited as a result. Other contracts encompass decisions that, although clearly not criminal, virtually reek of sheer stupidity or utter disregard for the public’s trust. We unquestionably believe that sufficient time and effort must be expended to bring closure to these issues. However, while we are willing to expend the effort, we lack sufficient time remaining in our term to accomplish this goal.

We have therefore been forced to accept the fact that, despite the more than six months we have spent on these issues, we are regretfully not yet able to issue the responsible and thoughtful final report our community deserves. Far too many questions remain and far too many issues still await resolution. We therefore find

ourselves facing the end of our term with our main mission incomplete and an important decision to be made regarding our next step. Fortunately, we have been able to find the guidance needed in the actions of our predecessors.

In 1997, the Spring Term Dade County Grand Jury decided to undertake the investigation of corruption in county government by conducting an investigation into a single agency of Miami-Dade County, the Department of Planning, Development and Regulation. At the end of their term, they reached the conclusion that, although finding “favored treatment, improper actions and incorrect motivations,” they felt that what they had uncovered “may only be the tip of an enormous iceberg.” Rather than issue a report that would have failed to completely answer the issues raised by their inquiry, they decided instead to pass their investigation on to their successor grand jury for completion. Hindsight has proven the wisdom of their decision. Their successor, the Fall Term 1997 Miami-Dade County Grand Jury, was able to complete the investigation they had begun. They were able to issue an Interim Report containing the indictments of three top building officials and one private individual. They were also able to issue a Final Report that contained an exhaustive analysis of the entire department and numerous recommendations for change. Having found ourselves in virtually the same situation as the Spring Term 1997 Dade County Grand Jury, we too have decided to pass our inquiry on to our successor grand jury for completion. We are proud, and relieved, that they have willingly accepted this mission. They will continue our work, and expand upon it, throughout their just begun six month term.

Our inability to complete our mission was caused primarily by the scope of the issues we had undertaken and our difficulty in determining the specific “behind the scenes” details of some of the contracts we reviewed. This was true even though many witnesses appeared before us and gave us much valuable information. We were, we discovered, not alone in finding our progress frustrated in this fashion. Our grand jury service has taught us that every investigative body, whether local, state or federal, whether criminal or administrative in nature, faces these same limitations and frustrations. The difficulty of obtaining needed insider information places a wall between the desire of our community to root out corruption and the accomplishment of that goal. It is by far the most prevalent reason for law enforcement’s difficulty in uncovering crimes committed by public officials or public employees and obtaining the evidence needed to prove these crimes in a court of law. We know that standing up and providing this essential information, even within the protection of grand jury secrecy, is not an easy step to take. Clearly some kind of fear, whether of political payback, a loss of advancement, a loss of future economic opportunities or a loss of one's reputation, stands at the root of this problem. As a society, we simply can not allow the many hardworking, honest public employees in our government to continue to be silenced by the threat of the very few who are corrupt. In addition, we have noticed a financial parachute that sometimes serves to support the perpetuation of this “conspiracy of silence.” The evidence suggests that for

some who do wrong while in government, a resignation can result in lucrative employment or business within private industry. Sometimes this private industry encompasses the very entities for whom their governmental actions may have performed a benefit. All that is required is their continued silence. For our investigation to be completed, it is necessary that this silence be breached. Accordingly, as our successor grand jury continues the work we have started, we call upon all citizens and businesses of our community to support their efforts to get to the bottom of these issues. We are asking everyone to put aside their fears, to stand up and be counted, by supporting and promoting our most sacred principals: the fairness, the honesty and the integrity of our government itself.

In support, we can offer no better words and advice to our community than those chosen by the Spring Term 1997 Dade County Grand Jury for the closing paragraph of their final report:

“It is of paramount importance that trust in our local government and its agencies be restored. It is the primary function of our community leaders and elected officials to ensure this occurs. However, they must remember that the restoration of trust is a lengthy process that must be earned with time and consistency. It will not be obtained with a few well chosen words nor through actions that lack conviction and evaporate when the lights and cameras are turned off. Government must ensure equality of treatment and purity of purpose. The people’s trust can only be restored when they truly believe that their government operates consistently in that fashion.”

**INDICTMENT**

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>RETURNED</u>
DARREN ROMER	First Degree Murder Armed Robbery	True Bill
WILLIAM MONTES-PARRA	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Child Abuse/Aggravated/Great Bodily Harm Child Abuse/Aggravated/Great Bodily Harm Burglary With Assault or Battery Therein While Armed	True Bill
HARREL FRANKLIN BRADDY	First Degree Murder Attempted First Degree Murder Kidnapping Kidnapping Burglary with Assault Therein Child Neglect/Causing Great Bodily Harm Attempted Escape	True Bill
XAVIER LAMONT MOORE	First Degree Murder Unlawful Possession of a Firearm by a Convicted Felon	True Bill
DEWAND LAMAR RAY	First Degree Murder Unlawful Possession of a Firearm or Weapon by a Convicted Felon	True Bill

TERUMBAR AHUA (A), LUIS ARCE (B), SERGIO ARIAS (C), DONDRAE BAILEY (D), JOHEL BARQUERO (E), OSCAR BARQUERO (F), MICHEL BARRER (G), MARCO BATISTA (H), CARLOS BERMUDEZ (I), RICARDO BOFFILL (J), ALEX BUITRAGO (K), MICHAEL CABRERA (L), RENE CASO (M), CARLOS CRUZ (N), FROLIAN CRUZ (O), LIKZA FLORES (P), JOSE GARAYTA (Q), LEONARDO GARAYTA ( R), RAUL GARAYTA (S), JOSE GARCIA (T), RICHARD GONZALEZ (U), SAMUEL GONZALEZ (V), CESAR GUERRA (W), DEMARCUS JACOBS (X), JOSE LABOY (Y), MICHAEL LADD (Z), JORGE MARTIN (AA), EUGENIA MARTINEZ (BB), ARYN MILLER (CC), OSCAR MORALES (DD), JORGE MUNOZ (EE), JOSE PERRAZA (FF), ALBERTO QUEVADO (GG),REINALDO QUINTANA (HH), AHMED RAMIREZ (II), LARRY RAMIREZ (JJ), MICHAEL RIDDLE (KK), ELMER RIVERA (LL), JOHN RIVERA (MM) RAFAEL RIVERA (NN), JASON ROBINSON (OO), DAVID ROMERO (PP), GLENN RUIZ (QQ), JOEL SERRANO (RR), ALBERTO TARAMONA (SS), JESUS TARAMONA (TT), CHARLES TROY (UU), DAVID WALKER (VV), ROCKERY WHITFIELD (WW), JUAN BERRIOS (XX)

1. Violation of Florida RICO Act (A-J, L,N,P-R,T,V-Z, DD-FF,HH- JJ,MM,NN,PP-RR,UU-XX)
2. Conspiracy to Violate Florida's RICO Act (A-XX)
3. Trafficking Cocaine in Excess of 400 Grams (J, BB)
4. Conspiracy to Traffic in Cocaine (J, BB)
5. Gang Recruitment (L, EE)
6. Burglary to a Dwelling (E, MM)
7. Battery (A, Y)
8. Sale, Manufacture, or Delivery of Controlled Substance on or Near School Property (C, V, EE, HH)
9. Possession with Intent to Sell or Deliver Controlled Substance on or Near School Property (C, V, EE, HH)
10. Aggravated Assault with a Deadly Weapon (C,H,J,S,W,Y,EE,HH,II, PP,UU,XX)
11. Sale, Manufacture, or Delivery of Controlled Substance on or Near School Property (X)
12. Possession With Intent to Sell or Deliver Controlled Substance on or Near School Property (X)
13. Aggravated Assault with a Deadly Weapon (A, J)
14. Robbery Using a Deadly Weapon or Firearm (I, T, W, PP, UU)
15. Retaliating Against a Witness (A, T, W, EE)
16. Retaliating Against a Witness (B, R, DD, PP)

**NAME OF DEFENDANT**

**CHARGE**

**INDICTMENT  
RETURNED**

17. Robbery (B, R, DD, PP)
18. Shooting or Throwing a Deadly Missile (A, H, OO, UU)
19. Sale, Manufacture, or Delivery of Cannabis (I, T, W)
20. Possession with Intent to Sell or Deliver Cannabis (I, T, W)
21. Robbery Using a Deadly Weapon or Firearm (PP)
22. Robbery Using a Deadly Weapon or Firearm (A, C, B, H, J, HH, UU)
23. Aggravated Battery Using a Deadly Weapon (A,C,B,H,J,HH,UU)
24. Robbery (I,T,W)
25. Burglary to a Dwelling (F)
26. Armed Burglary of a Conveyance with a Firearm (C, G)
27. Grand Theft (C,G)
28. Assault (W)
29. Attempted Armed Home Invasion with a Firearm (C,G,U)
30. Stalking (N,W)
31. Robbery Using a Deadly Weapon or Firearm (C,G)
32. Burglary of an Occupied Dwelling (R, Z, QQ)
33. Armed Home Invasion with a Firearm (B, R, Z, QQ)
34. Retaliating Against a Witness (L, DD, RR)
35. Robbery Using a Deadly Weapon or Firearm (C,G)
36. Sale, Manufacture or Delivery of Cannabis (FF)
37. Possession With Intent to Sell or Deliver Cannabis (FF)
38. Attempted Second Degree Murder with a Firearm (E, L, CC, DD,RR)
39. Armed Burglary of a Dwelling with a Firearm (E, L, CC, DD,RR)
40. Sale, Manufacture or Delivery of Cocaine (E, F, X, DD)
41. Possession With Intent to Sell, Manufacture or Deliver Cocaine (E,F,X,DD)
42. Grand Theft (C,G,HH)
43. Kidnapping with a Firearm (C,G,M,HH)
44. Kidnapping with a Firearm (C,G,M,HH)
45. Armed Home Invasion with a Firearm (C,G,M,HH)
46. Armed Burglary with a Firearm (C,G,M,HH)
47. Theft (E,F,GG)
48. Sale, Manufacture or Delivery of Cannabis (QQ, AA)
49. Possession With Intent to Sell, Manufacture or Deliver Cannabis (QQ,AA)
50. Attempted First Degree Murder of a Law Enforcement Officer (C,G)
51. Attempted First Degree Murder of a Law Enforcement Officer (C,G)
52. Robbery Using a Deadly Weapon or Firearm (C,G)
53. Aggravated Assault with a Deadly Weapon (C,G)
54. Aggravated Battery Using a Deadly Weapon (C,G)
55. Burglary of an Unoccupied Dwelling (E)
56. Possession of Cocaine (A)
57. Burglary of an Unoccupied Dwelling (E)
58. Sale, Manufacture or Delivery of Controlled Substance on or Near School Property (QQ)
59. Possession With Intent to Sell or Deliver Controlled Substance on or Near School Property (QQ)
60. Sale, Manufacture or Delivery of Controlled Substance on or Near School Property (QQ)
61. Possession With Intent to Sell or Deliver Controlled Substance on or Near School Property (QQ)
62. Sale, Manufacture or Delivery of Controlled Substance on or Near School Property (O)
63. Possession With Intent to Sell or Deliver Controlled Substance on or Near School Property (O)
64. Soliciting Another Person for the Sale or Delivery of a Controlled Substance (E)
65. Unlawful Sale or Delivery of Cocaine (H,J)
66. Possession with Intent to Sell, Manufacture or Deliver Cocaine (H,J)
67. Aggravated Assault (FF)
68. Theft (K, FF)
69. Sale, Manufacture or Delivery of Cocaine (KK)
70. Possession With Intent to Sell, Manufacture or Deliver Cocaine (KK)



<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
	71. Unlawful Sale or Delivery of Cocaine (H, J, P)	
	72. Possession With Intent to Sell, Manufacture or Deliver Cocaine (H,J,P)	
	73. Unlawful Sale or Delivery of Cocaine (II)	
	74. Robbery Using a Deadly Weapon or Firearm (LL, NN)	
	75. Aggravated Battery With a Deadly Weapon (LL, NN)	
	76. Aggravated Assault With a Deadly Weapon (LL, NN)	
	77. Unlawful Sale or Delivery of Cocaine (J, P, SS)	
	78. Possession With Intent to Sell, Manufacture or Deliver Cocaine (J,P,SS)	
	79. Burglary of an Occupied Dwelling (F)	
	80. Possession With Intent to Sell, Manufacture or Deliver Cocaine (H,X)	
	81. Robbery (R,NN)	
	82. Battery on a Law Enforcement Officer (NN)	True Bill
XAVIOUS THOMAS	First Degree Murder Robbery Using Deadly Weapon or Firearm Burglary With Assault or Battery Therein While Armed Attempted Armed Robbery Unlawful Possession of a Firearm or Weapon by a Convicted Felon	True Bill
SHERRAN ANN DUNEVANT	First Degree Murder Escape Purchase or Possession With Intent to Purchase Cannabis Purchase or Possession With Intent to Purchase Cocaine Resisting an Officer With Violence	True Bill
MARK OMORO ORLANDO COOK	First Degree Murder Armed Robbery Burglary with Assault or Battery Therein While Armed Unlawful Possession of a Weapon While Engaged in a Criminal Offense	True Bill
EMILIO ROY DOTTIN (A) and RONALD STUART NEWBOLD (B)	Robbery Using Deadly Weapon or Firearm (A,B) Burglary with Assault or Battery Therein While Armed (A,B) Kidnapping with a Weapon (A,B) Possession of Burglary Tools (B)	True Bill
LORENZO TYRONE MCCLLOUD	First Degree Murder Attempted First Degree Murder Unlawful Possession of a Firearm by a Convicted Felon	True Bill
KENDE WADE MOSES	First Degree Murder Armed Robbery Robbery/Attempted Armed Carjacking Attempted First Degree Murder Shooting or Throwing Deadly Missile Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill
ALBERT OWENS	First Degree Murder Unlawful Possession of a Firearm or Weapon by a Convicted Felon Grand Theft Third Degree/Vehicle Arson Second Degree	True Bill
TAVON BRITTAN GRAHAM	Attempted Armed Robbery Burglary with an Assault or Battery Therein While Armed	True Bill

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
ORIEL BERNADEU	First Degree Murder	True Bill
WILDO RIVERA, also known as ELKIN PELAEZ OSPINA	First Degree Murder Attempted First Degree Murder Burglary with Assault or Battery Therein While Armed Kidnapping with a Weapon Escape Escape	True Bill
JOSE GREGORIO BADILLO	First Degree Murder Attempted First Degree Murder	True Bill
LEONEL DEJESUS LEON	First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense Shooting or Throwing Deadly Missile Carrying a Concealed Firearm	True Bill
WILLIAM ALEXANDER TOWNSEND, also known as SCARFACE, also known as TINKER, also known as TINKERBELL	First Degree Murder Unlawful Possession of a Firearm or Weapon by a Convicted Felon	True Bill
ROBERT HERNDON	First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill
DONNELLE T. MERRICK, CHESTER D. GORDON and PATRICK O'NEIL BAILEY	First Degree Murder Attempted Armed Robbery Unlawful Possession of a Firearm or Weapon by a Convicted Felon (Bailey Only)	True Bill
DIOMEDES CHIRINO	First Degree Murder	True Bill
WILLIE EDWARD ISAAC	First Degree Murder Attempted Armed Robbery Armed Burglary	True Bill
GORDON ST. AUBYN GREEN (A), ROGER BARRINGTON POWELL (B) and TORRELL MICHAEL WILSON (C)	First Degree Murder (B) Third Degree Felony Murder (A) & (C)	True Bill
FRANK PETERSON, also known as DWAYNE ERWIN HOLMES, also known as FRANKIE	First Degree Murder First Degree Murder Attempted Armed Robbery Armed Burglary	True Bill
ORLANDO SALAZAR	First Degree Murder	True Bill
GERMAINE LAQUAN SMALL	First Degree Murder	True Bill

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
DAVID GOMEZ MILLAN and MIGUEL ANGEL VALDEZ	First Degree Murder	True Bill
STERLING ALEXANDER CLOWERS	First Degree Murder Robbery Using Deadly Weapon Armed Burglary	True Bill
DAVE WOLFRAM KINZEL	First Degree Murder	True Bill
ESTEVAN GUTIERREZ VILLANUEVA	First Degree Murder Kidnapping With a Weapon	True Bill
MARTIN J. SMITH	First Degree Murder	True Bill
VALATION CURTIS ELLIS "A" and DEAVEN GUILFORD "B"	First Degree Murder "A", "B" Unlawful Possession of a Firearm by a Convicted Felon "A"	True Bill
EDGAR GONZALEZ and OSVALDO GODOY	Burglary with Assault Therein Robbery	True Bill
LEONARDO DIAZ	First Degree Murder	True Bill
DWIGHT HODGE	First Degree Murder Attempted Armed Robbery	True Bill
DANIEL ANTHONY BURNES	First Degree Murder First Degree Murder Armed Burglary	True Bill
ERIC WAYNE ELLIS	First Degree Murder	True Bill
RIGAUD PETIT-BOIS (A), TAVIUS THELAMON (B) and JOSEPH SEME (C)	First Degree Murder Armed Robbery Unlawful Possession of a Firearm While Engaged in a Criminal Offense (C only)	True Bill
JUAN CARLOS BORREGO	First Degree Murder Burglary with an Assault Therein Grand Theft Third Degree/Vehicle	True Bill
JUAN CARLOS BORREGO	First Degree Murder Burglary with an Assault Therein Grand Theft Third Degree/Vehicle	True Bill
STEVE TYRONE CLARK	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Attempted First Degree Murder	True Bill

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
RIONNE ELLERBY JACKSON	First Degree Murder Burglary With Assault or Battery Therein While Armed Attempted Armed Robbery	True Bill
DAISY McFADDEN	First Degree Murder	True Bill
RONALD GADSON	First Degree Murder First Degree Murder Armed Robbery Burglary with Assault or Battery Therein While Armed Trafficking in Cocaine	True Bill
WILLIE BONNER	First Degree Murder Unlawful Possession of a Firearm or Weapon by a Convicted Felon	True Bill
MIGUEL ANGEL RUBIO	First Degree Murder First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Burglary with Assault or Battery Therein While Armed	True Bill
BRENT ALLEN PHILLIPS	First Degree Murder	True Bill
EVENS FAUSTIN	First Degree Murder First Degree Murder First Degree Murder Attempted First Degree Murder Attempted First Degree Murder	True Bill
MICHAEL PEREZ	First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill
EVANS CELESTINE	First Degree Murder	True Bill
ALDRIN VEGA	First Degree Murder	True Bill
JABARI GREY "A" and PATRICK MICHEL "B"	First Degree Murder Attempted Kidnapping with a Weapon Unlawful Possession of a Firearm by a Convicted Felon ("A" defendant only) Attempted Felony Murder with a Deadly Weapon	True Bill
GUILLERMO ANTONIO CUTIE	Official Misconduct Official Misconduct Official Misconduct Official Misconduct Official Misconduct Official Misconduct Official Misconduct Official Misconduct	True Bill

**ACKNOWLEDGMENTS**

We, the Miami-Dade County Grand Jury for the Fall Term 1998, would like to thank the Honorable Judge Judith L. Kreeger and Miami-Dade County State Attorney Katherine Fernandez Rundle.

We would especially like to thank Chief Assistant State Attorney, Chet J. Zerlin, our legal advisor, for his expert guidance and broad knowledge. He has personally inspired our belief in the criminal justice system. His professionalism and skills made our task enjoyable and easier to perform. We also wish to thank our Administrative Assistant, Rose Anne Dare and our Bailiff, Nelido Gil, who graciously attended to the myriad of administrative details of the Grand Jury.

We also would like to thank Chief Assistant State Attorney Gertrude Novicki and Assistant State Attorneys Fred Kerstein, Joseph Centorino, Mark Smith, and David Paulus for their expertise in our investigations. We gratefully acknowledge all of the dedicated law enforcement and government agencies of Miami-Dade County, all of whom contributed greatly in assisting this Grand Jury in the performance of its duties.

Our grand jury's term was filled with representatives from our multi-ethnic community. Our six month term proved to be a most memorable and worthwhile experience to all of us that were chosen to serve our community.

Respectfully submitted,

Olga Hanek  
Dade County Grand Jury  
Fall Term 1998

ATTEST:

\_\_\_\_\_  
Andrew W. Abigail  
Clerk

Date: \_\_\_\_\_