

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

**FINAL REPORT  
OF THE  
MIAMI-DADE COUNTY GRAND JURY**

**TEACHERS WHO CHEAT:  
A FEW BAD APPLES**

**FALL TERM A.D. 2004**

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## **TEACHERS WHO CHEAT: A FEW BAD APPLES**

### **I. INTRODUCTION**

It all began with a small report on a local news program in which a teacher in the Miami-Dade County Public School District (hereinafter referred to as “MDCPS”), had complained that he was pressured into teaching a driver’s education class when he felt he was not qualified to do so. This report, quite unfortunately, has proven to be the proverbial tip of the iceberg. The original dispute led to an organization called MOTET (Move On Toward Education and Training), run by an individual named William McCogle. The ostensible function of this organization was to provide teachers with academic credits for a number of possible purposes, including the satisfaction of state requirements for their certification and recertification as teachers. It should be noted that MOTET was not a school, although it purported to provide academic coursework.

Our investigation has raised serious questions as to the legitimacy of teaching credentials of close to 100 teachers. While we recognize that this is a small percentage of the more than 20,000 teachers employed by MDCPS, their actions have an impact far beyond their mere numbers. It reflects upon thousands of other teachers, students, and citizens, as well as the reputation of our community. The true dimension of this fraud must also be considered from a financial perspective: **\$345,013.04 of our tax dollars were paid as unjustified salary to just four of these uncertified teachers.** It also has raised questions as to the process of verification and confirmation of said credentials, as followed by both MDCPS and the State of Florida Department of Education (hereinafter referred to as “DOE”). Before one can understand the nature of the fraud, however, one must first understand the system and its requirements.

### **II. THE WAY IT IS SUPPOSED TO BE**

#### **A. SO YOU WANT TO BE A TEACHER**

We begin with the process by which someone becomes a teacher in the MDCPS. Applications must be made to both the DOE and to MDCPS. The application process to the DOE has a different purpose than the MDCPS process. The purpose of applying to the DOE is to obtain certification – a “license” to teach in the State of Florida. The purpose of

the application to MDCPS is to find employment as a teacher. One cannot be a full-time teacher in a public school without being certified.

A person can apply for State certification in person, on-line or by mailing in an application package. Instructions explaining the process can be found on-line at the DOE website: <http://www.fldoe.org/edcert>. The application package must include:

1. The completed application;
2. A fee of \$56.00 per subject area in which the applicant is seeking certification;
3. Official degree transcripts from colleges attended;
4. Proof that the applicant holds at least a Bachelor's Degree from an accredited/approved college or university.

When completing the application, the applicant must specify the subject areas in which he or she is seeking certification by the DOE. The subject areas to choose from are numerous (i.e. Art, English, Physics, Speech, etc.). They may also seek "endorsements" in certain areas (i.e. Driver Education, Severe and Profound Disabilities, etc.). We will discuss this topic later.

Instructions to apply for a teaching position with MDCPS can also be found on-line, at the MDCPS website: <http://jobs.dadeschools.net>. The application package must consist of a variety of items, including:

1. An application for employment;
2. Official degree transcripts from colleges attended;
3. Proof that the applicant holds at least a Bachelor's Degree;
4. DOE form entitled "Official Statement of Status of Eligibility".

Although, as indicated above, the purposes of the DOE and MDCPS applications are different, the procedures followed to process the applications are similar. Both entities require that transcripts be submitted to prove the academic credentials of the applicant. Once the application package is received by the DOE, it is routed initially through the records unit. Information is entered into their database and the documents are scanned into their document retention system. Eventually, their Professional Staff will review the application package, including all documents. An applicant for a teaching position in Miami-Dade County is required to submit a completed application package to the Instructional Staffing unit of MDCPS. At MDCPS, the information from the application is entered into the computer version of the application. The official transcripts are scanned

into the “Legato” (a document imaging system), so that exact “photographs” of the transcripts are preserved. In both instances, the transcripts that accompany the application must be official transcripts from college(s) attended by the applicant. They need to be certified as Official Transcripts from said institution(s). A photocopy is unacceptable. Usually, the transcript will have an official seal.

The DOE and MDCPS make a determination as to whether the submitted transcript is official or “legitimate.” This examination is limited to a visual and (sometimes) a content review. They look at the paper, the seal and the form of the transcript. They do not normally contact the issuing institution to determine if they have, in fact, issued the transcript. If there is some anomaly noted by the MDCPS employee, then sample transcripts are available within the offices of the MDCPS Administration for comparison purposes. Not all employees are aware of this. If there is a question about the content of the transcript, then the MDCPS employee is free to call the institution to verify the content of the transcript. It is not the practice of MDCPS or the DOE to have its employees contact the institution to verify the transcript for each applicant. This is considered to be unduly burdensome, given the number of applications received each year. MDCPS receives approximately 3,500 applications per year. If there is some doubt about the accreditation of the institution, there are books maintained within the MDCPS Administration offices containing lists of all officially accredited post-secondary educational institutions. Not all employees are aware of this. The legitimacy review is, of course, subject to human error. There is no checklist used. One is not available to attach to each file to ensure that each step of the verification process has been completed.

As made clear above, the bare minimum academic degree a person needs to become a teacher is a Bachelor’s Degree from an accredited college or university. Accreditation is determined by the six regional, nationally recognized accrediting agencies. The regional accrediting agency for Florida and ten other southern states is known as the “Southern Association of Colleges and Schools.” An applicant may have pursued a degree in Education and therefore will have accumulated sufficient course specific credits to qualify for a teaching certificate. However, some may have pursued degrees in other areas or simply have insufficient credits in certain areas so that they do

not immediately qualify for a teaching certificate. Persons in either category may apply to the DOE for a teaching certificate.

Initially, for a first time applicant, the DOE Professional Staff determines whether the applicant does, or does not, meet the minimum requirements for a Temporary Certificate. The DOE will issue an “Official Statement of Status of Eligibility” which specifies that the applicant meets the requirements for certification. If the applicant is lacking any requirements, it specifies all that still need to be met for a Temporary Certificate and also explains what must be met to qualify for a Professional Certificate. In other words, this document informs applicants what remains to be done to qualify for either a Temporary or Professional Certificate. This document, issued by the DOE, is required as part of MDCPS’ application package (see above). Fingerprinting is also a part of the overall process, but MDCPS obtains them and sends a report of the results of the fingerprint check to the DOE.

A Temporary Certificate is valid for three years. Temporary Certificates will also specify the subjects/areas in which the applicant is certified to teach. Within that three-year period, the teacher must satisfy all the remaining requirements for the Professional Certificate. These generally include, among other requirements, passing a general knowledge test and a subject area examination specific to the area(s) of certification. The teacher must also exhibit mastery of Professional Preparation and Education Competence.

Once teachers receive their Professional Certificate, they are qualified to teach in their areas of certification for five years. The certificate must be renewed by the stated expiration date. Requirements for renewal will be discussed later on in this report.

Generally, the DOE will not issue a Temporary Certificate before an applicant applies for a teaching position with MDCPS. The DOE will issue a Temporary Certificate after it receives a notification from MDCPS that an applicant is employed and needs the issuance of the Temporary Certificate. There is no reason to start the clock running on the three-year eligibility period until the applicant has a position.

There are two basic ways in which a teacher can legitimately meet the academic requirements for the Professional Certificate. The teacher may enroll in and attend a class

meeting his or her certificate needs at a local accredited college or university, successfully complete class requirements and then receive academic credit. The teacher may also attend an accredited college or university utilizing distance learning (i.e. attending on-line, by correspondence, or via phone or video conference). Each of these alternatives is discussed below.

A teacher may opt to attend a local college or university. In order to avail oneself of this option, the teacher must select a class that complies with certification requirements and does not conflict with his or her teaching schedule. The teacher must pay for the credits. There is some limited reimbursement available through MDCPS.

A teacher may opt to obtain academic credits via distance learning. This option necessarily offers the widest range of options as it lifts geographic restrictions. It may also be of significant benefit for convenience, as some of these classes are designed to require only the submission of homework with no “class” attendance. If there is no “class” attendance, there exists an inherent suspicion that the attendee might have had another actually perform the work. This type of distance learning therefore requires self-discipline and a dedication to personal ethics. Other types of distance learning do not carry the inherent suspicion mentioned above and also have the advantage of creating a more stimulating and productive educational atmosphere by allowing for participation by the attendee.

#### **B. SO YOU STILL WANT TO BE A TEACHER**

Once a teacher has met all the requirements, the DOE issues a Professional Certificate. As previously indicated, in order for a teacher to continue teaching, this certificate must be renewed every five years. The certificate itself informs the teacher of the actual expiration date.

There are several different ways in which renewal requirements may be satisfied. They are identified on the DOE website. One of the most commonly employed requires that during the five-year period, a teacher earn six college academic credits. The subject matter of the courses that would satisfy this requirement must meet the criteria set up by the DOE (which can be found at its website, but are quite broad in scope). All courses and

credits must be from an accredited institution. The teacher can also use these courses, if he or she so desires, to qualify for an advanced degree. Teachers may also satisfy their renewal requirements by attending in-service training offered by the MDCPS Teacher Education Center (hereinafter referred to as “TEC”), and thereby earning 120 Master Plan Points. A third way to complete their recertification requirements is by a combination of academic credits and Master Plan Points.

The function of TEC is to provide DOE-approved continuing education for teachers in a wide variety of relevant topics. The continuing education is offered in the form of classes or workshops. They range from one-day classes to full-week courses. MDCPS monitors attendance. Each attendee is supposed to sign in and out at various intervals during the day. The number of hours for the class determines the number of points a teacher will earn. For example, a full week workshop will earn the teacher up to thirty points.

Currently a list of all TEC course offerings for the upcoming year is available on-line. In the past, a booklet containing course information was distributed to all teachers at the beginning of the school year. Teachers may select courses at that time or sign up later. There are also courses added during the year and notices are provided to teachers. All courses are free to the teacher and are offered at a variety of times. Some are offered on weekends, some in the evenings, some on teachers’ workdays and some during regular school hours. If a course is offered during regular school hours, the teacher must inform the principal, request permission to attend and request a substitute teacher for the length of the course. On occasion, a teacher is required by MDCPS and/or his or her principal to attend a TEC course. The teacher will earn credits even if required to attend. TEC is staffed from 7:00 A.M. until 7:00 P.M. TEC staff is available to answer any inquiry a teacher may have. There is a TEC representative at most schools to assist teachers in meeting their certification requirements via TEC programs. TEC assistance is also available on-line.

Some teachers feel MDCPS is very supportive of teachers attending TEC courses and that MDCPS does everything to enable teachers to do so. Others feel that because of staffing needs, it is difficult for them to be away from their regular classes. Some are

reluctant to leave their students in the hands of a substitute teacher, and believe that it is more work to have a substitute because they are required to write out a detailed lesson plan. Other teachers feel the TEC courses are too time consuming and generally inconvenient.

It seems to us that TEC points are the better option for meeting renewal requirements. The programs: are offered at a wide variety of times; are MDCPS and DOE approved, and therefore will automatically qualify as appropriate for renewal; and are free to the teachers. Teachers can have input as to the types of programs offered, a possibility they do not have with college or university classes. Furthermore, MDCPS has the ability to impose tight controls on attendance, relevant content and scheduling. It should be noted, however, that MDCPS has not exercised tight controls over attendance. The record keeping at TEC has proven to be so poor that it is difficult to establish with certainty teacher participation. No set procedure for assuring or recording attendance is followed with any consistency. This necessarily leads to the inability to verify credits earned.

The verification process for certificate renewal academic credits is the same as that utilized for academic credits submitted for the Temporary Certificate. An application form must be completed and submitted with an official transcript from the accredited institution. Since the in-service coursework leading to Master Plan Points is provided by TEC, a department of MDCPS, no separate verification of the points is done once approved through TEC. This makes it even more imperative that impeccable record keeping procedures be established and enforced within MDCPS.

There is one final area regarding the teacher certification process that must be addressed. We mentioned that applicants may also seek “endorsements” in certain areas. Endorsements are different from certifications. As has been described to us, endorsements, once earned, “ride along” with a teacher’s certification. What is meant by this, is that while renewal of one’s certification is required every five years, once the endorsement is earned, no further coursework or education is required to maintain said endorsement. As long as the certification remains up to date, the endorsement remains valid.

One specific endorsement subject area that was part of our inquiry was “driver education.” To qualify for such an endorsement, the applicant needs to have a teacher’s

certification and nine credit hours of coursework in specific courses in this field. The course subjects include:

1. Rules of the road, road signs, and road markings, etc.;
2. How to teach students how to drive on the road - testing driving/road skills;
3. Safety and defensive driving course - the reality of being on the road.

These courses are currently being taught at the University of Florida and Nova Southeastern University. The verification process for endorsement credits is the same as that utilized for academic credits submitted for the temporary certificate. The endorsement is issued by the DOE once it is satisfied that the applicant has met the prerequisites. Once the endorsement is issued, MDCPS does nothing to confirm the legitimacy of the coursework that was the basis for the issuance of the endorsement.

Once an endorsement is granted, a teacher is qualified to teach driver education in MDCPS. It is a course in great demand among students because of State rules and insurance benefits. Approximately 18,000 students took driver education in the last school year. This is an example of one of MDCPS's critical responsibilities. They are charged with the task of enabling students to competently practice an essential life-long skill. It is probably the only time in a student's life that he/she will receive formal instruction in this area. How these students drive affects every one of us, literally, every day.

The driver education curriculum involves both class work and practical driving experience. The classroom course covers the rules of the road, road signs, road markings, and substance abuse (the impact of alcohol and drugs on driving). The second part of the curriculum provides practical "behind the wheel" training, usually done on driving ranges. Twenty-four schools have driving ranges available for students to get practical "behind the wheel" experience.

MDCPS participates in the Driver Education Licensing and Assistance Program in partnership with the Florida Department of Highway Safety and Motor Vehicles (hereinafter referred to as "DHSMV"). This program allows DHSMV to delegate certain responsibilities to MDCPS. It allows the schools, through driver education instructors, to administer both the written knowledge tests covering traffic laws, road rules, road signage,

etc., as well as driving skills, or “road” tests. MDCPS, under this program, can issue waivers to the students upon successful completion of these tests.

When a student successfully completes the written examination, he or she can receive Part One of a Waiver. This allows the student to present this document to DHSMV and obtain a Learner’s (Restricted) Driver’s License. Said license allows the recipient to drive during restricted hours, and only when accompanied by a licensed driver over the age of twenty-one riding in the front passenger seat. When a student successfully completes the road course and passes the driving skills, or “road” test, he or she is issued Part Two of a Waiver. When brought to DHSMV, this entitles the student to a Class E license. The safety of all of us depends on the excellence of these instructors.

### **III. THE PROBLEMS**

#### **A. FAKE TRANSCRIPTS**

James Majors, a first-time applicant, submitted an application for a teaching position to MDCPS in October, 2002. It was accompanied by fraudulent and counterfeit documentation. One of the submitted degree transcripts reflected a Bachelor’s Degree purportedly conferred upon Mr. Majors by Vernell University, an unaccredited, out-of-state college. The second transcript reflected a Masters Degree purportedly conferred on Mr. Majors by Florida State University. A third transcript reflected a PhD also purportedly conferred on Mr. Majors by Florida State University. **It must be noted that an examination of the transcripts shows that all three degrees were allegedly conferred within a three-month period in 2002.**

The MDCPS reviewer did not scrutinize the documentation conferring the Bachelor’s Degree, even though it was issued from an unaccredited/unapproved institution. MDCPS and DOE policy is that if an accredited/approved graduate school accepts a candidate’s Bachelor’s Degree from a unaccredited/unapproved college or university and then confers a graduate degree, MDCPS and the DOE will not question the underlying degree. The subsequent degrees were reviewed. However, it was not noted that the degrees were conferred within a three month time period. Had that been detected, it would clearly have alerted the reviewer that something was not right, and that further verification

was necessary. In this case, the degree-conferring institution should have been contacted directly. That was not done. As it turned out, Mr. Majors had no degrees at all. Regrettably, he was offered a position as a teacher in Miami-Dade County. MDCPS then, as procedure dictates, notified the DOE of the offer of employment. He had simultaneously submitted his application package to the DOE seeking certification. The DOE, duplicating the mistakes of MDCPS, issued him a Temporary Certificate. Mr. Majors, who held no degree whatsoever, began teaching students at the middle school level. He taught at two different schools in our county, over a period of fourteen months. He taught close to 300 students. He issued failing grades to twenty-two students. Who can say whether these children might have succeeded had they been taught by a qualified teacher? Again, the need for excellence is apparent.

During this time, while masquerading as a qualified teacher, Mr. Majors was paid over \$42,000.00 of taxpayer money. He received this salary based upon a fraud he perpetrated upon both MDCPS and the DOE. Not only did he receive a salary, but in addition, he received what MDCPS refers to as “credential payment.” This means he was paid additional money based upon his counterfeit graduate degrees.

Mr. Majors resigned his position with MDCPS due to performance problems. Both his fraud and utter lack of credentials were not discovered during his employment with MDCPS. After leaving Miami-Dade County, he applied for a teaching position with Broward County. It was only after the staff of the Broward County Public Schools closely examined his academic transcripts, and questions were raised regarding the dates the degrees were conferred, that the fraudulent nature of his credentials was discovered. It is apparent to us, that neither MDCPS nor the DOE has any formal protocol for review of documentation. There is no step-by-step procedure in place for staff to follow. There is no checklist attached to each file that must be completed by the reviewer. Had there been some mechanism to trigger a more careful, step-by-step review, Mr. Majors would have been caught early on, here in Miami-Dade County, and by the DOE as well.

## B. FAKE CLASSES/ FAKE CREDITS

Another matter we examined concerned the previously mentioned William McCoggle who assisted teachers in obtaining fake credits and fake transcripts for the purpose of fulfilling certification and recertification requirements. Mr. McCoggle was an MDCPS teacher and athletic coach. He taught at the same high school since 1983. He touched and influenced the lives of literally thousands of students. He retired from MDCPS as of June 3, 2005, during the course of this investigation. Mr. McCoggle has been referred to as a “giant” in the recertification field. He has been arranging for teachers to receive academic credits for at least a decade. Over the years, he has had relationships with a number of educational institutions, and at least one witness told us that he was providing sham credits before 2002. Because of limited time, we have focused on his more recent conduct and leave his prior activities for another inquiry and, in addition, consideration by the MDCPS (see Recommendation Four at the conclusion of this report).

In June of 2002, Mr. McCoggle had a relationship with an out-of-state educational institution for the provision of academic credits. During that summer, that relationship dissolved. Mr. McCoggle had already signed up numerous students for the fall semester. He had to find a new college or university to provide transcripts and credits. An individual who had become a MOTET recruiter knew someone who had previously been an official at a post-secondary educational institution. The recruiter set up a meeting between the two men in central Florida. During that meeting, Mr. McCoggle set out his needs. The former official stated that he would “shop it around” and see what he could do. Later that summer, that former official became an official at an out-of-state college (hereinafter referred to as “the College”). The College was, and is, an officially accredited post-secondary educational institution.

On December 12, 2002, Mr. McCoggle, on behalf of MOTET entered into a written agreement with the College whereby MOTET would provide coursework, and the College would provide credits and transcripts to duly enrolled students. While Mr. McCoggle signed the agreement as Director of MOTET, we can find no evidence of incorporation or other legal entity called MOTET.

Why MOTET was “formed” remains a mystery. It is abundantly apparent, however, that William McCoggle was MOTET. The two are one and the same, in fact, synonymous. Mr. McCoggle had a number of “adjunct professors” signed on as the teachers of classes offered through MOTET. MOTET purportedly offered classes in a wide variety of subject areas, in order to meet certification and recertification needs. Teachers knew about MOTET via word of mouth. There were no advertisements or postings about MOTET offerings. Teachers would go to Mr. McCoggle’s high school on Saturday mornings to sign up for classes. MOTET charged \$775.00 per three credit hours. During the relationship between MOTET and the College, 340 courses were offered, 189 people enrolled and 1,639 credits were conferred. Approximately 100 of the people who received academic credit through MOTET/the College are currently teachers in our school system. Each of these teachers impacts the life of each of their students. Yet again, we are reminded of the importance of teacher excellence.

The College issued transcripts reflecting credits conferred. The transcripts had the appearance of standard College academic transcripts, with one exception. At the top of the transcripts appeared the words “Adult Continuing Education” (hereinafter referred to as “ACE”). Under normal circumstances, ACE courses are not for credit. The result of the issuance of said transcripts by the College was that they were accepted by MDCPS as proof of valid credits from an accredited institution. As found in the Compliance Review by the State Regents overseeing the College, no College credits obtained through MOTET were valid.

**In fact, there were no classes taught by or through MOTET/the College. There were no tests; there was no homework; there were no assignments and there were no class discussions. None of the adjunct professors actually taught anything. No teachers actually attended any classes. There was no learning and no educational end was attained. The teachers simply paid money and later received a transcript. Sham grade sheets and attendance records were submitted by MOTET to the College. \$225.00 for each three-credit course (\$75.00 per credit) was paid to the College with MOTET retaining the surplus funds. By our calculations, during its**

**relationship with the College, MOTET retained more than \$250,000.00. Upon receipt by the College of the documentation and the money, transcripts were issued.**

Credits acquired through MOTET were used for a variety of purposes. Most of the MOTET students used the credits to meet the requirements for the issuance of their Professional Certificate and/or for the renewal of their Professional Certificate. Others used the credits to gain endorsements so they could become more “marketable” as teachers. Endorsements allow teachers to teach in additional areas such as driver education. It appears that a few used the credits to obtain post-secondary degrees.

The College last issued transcripts to MOTET enrollees in December of 2003. Once problems were detected it appears that the relationship between MOTET and the College was terminated. The State Regents overseeing the College sent letters to the recipients of these transcripts stating that the credits were not valid. The recipients were also offered refunds of fees. To the best of our knowledge, not one of the recipients took advantage of the offer by the State Regents to refund money. The State Regents also sent a letter to MDCPS and the DOE informing them that credits issued by the College through MOTET were not valid.

With regard to driver education endorsements, it was determined as part of the overall investigation into the activities of William McCogle and MOTET, that some of the teachers received credits from the College for courses which satisfied the requirements necessary to qualify for these endorsements. The staff of the Inspector General for MDCPS conducted interviews with fifty-five teachers holding driver education endorsements who were in the employ of MDCPS. They identified fifteen who received their qualifying credits through programs administered by Mr. McCogle. In addition to credits issued by the College, they found four other institutions that issued credits to these teachers through Mr. McCogle’s programs that were also highly questionable. The MDCPS has reassigned each of the teachers involved to other duties while the investigation continues. Furthermore, we attempted to determine the number of students who received driving test waivers signed by driver education teachers who had taken advantage of McCogle-offered fraudulent endorsement credits. Investigators from the Office of the Inspector General for MDCPS (MDCPS-OIG), attempted to retrieve records

from the various schools to determine which students received such waivers. Unfortunately, the records were in a state of disarray, making this task impossible.

#### **IV. THE NEED FOR AN AUTONOMOUS AND FULLY STAFFED INVESTIGATIVE AGENCY**

We feel compelled to briefly discuss at this time the MDCPS-OIG, and its relationship with the School Board and School Administration. Created by agreement between the DOE and MDCPS in 2002, the first MDCPS Inspector General was appointed and the MDCPS-OIG began operation in 2003. Created partly because of critical reports by the Office of Program Policy Analysis and Government Accountability relating to financial management within MDCPS, the MDCPS-OIG, according to their mission statement, “was created to promote honesty, integrity and credibility in the Miami-Dade County Public Schools District.” The MDCPS-OIG is to investigate and assist in preventing mismanagement, fraud, waste, and abuse. It is currently staffed with three investigators and one investigative analyst. When compared to Inspector General Offices, or their equivalent, in other major urban school districts, this staff is miniscule. The Special Commissioner of Investigation for the New York City School District has a staff including three attorneys, thirty-eight investigators, and ten administrative personnel. In Chicago, the Office of the Inspector General has twenty full-time and six part-time personnel. In Los Angeles, the Inspector General has a staff of sixty-one, including thirty-three auditors and sixteen investigators. As currently staffed, MDCPS-OIG cannot possibly accomplish the full scope of its designated mission.

A truly autonomous investigative agency must be free to act without fear of retribution. The continued existence and funding of the MDCPS-OIG is squarely within the hands of the School Board and Superintendent of Schools. Although the MDCPS Inspector General, by the agreement, is appointed by, and reports directly to, the Inspector General for the DOE. Yet, he and the members of his staff are employees of MDCPS with their salaries paid for by MDCPS. At the same time, the agreement provides that he and his staff “shall function independently from the Superintendent and the School Board but

shall follow Miami-Dade County Public Schools procedures to include but not be limited to payroll, personnel and travel.”

The MDCPS-OIG is charged with investigating mismanagement, fraud and waste. The School Board and Superintendent are the entities most responsible for establishing policies regarding management and expenditure of funds. Therefore, MDCPS-OIG necessarily finds itself in the impossible position of potentially investigating the parties that control their financial existence. This conflict can be easily observed as reported in a June 7, 2005, article in the Miami Herald. The headline states, “Future uncertain for Dade schools watchdog” and goes on to point out that the school board has not decided whether to extend the contract. Recently, the Administration has requested MDCPS-OIG report on investigations some of which are criminal in nature. These investigations are done in conjunction with law enforcement and therefore subject to the strict enforcement of confidentiality restrictions that limit and prohibit dissemination of information. It is under these competing pressures that the MDCPS-OIG finds itself. A simple solution would be to have the State fund the agency, and remove the purse strings from the hands of those who may be investigated by the MDCPS-OIG. However, as we all recognize, when funding for governmental agencies is involved, getting such funding is probably a matter for the legislature. While we do not have a specific answer to this issue, it is clear that some new source of funding should be found, or the agreement establishing the office modified so as to assure true autonomy for MDCPS-OIG.

Below we have recommended solutions to the unacceptable problems we have discovered during the course of our investigation. We list them with no assigned priority. Each is equally important. Effectuating solutions requires action, not mere rhetoric. Unfortunately, the Grand Jury does not have the power to change words into action. That is left to our elected and appointed leaders. It is our fervent desire that this report motivates the “powers that be” to take swift and definitive action, and benefit what we hope will be the leaders of our next generation. Modest reform will never be enough. Ending this problem is the only answer.

## **V. RECOMMENDATIONS**

We state emphatically that the children of our society are our most precious resource. It is our duty and responsibility to protect and nurture them, to provide them with the tools to be future leaders of our community. With that in mind, we put them into the care of our teaching professionals with the hope and expectation that they will gain the education necessary to help them achieve the goal of being a law abiding, productive member of society.

Teachers are role models to our young and impressionable children. During their formative years, other than their parents, children spend more time with teachers, learning from them not only their A,B,C's, but the difference between right and wrong. Children tend to emulate the behavior of their role models. If children observe that otherwise abhorrent behavior is tolerated, perhaps even accepted with a wink and a nod, they are bound to emulate this conduct. Fortunately, we are blessed with a majority of top-flight professional teachers who meet our expectations. But it is the greedy or lazy few, the "bad apples," that spoil the reputation and the image of the many.

We cannot tolerate teachers who cheat. It sends the absolute wrong message to our children and community. We believe that to some extent, this is a societal problem. It has become *de rigueur* to take advantage, to find the loophole and jump right in, to outsmart the system, to avoid duties and obligations. This is unacceptable behavior in society. It is a completely unacceptable lesson to impart to our children. And it is particularly unacceptable behavior when engaged in by the very people we entrust with the stewardship of our children. Furthermore, we cannot ignore the impact of this scandal on innocent students graduating from our schools with what become suspect academic achievements. Will colleges and universities choose not to get involved with such students because of questions as to whether they received their education from qualified teaching professionals? Will it affect their ability to gain entrance into institutions of higher learning?

1. ADMINISTRATIVE ACTION: We recommend that the MDCPS, as well as the DOE, take administrative action against those teachers who knowingly availed themselves of this "shortcut," getting false academic credits for the purpose of certification or recertification of their teaching certificates. Said persons should be removed from the classroom, with a permanent loss of their

certification and be required to make restitution for any salaries to which they were not entitled.

2. STATUTORY ENACTMENTS: With the goal of deterring such actions in the future, we recommend that the officials with the DOE and MDCPS seek legislative action enacting a new statute and amending two existing statutes, thereby creating felony violations for those applicants and teachers who knowingly try to fraudulently obtain, or maintain, teaching positions. (See “Attachments A, B and C”). In concert with these recommendations, we advise the DOE to seek further legislative action and amend the affidavit form and warning currently provided in section 1012.56 (2) (b), Florida Statutes. The form should be modified as follows, to provide specific notice to all applicants of the applicable criminal statutes, with the hope that they will be deterred from this type of fraudulent activity:

WARNING: Giving false information in order to obtain or renew a Florida educator’s certificate is a criminal offense under sections 817.566, 817.567, and (new statute as of yet undesignated), Florida Statutes. Anyone giving false information on this affidavit or submitting false documentation in support of this application is subject to criminal prosecution as well as disciplinary action by the Education Practices commission.

(Language underlined denotes changes in the existing statute).

3. ASSURING LEGITIMACY OF DOCUMENTATION: While it is true that there are many situations where the “system is not corrupt, but rather, the people taking advantage of the system are,” that should not prevent us from taking steps to prevent such a reoccurrence of what happened here. The system must be improved. We were told by a witness that since the incident described above, when an applicant submitted forged transcripts and obtained a teaching position, MDCPS has increased training of those personnel who are charged with the responsibility of reviewing transcripts, with the goal of better familiarizing them with how to distinguish legitimate transcripts from altered or fake documents. As indicated above, a sampling of transcripts is being maintained. Transcripts from colleges and universities where a majority of the new applicants have earned their degrees, such as Florida State University, University of Florida, and University of Miami, are readily available. If a question arises as to the legitimacy of a transcript, known samples can be reviewed to assist in the evaluation. While these steps are laudable, they are not enough. It is important to make sure that personnel at crucial points in the system – those reviewing credentials to evaluate applicants, to determine whether pay raises are warranted because of earned degrees, to determine whether a teacher has earned the credits necessary for recertification – have the training and resources available to do their jobs correctly and effectively. We heard from a witness who worked at MDCPS in these areas, who had no knowledge of the availability of sample transcripts and did not have a reference book listing accredited colleges and universities. This raises

concerns as to the lack of communication between co-workers. Therefore, we recommend that the following steps be taken by MDCPS:

- a. Formalize a library of sample transcripts and accreditation sources for internal use by those charged with verification of applicant credentials;
- b. Establish a protocol and create a formal checklist of steps to be taken by employees at each stage of the verification process, requiring said checklist to be made a part of every file;
- c. Require strict adherence to the aforementioned protocol and checklists;
- d. Train all pertinent personnel involved in certification / recertification duties as to the procedures to follow, the use of the checklist, and the use of other resources available;
- e. Verify submitted documentation including contact with issuing institutions.

We heard testimony from both the DOE and MDCPS that there was not enough time to contact all the institutions from which transcripts were submitted, and that even if they did attempt to contact them, there was no guarantee they would even respond to the request for verification of the transcripts. This clearly presents a problem. One witness from MDCPS indicated that a proposal has been made that a letter be sent out to all colleges and universities from which transcripts have been received seeking written verification from said schools. Instituting such a procedure would be a good first step in the process. As mentioned above, the majority of teaching applicants are graduates of Florida colleges and universities. We recommend that the MDCPS reach out to at least these schools, and establish a procedure with the registrars who maintain the student transcripts whereby an e-mail request for verification can be addressed expeditiously. Another step to take is to accept only those official transcripts that are received by mail, directly from the issuing school, not from the applicant themselves. This will make it more difficult to substitute a fraudulent transcript.

4. ASSURING CORRECT CREDENTIALS: One thing we have learned during this investigation is that the impact on the students is difficult to determine at this moment. Between the students and their family's decreased confidence in the quality of the education being provided and the impact it could have on their continuing education, all steps should be taken to restore trust in the system and its teachers. With this in mind, we recommend that records of all teachers employed by MDCPS be reviewed to verify their teaching credentials. It is the only way in which parents can be assured that their child is being taught by a teaching professional. Some have suggested that such a task is unwarranted, that the numbers of teachers involved is small compared to the number of teachers employed by MDCPS, and that it would be much more reasonable to do a review of those teachers that fall into a statistically significant sampling. To that we respond, how will you explain to the family whose child was taught by the teacher with false credentials when they ask, "why did you not examine the credentials of my child's teacher?" Will it be an

acceptable response to say that they were not chosen for the sample? We do not think so. If, despite this, it is deemed an impossible task to examine every teacher employed by MDCPS, then MDCPS must, at the very least, identify those teachers who availed themselves of academic credits through the efforts of William McCogle. (This should not be limited to the College credits issued through MOTET. Mr. McCogle has been offering credits for a substantial period of time from at least four different institutions. An effort must be made to identify all teachers who received credits from any of these institutions through Mr. McCogle, and then evaluate those credits).

5. ELIMINATION OF MOTIVE: It is critical that MDCPS impose a ban on McCogle/MOTET type organizations. It is clear to us that the motive behind this organization was money, pure and simple. If the opportunity to make money is removed, there will be no reason why such an organization should come into being. There are more than enough legitimate academic institutions available that such a non-academic organization would not have reason to form. At the same time, for reasons of convenience, poor planning, lack of information, or laziness, a substantial number of teachers availed themselves of his services. If there was not a group of teachers that desired to use his services, then he could never have operated. It is our recommendation that MDCPS impose a rule establishing a pre-approved list of courses and programs from which credits toward certification and recertification will be accepted. We believe that such pre-approval should only be given to accredited colleges and universities, and that teachers should be required to enroll directly with said institutions rather than through a middle-man or broker. If MDCPS wishes to be more restrictive, and limit their approval list in some way, that is for MDCPS to decide. However, once the approval list is created, then teachers will have no doubt as to which institutions can be utilized to meet their requirements. These, of course, would be in addition to the in-service program put on by TEC leading to Master Plan Points. To insure the legitimacy of TEC/Master Plan Points, we recommend strict record keeping procedures be established and enforced for all TEC programs district-wide. Between these two sources for credits, there can be no justification for a teacher to seek out a McCogle/MOTET to satisfy their continuing education requirements. We heard testimony that Principals meet regularly with teachers at the end of a school year to review their evaluations and status for the following year. It is our recommendation that the teacher be required to submit a plan to their Principal for meeting the certification and recertification requirements within the time limits. Requiring this practice would force teachers to avoid procrastination that necessarily leads to desperation and poor choices.
6. PROVIDING AN EFFECTIVE INDEPENDENT WATCHDOG: As to MDCPS-OIG, as stated above, it is essential that it remains a truly independent watchdog. To achieve this, we recommend that the School Board work with the State to find some other way to fund the office. In the alternative, the agreement between MDCPS and the DOE creating the MDCPS-OIG must be

modified to assure that the Inspector General has true autonomy from the Administration of MDCPS. At the very least, dissemination of reports and information about on-going investigations should be directed only to the DOE-IG. If this were the case, it would eliminate the perceived need to provide information regarding ongoing investigations to the “holder of the purse strings.” Furthermore, we find that the MDCPS-OIG is woefully understaffed to effectively perform their mission. We therefore recommend that the new funding include an increase in staff commensurate with the needs of the fourth largest school district in the country.

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
CHARLES CHRISTOPHER WELLONS	Murder First Degree Murder First Degree Concealed Firearm/Carrying	True Bill
JAMAR M. ALONZO, also known as JAMAR MARIQUE ALONSO, also known as JAMAR M. ALONSO	Murder First Degree Firearm/Possession by Convicted Felon	True Bill
CEDRIC A. FIGGERS	Murder First Degree Robbery/Armed/Attempt	True Bill
WILLIAM REYES	Murder First Degree Robbery/Armed/Attempt Firearm/Possession by Convicted Felon	True Bill
DENISE EMELDA DUNCAN	Murder First Degree Robbery/Armed/Firearm	True Bill
YOSVANI FERNANDEZ	Murder First Degree Robbery/Armed/Firearm	True Bill
GREGORY JOSEPH JOHNSON	Murder First Degree Assault/Aggravated/Law Enforcement Officer	True Bill
JESUS PUPO	Murder First Degree Murder First Degree Murder First Degree Murder First Degree Sexual Battery/Deadly Weapon or Serious Injury	True Bill
GEORGE PERALES	Murder First Degree Sex Battery/Firearm/Deadly Weap or Serious Injury Sex Battery/Firearm/Deadly Weap or Serious Injury Kidnapping/With A Weapon Kidnapping/With A Weapon	True Bill
RICHARD BERNARD LATSON	Murder First Degree Robbery/Armed/Firearm Firearm/Possession by Convicted Felon	True Bill
TREMAYNE PARKER	Murder First Degree Firearm/Possession by Convicted Felon	True Bill

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
YOSVANI FERNANDEZ and MAIKEL ROJAS-PEREZ	Murder First Degree (A&B) Robbery/Armed/Firearm (A&B) Accessory After the Fact (B only)	True Bill
RAUL LEON-GARCIA	Murder First Degree Robbery/Carjacking/Armed	True Bill
RAFAEL CHANG	Murder First Degree Murder First Degree Murder First Degree	True Bill
GREGORY JOSEPH JOHNSON a/k/a RAMKISHORE SOOKLALL JAGESHUR a/k/a NAR RAMKISHORE SOOKALL, Aa/k/a NAR RAMKISHORE SOOKLALL, Aa/k/a RAMISHORE SOOKLALL, Aa/k/a JAGESHUR RAMKISHORE	Murder First Degree Assault/Aggravated/Law Enforcement Officer Resisting Officer Without Violence to his Person Firearm/Possession by Convicted Felon	True Bill
ELI JOSEPH SLIPKO	Murder First Degree Battery/Aggravated/On Person 65 or Older Abuse/Aggravated/Elderly/Disabled	True Bill
GRADY NELSON	Murder First Degree Murder/Premeditated/Attempt Murder/Premeditated/Attempt	True Bill
KENYATTA A. BROOKS	Murder First Degree Firearm/Possession by Convicted Felon	True Bill
DANYAN DARAY MANGHAM	Murder First Degree Murder First Degree Robbery/Armed/Firearm Assault/Aggravated/With a Firearm Assault/Aggravated/With a Firearm Assault/Aggravated/With a Firearm Robbery/Armed/Attempt Firearm/Possession By Convicted Felon Firearm/Use, Display while Committing a Felony	True Bill

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
DALEON COURTNEY BROWN (A), TREVOR ANDRON LYONS (B), CORDERO SHAWN NEELY (C), and JESUS ENRIQUE PEREZ (D)	Murder First Degree (A,B,C,D) Robbery/Armed/Firearm (B,C) Robbery/Armed/Firearm (A,D) Robbery/Armed/Attempt/Mask (B,C) Robbery/Armed/Attempt (A,D) Robbery/Carjacking/Armed (A,B,C,D)	True Bill
GREGORY JOSEPH JOHNSON, a/k/a RAMKISHORE SOOKLALL JAGESHUR, a/k/a NAR RAMKISHORE SOOKALL, a/k/a NAR RAMKISHORE SOOKLALL, a/k/a RAMISHORE SOOKLALL, a/k/a JAGESHUR RAMKISHORE	Murder First Degree Assault/Aggravated/Law Enforcement Officer Resisting Officer Without Violence to his Person Firearm/Possession by Convicted Felon Murder Second Degree/Felony	True Bill
ERNEST LAFRANCE	Murder First Degree Murder/Premeditated Attempted/D Weapon Deadly Missile/Shoot, Throw Firearm/Use, Display While Committing a Felony Firearm/Possession by Minor	True Bill
JANE DOE, also known as GERALYN GRAHAM, et al.,	Murder First Degree Kidnapping Child Abuse/Aggravated Child Abuse/Aggravated Child Abuse/Aggravated	True Bill
GARRETT KOPP	Murder First Degree Murder/Premeditated/Attempt/D Weapon Attempted Felony Murder Burglary/With Assault or Battery/Armed	True Bill
JAMES ALEXANDER THOMAS, Also known as WILLIE JAMES	Murder First Degree Firearm/Possession by Convicted Felon Robbery/Armed/Firearm	True Bill

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
DANNY BINS PIERRE-LOUIS (A) and RICHARD OMAR RAMBARAN (B)	Kidnapping/Armed/Deadly Weapon (B) Burglary/With Assault or Battery/Armed (B) Battery/Aggravated/Great Bodily Harm (B) Murder/Premeditated/Attempt/D Weapon (A) Murder/Premeditated/Attempt/D Weapon (B) Deadly Missile/Shoot/Throw (A) Deadly Missile/Shoot/Throw (B) Firearm/Weapon/Posn by Convicted Felon/ Delinquent (B) Tampering With Physical Evidence (A) Stalking/Aggravated/Prejudice (B) Burglary/With Assault or Battery/Armed (B) Agg Stalking/Firearm/Deadly Weapon/Prior Restraint (B) Murder 1 <sup>st</sup> Degree (B) Murder/Premeditated/Attempt (B) Murder/Premeditated/Attempt (B) Murder/Premeditated/Attempt (B) Accessory After Fact (Murder) (A) Accessory After Fact (Burglary) (A) Tampering with Physical Evidence (A)	True Bill
TAURIS DEAN	Murder First Degree	True Bill
RICHARD OMAR RAMBARAN (A) and DANNY BINS PIERRE-LOUIS (B)	Kidnapping/Armed/Deadly Weapon (A) Burglary/with Assault or Battery/Armed (A) Battery/Aggravated/Great Bodily Harm (A) Murder/Premeditated/Attempt/D Weapon (A) Murder/Premeditated/Attempt/D Weapon (B) Deadly Missile/Shoot/Throw (A) Deadly Missile/Shoot/Throw (B) Firearm/Weapon/Posn by Convicted Felon/Delinquent (A) Tampering With Physical Evidence (B) Stalking/Aggravated/Prejudice (A) Burglary/With Assault or Battery/Armed (A) Agg Stalking/Firearm/Deadly Weapon/Prior Restraint (A) Murder 1 <sup>st</sup> Degree (A) Murder/Premeditated/Attempt (A) Murder/Premeditated/Attempt (A) Murder/Premeditated/Attempt (A) Accessory After Fact (Murder) (B) Accessory After Fact (Burglary) (B) Tampering With Physical Evidence (B)	True Bill

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
GARRETT KOPP (A) and CHRISTOPHER PATRICK SUTTON (B)	Murder First Degree Murder/Premeditated/Attempt/Deadly Weapon Attempted Felony Murder Burglary/With Assault or Battery/Armed	True Bill
RICHARD OMAR RAMBARAN (A) and DANNY BINS PIERRE-LOUIS (B)	Kidnapping/Armed/Deadly Weapon (A) Burglary/with Assault or Battery/Armed (A) Battery/Aggravated/Great Bodily Harm (A) Murder/Premeditated/Attempt/D Weapon (A) Murder/Premeditated/Attempt/D Weapon (B) Deadly Missile/Shoot/Throw (A) Deadly Missile/Shoot/Throw (B) Firearm/Weapon/Posn by Convicted Felon/Delinquent (A) Tampering With Physical Evidence (B) Stalking/Aggravated (A) Burglary//With Assault or Battery/Armed (A) Agg Stalking/Firearm/Deadly Weapon/Prior Restraint (A) Murder 1 <sup>st</sup> Degree (A) Murder/Premeditated/Attempt Murder/Premeditated/Attempt (A) Murder/Premeditated/Attempt (A) Accessory After Fact (Murder) (B) Accessory After Fact (Burglary) (B) Tampering With Physical Evidence (B)	True Bill
ALTON SHOWTODD MOSES (A), SAMUEL WADE WRIGHT (B)	Murder First Degree Robbery/Armed/Firearm or Deadly Weapon	True Bill
ALTON MOSES (A), SAMUEL WADE WRIGHT (B)	Murder First Degree Robbery/Armed/Firearm or Deadly Weapon Robbery/Armed/Firearm or Deadly Weapon Robbery/Armed/Attempt Burglary/Assault/Battery/Armed/Remain In/>7/1/01	True Bill
ALTON MOSES (A), SAMUEL WADE WRIGHT (B)	Murder First Degree Robbery/Armed/Firearm or Deadly Weapon Burglary/Assault/Battery Armed/Remain In/>7/1/01	True Bill

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
LARRY A. LAWSON	Murder First Degree Murder/Premeditated/Attempt Deadly Weapon Firearm/Weapon/Possession by Convicted Felon/Delinquent	True Bill
MICHAEL MERCHISON	Murder First Degree Robbery/Strongarm	True Bill
JAMES J. BULGER (A), STEPHEN J. FLEMMI (B), JOHN V. MARTORANO (C) and JOHN J. CONNOLLY, JR. (D)	Murder First Degree Murder First Degree/Conspire	True Bill
JAMES LEONARD MAJORS	Grand Theft Second Degree	True Bill
WILLIAM L. McCOGGLE	Grand Theft First Degree Organized Fraud – Scheme to Defraud	True Bill

## ACKNOWLEDGMENTS

We, the Miami-Dade County Grand Jury for the Fall Term 2004, are proud and honored to have had the opportunity to serve our community in this important function.

The Honorable Judith L. Kreeger empanelled us in November 2004. We were, of course, initially filled with anxiety about the extensive commitment, and we remember well the selection process and the audible sigh of relief among the unselected venire members. With our first witness, however, the anxiety was overcome by the realization that ours was a task essential to the fundamental fairness of our criminal justice system. And for each of us, as Judge Kreeger promised, this has been among the most enriching and rewarding experiences. To those not selected on that day in November 2004, we say to you, "you missed an opportunity"; and to those who next will be selected, we say to you, as Judge Kreeger said to us, "this will be an enriching and rewarding experience."

We conclude our service after nine months with the submission of this report. It is the product of our collective efforts and reflects our shared passion for a better Miami-Dade Public School District. We heard from the best and, to our dismay, the worst. We are hopeful that this report will be useful to the District for the betterment of our community today and into the future, and to ensure that our students will shine brightest.

As we close our term, there are many we need to thank. Thank you Judge Kreeger for instilling in us an appreciation for the important task that we were charged to undertake. Thank you Assistant State Attorney Don Horn for your patience, guidance and professionalism. Thank you Assistant States Attorneys Fred Kerstein and Susan Dehovitz for your tireless efforts in support of our report. And last but certainly not least, thank you Rose Anne Dare, Grand Jury Administrative Assistant, and Nelido Gil, our Bailiff, for your accommodations and for keeping things running so smoothly throughout our term.

It has been a privilege and an honor to serve on the Miami-Dade County Grand jury for the Fall Term 2004.

Respectfully submitted,

Elliot B. Kula, Foreperson  
Miami-Dade County Grand Jury  
Fall Term 2004

ATTEST:

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Kyle Bedwell  
Associate Clerk

Date: July 18, 2005