

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

FALL TERM A.D. 2000

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FILED
June 11, 2001

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INDEX

**INQUIRY REGARDING PERSONNEL POLICIES AND REGULATIONS APPLIED TO
COUNTY COMMISSION STAFF EMPLOYEES..... 1 - 14**

I. INTRODUCTION..... 1

II. THE INVESTIGATION OF COMMISSIONER REBOREDO 2

 A. Background..... 2

 B. Benito Mongeotti..... 3

 C. [Publication withheld pursuant to F.S. 905.28]..... 4

 D. Other Staff members – Pay Raises 6

III. OBSTACLES TO ACCOUNTABILITY..... 7

 A. Legal Issues..... 7

 B. Administrative Issues 9

IV. THE CRIMINAL CHARGE 11

V. RECOMMENDATIONS TO ELECTED OFFICIALS 11

VI. INDICTMENTS..... 15 - 18

ACKNOWLEDGEMENTS..... 19

INQUIRY REGARDING PERSONNEL POLICIES AND REGULATIONS APPLIED TO COUNTY COMMISSION STAFF EMPLOYEES

I. INTRODUCTION

Prior to 1993, the Miami-Dade County Commission consisted of nine members, including the Mayor, all of whom were elected countywide. This system of electing at-large County Commissioners came under public criticism for its tendency to create distance between the Commission and local neighborhood concerns, as well as its *de facto* exclusion of some segments of the community from representation on the County's governing body.

A movement to reform the system led to its replacement, based upon the decision of a Federal court, which divided the County into thirteen districts, each represented by a single County Commissioner accountable only to his or her district. This reform was accompanied by a dramatic increase in the budgetary allotment for each Commissioner, which now exceeds \$500,000. County Commissioners, who previously might have had only three or four aides, now have up to ten or more paid staff members.

This increase in the size of staff support available to County Commissioners has given them enormous latitude in the hiring and firing of personnel, the setting of job descriptions and salaries, work hours and assignments. There is no oversight of these employees except whatever oversight procedures are implemented by each Commissioner, acting individually. As a result, there may be wide disparities among County Commissioners in terms of how they choose to manage their staffs.

Much of this discretion is justifiable insofar as it allows each Commissioner the freedom to create a staff suitable to that Commissioner's needs and priorities as well as to those of the Commissioner's district. However, as we have found, the lack of significant controls over that discretion, particularly in the area of hours, annual leave, and salaries, has created the potential for serious abuse. The conditions uncovered by the investigation of the Miami-Dade Police Department and the Office of the State Attorney have been

disturbing to us as voters and residents of Miami-Dade County. We have found to be unconscionable the cavalier use of taxpayer money to fund questionable positions for political allies, to allow certain staff members excessive and unauthorized leave, and to provide pay raises which do not appear to serve a legitimate public purpose. In the case of the office of Commissioner Pedro Reboredo we have been dismayed by what we perceive as gross laxity in the minimum standards of accountability expected of any public office holder.

It is our belief that the only way to prevent a recurrence of these abuses is to establish requirements of County Commission employees which parallel in most respects those applicable to other regular County Employees. This report is a call to responsibility on behalf of the residents of Miami-Dade County, whom all of these public employees ultimately must serve.

II. THE INVESTIGATION OF COMMISSIONER REBOREDO

A. BACKGROUND

In the course of this term, we have been made privy to the results of an extensive investigation conducted by the Miami-Dade Police Department and the Miami-Dade State Attorney's Office. This investigation was initiated by a tip received by the police concerning the *[Page 2, in part, has been withheld from publication pursuant to F.S. 905.28]* staff of County Commissioner Pedro Reboredo. The evidence produced by this investigation was related to us both through the secondhand summary provided by the lead investigator and prosecutor, as well as by the testimony of staff members and others having knowledge of these employees.

B. BENITO MONGEOTTI

Mongeotti is a lifelong friend and political associate of Commissioner Reboredo. His involvement in Reboredo's private business, his political campaigns, and his office staff indicate a close relationship beyond that of any other of Reboredo's staff members.

In April 1993, Mongeotti began working as one of Commissioner Reboredo's aides at a starting salary of \$24,000. By 2000, his salary had increased to \$38,000. Mongeotti was initially designated as a permanent full-time employee, making him eligible for accrual of annual leave and sick leave as any other such County employee.

Evidence showed that on three occasions, 5/2/93-6/1/93, 5/3/99-5/10/99, and 1/8/00-1/15/00, Mongeotti traveled outside of Miami-Dade County on personal trips unrelated to his public position. The first two of these trips were to Madrid, Spain, while the latter trip was on a cruise to an unknown destination from the Port of Miami. On none of these occasions did Mongeotti submit a leave slip as would be required of any regular county employee. Had he done so, the personnel in the Administrative Services Division of the County's Human Resources Department would have likely disallowed the leave, since on none of these occasions was Mongeotti entitled to annual leave under the County's leave policies. On the first of these occasions, Mongeotti had not been working for the County for the six-month period required prior to the accrual of usual leave benefits. On the last two occasions, Mongeotti, who had been re-designated as a Temporary Full-time Employee during 1996, i.e., one not entitled to the accrual of annual leave, had no accrued benefits upon which to draw. Yet, on all three occasions, Mongeotti was allowed to receive his full salary for the time he was away on a personal vacation.

Evidence also showed that even when Mongeotti did submit leave slips, there were abuses. Mongeotti submitted a leave slip for eighty hours of leave time due to a vacation between 8/3/98 and 8/17/98. However, at that time he had only sixty hours of accrued leave time according to County records. His leave slip was rejected by the County's personnel administration and Mongeotti then submitted a second leave slip reflecting

twenty hours of sick leave, which he had available but was not entitled to use for vacation purposes.

Mongeotti submitted a leave slip claiming annual leave for the forty-hour work week between 10/13/98 and 10/19/98, when he had not accrued annual leave according to County records. When that leave slip was rejected by the County, he submitted a new leave slip, signed by Reboredo, that claimed the same forty hours as sick leave. During the latter period Mongeotti had been on a trip to Madrid, Spain, in the company of Reboredo.

The evidence concerning Mongeotti's work schedule also showed a lack of accountability for the performance of his public duties. Staff members recounted that Mongeotti did not spend much time at the office. When he did appear there, it was usually for an hour or two, during which time he would do little

visible work. He was said to occasionally answer the telephone, to have occasionally made inquiries on behalf of applicants for public housing, and to have spent time conferring privately with Reboredo. He was known to spend time on some weekends preparing or serving paella at publicly attended events which were promoted by the Commissioner. The person who served as Chief of Staff for Reboredo for close to a year following his election said that he was not aware that Mongeotti was on the Commission payroll for several months.

At one point, Mongeotti, who resided in Hialeah, was supposedly assigned by Reboredo to meet with constituents in Hialeah to hear their concerns. However, the female staff member previously assigned the same duties related that, prior to her being replaced by Mongeotti, she had held regular office hours in Hialeah City Hall. The Hialeah City Clerk confirmed this, but indicated that Mongeotti was not known to have ever done the same following her departure.

Page 4, in part, page 5 and page 6, in part, have been withheld from publication pursuant to F.S. 905.28

D. OTHER STAFF MEMBERS - PAY RAISES

Investigation revealed that other staff members were known to have irregular office hours and were not held accountable for their work time. Not all vacations were accounted for by leave slips. Perhaps most disturbing, at various times staff members were provided with raises in their County salaries for limited time periods that dramatically

exceeded the usual increments afforded most staff members for merit raises or cost of living increases. These increases were acknowledged by the staff members to be for purposes seemingly unrelated to their positions. The raises uncovered by the investigation indicated that substantial temporary raises were granted by Reboredo to staff members to cover college tuition costs, moving expenses, and personal debts. The most outrageous of these involved a raise to one staff member, whose salary was raised from \$28,000 to \$104,700 between 10/1/98 and 12/14/98 to cover his moving expenses for his relocation out of state, just prior to his leaving his position on Reboredo's staff.

III. OBSTACLES TO ACCOUNTABILITY

The abuses detailed above should not have occurred in the office of an elected public official in Miami-Dade County. They should not occur in any public agency whose employees' salaries are paid by the taxpayers, and who should be held accountable for their performances by the agency managers, and, ultimately, by the public itself. The public, however, cannot supervise or oversee such activity. The structure of County Government, where there are thirteen independent Commission offices, necessitates that each Commissioner exercise responsible management of staff employees. In the case of Commissioner Reboredo and his staff, that obviously did not occur.

The circumstances which allowed these abuses to occur, besides the negligence of the Commissioner himself, include the ambiguity surrounding the applicability of the Miami-Dade County personnel rules and leave policies to the employees who serve on County Commission staffs, as well as the lack of administrative oversight of such employees outside of the individual Commission staffs. We found both of these circumstances to be troubling, and in need of reform.

A. THE LEGAL ISSUES

According to Section 2-41 (1) of the Miami-Dade County Code, administrative assistants to County Commissioners are "exempt" from being considered members of the classified service. It is clear that civil service rules applicable to most other County positions, governing the hiring and firing of employees to fill those positions, do not apply

to Commission staffs. Each Commissioner should be allowed the freedom to select those individuals deemed to be best equipped to serve based upon considerations of political philosophy and personal style, as well as the composition and special needs of the Commissioner's constituency.

However, the legal opinions received by us from the Office of the County Attorney indicate that the exemption of Commission staffs from the classified Service is subject to a much broader interpretation. One of those opinions suggested that the County personnel policies as well as the provisions of the County leave manual, are inapplicable to such employees.

It should be noted that opinions concerning the applicability of such rules diverged in this area. Some County officials, notably those from the Employee Relations Department, as well as several County

Commissioners steadfastly maintained that County policies regarding the meaning of full-time employment (a minimum forty-hour work week), as well as the County's policies concerning the accrual of annual and sick leave were applied routinely to these employees. In fact, as noted in the investigation detailed above, the County's administration does maintain records of each Commission employee's accrual of leave. Submission of leave slips for these employees is reflected in Payroll and Attendance Records (PAR) generated by computer for all County employees. These official forms are based upon eighty-hour biweekly work schedules for full-time employees. In the event that the PAR forms incorrectly reflect the amount of work actually performed by any employee, or the amount of leave taken by such employee, they are false public records.

It was disturbing enough that some of the highest administrators in the County, including elected officials, had opinions about basic personnel policies governing Commission staffs that diverged significantly from that of the County Attorney's Office. If the opinion of the County Attorney's Office is correct, then there are virtually no legal limitations, rules, or regulations governing the exercise of discretion by elected officials in administering their office staffs.

It was instructive to learn from a representative of the Broward County Attorney's Office that the rules in that County are not ambiguous in this area. Employees serving on the staffs of Broward County Commissioners are deemed regular County employees subject to the same rules concerning full-time work hours and leave policies as all other employees.

B. ADMINISTRATIVE ISSUES

When the size of the staffs of Miami-Dade County Commissioners grew substantially following the change to district commissioners in 1992, there did not seem to be a concerted movement to train or educate Commission staff members in the personnel procedures of the County. Some orientation of Commissioners and their aides did, apparently, occur by happenstance during orientation meetings held by administrators in the offices of Employee Relations and of the County Manager. However, it was apparent from the evidence, including testimony from employees and Commissioners, that no mandatory, consistent training in these areas occurred.

It appears there is an inconsistency among Commissioners in terms of staff structure and job descriptions. This was particularly evident in the example of Commissioner Reboredo's staff, which lacked a Chief of Staff for most of the Commissioner's tenure, as well as clearly defined job titles or descriptions, salary levels, or consistent raise policies applied to staff employees. In fact, no such Commission-wide policies exist. Miami-Dade Commissioners are free to establish any position with virtually unlimited discretion over job responsibilities, salaries or raises. The abuses detailed in the Reboredo investigation speak volumes about the wisdom of such a lack of standards.

It is notable that Broward County appears to have avoided this problem. All positions on commission staffs in Broward County must correspond to established County positions carrying set salary ranges. These may not be ignored by Broward Commissioners.

A further problem in Miami-Dade County is the lack of mandatory administrative oversight of actual work performed or leave taken from within the Commission staffs. In the event of a staff employee's being assigned to perform work outside of the Commission

office, there is no requirement that any reports be submitted or maintained concerning that employee's whereabouts or activities. If reports had been regularly submitted [*Page 10, in part, has been withheld from publication pursuant to F.S. 905.28*] concerning their activities while on the County payroll, the public would have been better informed, and much expenditure of time and effort in the criminal investigation avoided.

We are pleased that, apparently due to the existence of the criminal investigation, one administrative change has already occurred. Previously, PAR forms, reflecting each employee's time worked and leave taken were signed, not by anyone serving on the staffs of individual Commissioners, but rather by a member of the County Commission's overall administrative staff. This employee was signing the forms based upon the submission of leave slips, but was not actually in a position to have personal knowledge of or administrative control over the employees on each staff. The responsibility for signing the forms has now devolved on each Commissioner or the designee of same. This insures, at the least, that some knowledgeable County official may be held accountable for the accuracy of such forms.

In terms of administration within each Commission staff, it is the Commissioner alone who is ultimately responsible to oversee the staff and insure that the public is being properly served within the structure of Miami-Dade County government. There is no other authority to which County Commissioners are subject, except for the public which elects them every four years. Commissioners, who are paid a part-time salary of \$6,000 for what amounts to a full-time job, cannot be relied upon in every instance to perform the day-to-day administrative supervision of a full-time office manager. While that may be a reality of political life in Miami-Dade County, it does not mean this is the only or best available alternative to insure accountability of staff members. In the case of Commissioner Reboredo, it was apparent that, due to the Commissioner's business interests outside this country, he was often not present to perform the most basic oversight. In fact, Commissioner Reboredo was often absent from County Commission Meetings. During 1998 and 1999, Commissioner Reboredo was absent for over 50% of County Commission meetings. This fact, coupled with the lack of a Chief of Staff, also

not required of Commission staffs, contributed greatly to the circumstances creating the need for criminal investigation.

IV. THE CRIMINAL CHARGE

In connection with our inquiry into the personnel practices on the staff of Commissioner Reboredo, this Grand Jury heard evidence against Commissioner Reboredo and certain members of his commission staff for consideration in connection with possible indictment on criminal charges. Prior to our deliberating on a possible indictment, however, we were notified by State Attorney Katherine Fernandez Rundle of a possible resolution of the criminal investigation. The State Attorney notified us that her staff was negotiating with Commissioner Reboredo, through his attorney, on a proposed plea agreement involving Reboredo's being charged with a single misdemeanor count of a violation of Miami-Dade County Code Section 2-11.1(g) for Exploitation of Official Position.

The State Attorney presented the entire plea proposal to us for our consideration. The agreement included an adjudication of Reboredo on the criminal charge, six months probation, resignation from office, issuance of an apology for his misfeasance, and payment of \$25,000 in investigative costs.

[Page 11, in part, has been withheld from publication pursuant to F.S. 905.28]

Reboredo would not be eligible to run for public office until after 2002. In addition, Benito Mongetti would be offered a plea agreement on similar terms.

Based upon our knowledge of the evidence in this case, the legal issues and the possible defenses that would be raised by the Commissioner and his staff, the Grand Jury voted unanimously to support the proposal of the State Attorney to resolve the criminal case against Commissioner Reboredo. Shortly after our endorsement of the proposal, it was accepted by the Commissioner.

V. RECOMMENDATIONS TO ELECTED OFFICIALS

As a result of the investigation of the office of Commissioner Reboredo, as well as our inquiry into the personnel practices and procedures of the Miami-Dade County Commission as a whole, we have concluded there is a need to reform the work rules governing Commission staff members. There is a need to establish rules where there are now virtually none. This does not mean that discretion needs to be removed from Commissioners for the hiring or firing of such employees. However, the vacuum that has developed because of the County's non-regulation of such public employees must be filled with clear, consistent guidelines to protect the public from a recurrence of the abuses that we have observed.

1. County Commission employees should be subject to the same personnel rules as regular County employees.

County personnel rules, including the Leave Manual policies, should be made applicable to all County Commission employees. However, the exemption of County Commission employees from civil service rules governing hiring and firing makes sense in view of the necessity to give each

Commissioner the political independence to carry out his/her vision that the voters ostensibly chose in electing that Commissioner. This is to ensure the basic accountability of such employees to the public that pays their salaries.

2. Each position on the staff of a County Commissioner should correspond to a job description maintained by the Miami-Dade County Employee Relations Department.

The public should be aware of the purpose and scope of the employment of any person on the public payroll. Designating each employee with an appropriate job description would inform the public and provide a baseline for determining whether an abuse of position has occurred.

3. There should be mandatory orientation and training for all newly-elected County Commissioners and all new Commission employees regarding personnel policies and procedures.

Part of the underlying problem regarding the abuses on Commissioner Reboredo's staff stemmed from a lack of knowledge of proper personnel management and procedures. Detailed orientation and training programs for all Commissioners and their employees would correct many of the problems outlined in this report. As a part of this orientation, records should be maintained of attendance at such training, and handbooks should be disseminated to all Commission employees.

4. There should be a pay scale providing a minimum and maximum salary for each position.

Employees should not be given dramatic increases in salary at the whim of a Commissioner. Salary changes not related to any legitimate public purpose are neither sound public administration nor conducive to good morale among other employees. Raises should be based upon merit or cost-of-living adjustments consistent with County personnel policies, not on favoritism or frivolity.

5. A full-time position should mean a minimum average of forty hours per week.

If a County Commission employee is designated as a full-time employee, then that employee should work a minimum average of forty hours per week. Employees who work part-time should be designated as such. This "truth-in-public employment" idea must be implemented to prevent no-show or partial-show employees.

6. The Miami-Dade County Leave Manual should be amended to provide that leave slips are to be filed or amended within a maximum of two pay periods.

Currently, leave slips may be submitted or amended up to two years from the actual leave time without question, and adjustments made automatically. This practice encourages lengthy delays in submitting or correcting such records and encourages misuse of this significant employee benefit. Absent unusual circumstances, such records should be kept current.

7. Weekly written reports should be required of all County Commission staff members working outside of a Commissioner's main or district office.

It is understood that some employees of County Commissioners may perform work either in the community or, on a limited basis, at home. In such instances there should be a requirement that a written account of the hours worked and services performed be maintained by each County Commissioner for public inspection.

8. Each County Commissioner should be required to designate a staff member to serve as either Chief of Staff or Office Manager.

A staff member should be designated to supervise office staff and to perform such other duties as directed by the Commissioner. This would ensure compliance with Miami-Dade County personnel policies and procedures.

9. County Commissioners should be required to be present for a minimum of 60% of all County Commission meetings.

There may be nothing more important to the role of a County Commissioner than attendance at Commission meetings. The Commission is a legislative body with enormous influence over the day-to-day operations of County government. Commissioners who fail to attend Commission meetings fail to deliver to the public the representation that is expected of them. The appropriate mechanism to enforce such a requirement is the Miami-Dade County Commission on Ethics.

10. Miami-Dade County should issue and publicize an annual report detailing each Commissioner's attendance record and budgetary expenditures.

The strength of democratic government lies in its openness and ability to withstand scrutiny. We have seen that irregular attendance and unaccountable budgetary practices undermine responsible public administration in the Miami-Dade County Commission. Dissemination of this information in an accessible format would help make County Commissioners accountable to the public and the media.

existence of two alleged “ghost employees” on

The two employees, Benito Mongeotti and [*] were extensively investigated. The evidence shows that neither individual provided the services to the citizens of Miami-Dade County expected of full-time County employees, and that both of them abused the use of leave time afforded them as staff members.

by Benito Mongeotti and [*

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
ANGEL AMAUEL ORTIZ, also known as ANGEL TAVAREZ	Murder 1st Degree Robbery / Armed / Deadly Weapon	True Bill
LAZARO SAN PEDRO	Murder 1st Degree	True Bill
ENRIQUE ANTWAN MYERS and ANDRAE LAMONT JOHNSON	Murder First Degree Cocaine / Trafficking/28Gr > / < 150 Kilograms Cocaine / Conspire to Traffic	True Bill
CEDRIC AUSTIN (A), WILLIE JOHNSON (B) and COREY DUNSTON, also known as DARIAN DUNSTON (C)	Murder 1st Degree Robbery / Armed / Firearm Robbery / Armed / Firearm Firearm/Use, Display While Committing Felony Kidnapping With a Weapon Firearm/Weapon/Posn by Convicted Delinquent Concealed Weapon/Felon/Mask	True Bill
AMERICUS JONES, also known as "JUNE", and MARKEITHS HERMAN BROWN, also known as "TEDDY BEAR"	Murder 1 st Degree Murder 2 nd Degree Robbery / Armed / Attempt	True Bill
(A) COREY SMITH, also known as "BUBBA", (B) LATRAVIS GALLASHAW, also known as "TRAV", (C) ANTONIO GODFREY, also known as "GARHEAD", (D) JULIUS STEVENS, also known as "JUDOG", (E) ERIC STOKES, also known as "ERIC STEWART", also known as "CRAZY E", (F) JEAN HENRY, also known as "HAITIAN JEAN", (G) EDDIE HARRIS, also known as "EDDIE BO", and (H) CHAZRE DAVIS, also known as "CRIP"	Rico/Conspiracy (A-H) Racketeering/Rico (A-F) Cannabis/Conspiracy to Traffic (A,B,C,D,E,F) Cocaine/Conspiracy to Traffic (A,B,C,D,E,F) First Degree Murder (A) First Degree Murder (C) Conspiracy to Commit First Degree Murder (A,H) First Degree Murder (A,H) Conspiracy to Commit First Degree Murder (A,D,E,F) First Degree Murder (D,E,F) Conspiracy to Commit First Degree Murder (A,D,E,F,G) Murder Second Degree / Firearm (B) First Degree Murder (B) First Degree Murder (A,D,E,F,G) First Degree Murder/Solicit (B)	True Bill

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
TIMOTHY TERRELL GARLAND	Murder 1st Degree Robbery/Armed/Firearm or Deadly Weapon	True Bill
PHILLIP JARVIS RANGE	Murder 1st Degree Robbery/Armed/Firearm or Deadly Weapon	True Bill
ALBERTO I. HERNANDEZ	Murder First Degree Kidnapping	True Bill
BARRY LEONARD MCINTOSH (B) and BILLY JAMES COTTON (C)	Murder First Degree (B & C only) Robbery/Armed/Firearm (B & C only) Burglary / with Assault or Battery (B & C only)	True Bill
JOHN R. MCWILLIAMS (A) and DARRELL EVEN MCWILLIAMS (B)	Murder 1 st Degree (A&B) Robbery / Armed / Attempt (A&B) Battery/Aggravated/With a Deadly Weapon (A&B) Battery/Aggravated/With a Deadly Weapon (A&B) Firearm/Weapon/Possession by Convicted Felon / Delinquent (A)	True Bill
DREWERY GETER	Murder First Degree Burglary / Armed Robbery/Armed/Deadly Weapon Child Abuse/No Great Bodily Harm	True Bill
GREGORY CHATFIELD	Murder First Degree Child Abuse / Aggravated / Great Bodily Harm/Torture Resisting Officer Without Violence to his Person	True Bill
(A) ULYSSES STEVEN GRANT and (B) SHELDON ALEXANDER CLARK	Murder First Degree Kidnapping / with a Weapon Firearm /Possession by Convicted Felon (B only) Burglary / With Assault or Battery / Armed (B only)	True Bill
ARMOND RAY DAVIS (A) and CHARLES EMANUEL WHITE (B)	Murder 1 st Degree Murder 1 st Degree Burglary/With Assault or Battery/Armed Robbery/Armed/Firearm or Deadly Weapon Kidnapping/With a Weapon Kidnapping/With a Weapon Firearm/Use, Display While Committing a Felony Short-Barrel Shotgun, Rifle, Machine Gun/ Possess Firearm/Weapon/Posn by Convicted Felon/ Delinquent (A only)	True Bill
RONALD NELOMS and JERRY PASCAL	Murder First Degree Robbery/Armed/Attempt Burglary/With Assault or Battery/Armed	True Bill

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
JULIAN PASELY	Murder First Degree Robbery/Armed/Attempt Burglary/With Assault or Battery/Armed	True Bill
HENRY TOMAS RAMIREZ, RUDY DANIEL SALAZAR and SAMUEL ALEX BENZANT	Murder 1 st Degree Robbery/Armed/Firearm or Deadly Weapon	True Bill
CORNELIUS SMITH	Murder First Degree Robbery/Armed/Deadly Weapon	True Bill
CHRISTOPHER COLUMBUS ALLEN (A) and ROBERT TAYLOR STROUD, JR. (B)	Murder First Degree Robbery/Armed/Firearm	True Bill
(A) JOHNNIE LAFLIPE, also known as JOHNNIE SILVENE, and (B) ANISHKA BASTAIN	Murder First Degree Murder First Degree / Attempt Firearm / Weapon / Possession by Convicted Felon (A only)	True Bill
RANDY DWAYNE PRUITT	Murder First Degree Robbery / Armed/ Firearm	True Bill
CARLOS ERNESTO RENDON	Murder First Degree Robbery/ Armed/ Deadly Weapon Sexual Battery/ Deadly Weapon/ Serious Injury	True Bill
MARCUS ALEXANDER TOLBERT	Murder First Degree Robbery/Armed/Firearm Firearm/Use, Display While Committing a Felony Firearm/Weapon/Possession by Convicted Felon	True Bill
ROBERT BLAKE, also known as CALVIN RICHARDSON	Murder First Degree	True Bill
KELLY POLLAS	Murder First Degree Robbery/Armed/Attempt Burglary/Armed Firearm/Use, Display While Committing A Felony Firearm/Weapon/Possession by Convicted Felon	True Bill
ERICK LEON WALKER	Murder First Degree Firearm/Use, Display While Committing a Felony	True Bill
QUAMAINE CARR	Murder First Degree Robbery/ Armed/ Attempt	True Bill
ALBERT MELVIN LERNER	Murder First Degree	True Bill

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
(A) TONY ALLEN REESE and (B) AUDRICK D. TILLMAN	Murder First Degree Robbery / Armed / Firearm Burglary / With Assault or Battery / Armed Robbery / Armed / Attempt	True Bill
DREWERY GETER	Murder First Degree Burglary / Armed Robbery / Armed / Deadly Weapon Child Abuse / No Great Bodily Harm Sexual Battery / Firearm / Deadly Weapon Or Serious Injury	True Bill
SHERMAN LAWAN BRUCE	Murder First Degree Child Abuse / Aggravated / Great Bodily Harm / Torture	True Bill
XAVIER TERMAINE RICHARDS	Murder First Degree	True Bill
ANTHONY CHARLES SMITH (A), PAUL EDWARD MOSLEY (B) and WILLIE SHERMAN CURTIS (C)	Murder First Degree	True Bill
NANCI DIRCE RIVERO	Murder First Degree	True Bill
(A) JAMES J. BULGER (B) STEPHEN P. FLEMMI and (C) JOHN V. MARTARANO	Murder First Degree Murder First Degree / Conspire	True Bill
RIGOBERTO CARLOS AGUILAR	Murder First Degree	True Bill
MILTON GEORGE CLARKE and TYRON C. WILSON	Murder First Degree Robbery / Armed/Firearm Robbery/Carjacking/Armed Cannabis/Possession/Armed Cannabis/Purchase/Possession w/Intent to Purchase/Attempt	True Bill
MYKHAYLO KOFEL	Murder First Degree Burglary / With Assault or Battery / Armed	True Bill
MARLON TYRONE GERALD	Murder First Degree	True Bill
MAURICE HEATH [Prev. indicted 2/11/98]	Murder First Degree Murder First Degree / Attempt Firearm / Weapon / Possession by Convicted Felon	True Bill
ANDRE TERRELL BARTEE, also known as ANDRE JOHNSON	Murder 1 st Degree Burglary of an Unoccupied Conveyance Grand Theft 3 rd Degree / Vehicle	True Bill
DONALD BURGESS (A) and DAYSHAWN JONES	Murder 1 st Degree (A) Robbery / Armed / Firearm (A) Accessory After the Fact (B)	True Bill

ACKNOWLEDGMENTS

The commitment of six months for Grand Jury duty is difficult and requires that personal and professional sacrifices be made. One's initial instinct is that this commitment is not feasible and may not be of great value. Upon completion of the term, the consensus of opinion is that this has been an enlightening experience and the ability to participate in local government is worthwhile and fulfilling. The jurors, representing a wide variety of ethnic and cultural backgrounds, were able to unify as a group and make decisions and explore issues of social relevance in our community. It has been a privilege to be able to participate in this process.

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 would also like to thank Assistant State Attorneys Joseph Centorino, Howard Pohl, Paul Mendelson and Chief Assistant State Attorney Gertrude Novicki for their tireless effort and expertise in all levels of 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. Without them, our mission would be unfulfilled.

We are especially thankful of Honorable Judge Judith L. Kreeger and State Attorney Katherine Fernandez Rundle for their professionalism, dedication and continued commitment to the Miami-Dade County community and judicial system which makes up part of this great country we live in. It has been an honor to serve under their leadership.

Respectfully submitted,

Raul L. Barreto, Acting Foreperson
Miami-Dade County Grand Jury
Fall Term 2000

ATTEST:

Gloria M. Sori
Clerk

Date: _____