

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

FALL TERM A.D. 1980

FINAL REPORT OF THE GRAND JURY

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Circuit Judge Presiding

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I N D E X

<u>SUBJECT</u>	<u>PAGES</u>
REPORT ON COMMUNITY CONTROL	1-25
HANDGUNS	26-28
CONCLUSION	29
INDICTMENTS	30-37
ACKNOWLEDGMENTS	38

I. INTRODUCTION

In this Report we will describe what we deem to be a failure of our juvenile justice system, and it is a failure which affects us all. If we fail to deter our community's children from committing crimes, and if we at the same time fail to rehabilitate the same children, we should not be surprised or dismayed at learning that crime is epidemic. We are failing and crime is epidemic.

The pages of this Report will set forth the evidence of the failure that we have identified. We fear the tables and statistics included may tend to mask a more human and subjective dimension reflected by the failure. That dimension is critical and must not be overlooked and we wish to emphasize it at the outset. One counselor expressed it as follows:

I worked with the Department of Health and Rehabilitative Services for five and one-half years before leaving approximately two months ago. I became a social worker in order to work with and help children and their families. This wasn't possible . . . I terminated my employment with HRS after having been ordered to release a girl from my caseload "because of statistics." I argued against this as the girl needed psychological help and also help with her drug problem. After she was released she died of an overdose. This tragedy could and should have been prevented!

Our juvenile justice system has a uniquely difficult responsibility, which entails simultaneous attention to the concerns of victims of crimes and to the needs of the youths who commit those crimes. In this Report we document the failure of our Community Control program to meet either responsibility. We will document a confusion regarding objectives, an inadequate use of community resources and a sense of futility which may in fact be characteristic of our entire justice system at this point in time. Yet we do not intend this Report to be met with a reaction of hopelessness. In calling for a thorough reassessment of the Community Control program we ask for a clarification of objectives,

a marshalling of community resources and a spirit of hopefulness not only with respect to revitalizing Community Control, but with respect to revitalizing our juvenile justice system as a whole. We believe that future tragedies can be prevented.

II. FINDINGS

(1) Community Control, the name given by the 1978 Legislature to juvenile probation, administered by the Department of Health and Rehabilitative Services (HRS), is the most important component in our juvenile justice system. Three out of every four children who progress beyond the juvenile court intake stage are placed on community control. On any given day 1200 youths who have broken the law are under the supervision of Community Control counselors and the program's annual budget for this region is over one million dollars.

(2) For our juvenile justice system to work, Community Control must work. Yet we specifically find that Community Control, as now administered, does not work. Designed to provide both sanctions and treatment to the youths participating, in fact it delivers neither. Community Control sanctions are generally ineffective, unimaginative and inadequately enforced. Community Control treatment is generally nonexistent.

(3) Not unexpectedly, Community Control has no demonstrable impact upon a child's likelihood to commit further crimes.

(4) While in theory providing an individualized plan of sanction and treatment for each child, there is provided in fact little or no individualization and little or no planning. Only one youth out of three is referred to a community program and only one in four is diverted to outside therapy or counseling of any type. The average interaction between Community Control counselor and child is an average of one personal contact per month.

(5) The Community Control concept, providing for simultaneous emphasis upon both sanctions and treatment, has engendered confusion among youth services personnel as to how to reconcile these conflicting objectives. Coupled with this unresolved confusion is a dangerously low morale level among caseworkers. This low morale level is attributable to inadequate salary levels, inadequate in-service training, a negative perception of the administration and a dubious view of the Community Control program's effectiveness.

(6) If it is the responsibility of Community Control sanctions to provide a deterrent to further delinquent acts, and if it is the responsibility of Community Control treatment to rehabilitate, the program has failed to meet both responsibilities.

(7) An immediate need exists to convene the principal parties in the juvenile justice system in order to begin a thorough assessment of how the Community Control program can be revitalized.

(8) Finally, we note that the Spring Term 1977 Grand Jury stated:

The Grand Jury recognizes that an organization such as HRS must be computerized in order to provide proper services to the public in this day and age. If this task is not accomplished by the next session of the Legislature, the public is entitled to an explanation of where the responsibility lies - with the Legislature or with HRS.

Now, four years later, HRS juvenile records are still not computerized. The record keeping system is at once archaic and chaotic. Even a casual review of master cards reveals repeat offenders being treated as first offenders because records of their past offenses have been lost or misplaced.

III. COMMUNITY CONTROL: THE HISTORY AND THE THEORY

The history of juvenile legislation in Florida during the past decade is a clear reflection of the fact that neither lawmakers nor academicians, let alone laymen, agree on how to deal effectively with juvenile crime. During the past several years the law's provisions and philosophy have changed from an emphasis upon treatment of the child's problems to an emphasis upon dealing with the needs of the entire family to an emphasis upon punishment and, finally, to the elusive concept known as Community Control. Needless to say, in addition to reflecting our continuing confusion over how to deal with delinquency, these programmatic and philosophical drifts have caused no end of confusion for the administrators and caseworkers responsible for the execution of the programs.

In the latest revision of the juvenile law, in 1978, the statute was amended so as to eliminate juvenile probation. In place of probation the 1978 legislation called for a concept known as Community Control and the law provides as follows:

39.11 Powers of disposition.

(1) When any child shall be adjudicated by the court to have committed a delinquent act, the court having jurisdiction of the child shall have the power . . . to:

(a) Place a child in a community control program under the supervision of an authorized agent of the department, either in the child's own home or, the prospective custodian being willing, in the home of a relative of the child or in some other suitable place under such reasonable conditions as the court may direct. A community control program.... shall include a penalty such as restitution, curfew, revocation or suspension of the child's driver's license, or other noninstitutional punishment appropriate to the offense and a rehabilitative program.

1. Community control programs for children shall be supervised by the department or by any other person or agency specifically authorized by the court. These programs shall include, but shall not be limited to, structured or restricted activities designed to encourage acceptable and functional social behavior, restitution in money or in kind, or public service.

2. There shall be established in each judicial circuit a community control program advisory council which shall periodically advise the court of the diversion programs and dispositional alternatives for children available within that circuit.

The Florida Community Control concept incorporates three principal themes which are (1) an endorsement of the concept of community corrections, which has been defined by one expert as "matching clients with existing community resources and working with the community to generate resources where they are lacking," (2) a requirement that a delinquent act lead to both the imposition of a form of restriction or punishment ("sanctions") as well as a strategy for treatment and rehabilitation ("treatment plan"), and (3) an individualization of the sanctions and treatment plan for each child.

The Community Control concept is apparently unique to Florida and it is not based upon the experience of any program elsewhere. Instead, the concept is based upon an article written in 1976 by a California corrections administrator by the name of Walter Barkdull. The article, entitled "Probation: Call it Control -- And Mean It," is quite general and is written in the context of adult offenders. The following passages summarize Mr. Barkdull's concept:

But we do know more than just how to punish-- and probation can do that: We know how to control and we know how to help.

A probation sentence entails a much greater loss of liberty than we have led the public to realize. It is punishing. It is, to a degree, isolating and incapacitating. It can enforce an enormous range of sanctions and controls, beside the economic sanctions already discussed....

If we order a period of community control it must be more than a slogan. Community control conditions must be realistic, tailored to the individual and enforced. Successful control, successful enforcement, depends, in part at least, on the ability of the probation department to prescribe the appropriate conditions, provide the needed resources and then impose such supervision as to know whether the probationer--the prisoner in the community--is indeed living up to the terms of the sentence.

Realistically this means the identification of a broad range of suitable and accessible programs in the community or the development of them. Such development may take a systemwide reallocation of resources ...

An important element of community control must be a realistic appraisal of the offender's performance and a readiness to act if he fails to perform properly.

During our investigation Mr. Barkdull was contacted and, surprisingly, he related that he had not been involved in, or consulted during, Florida's adoption of his concept. He also indicated that he was not aware of Florida's legislation and stated that, to his knowledge, no other jurisdiction had adopted the concept contained in his article. Furthermore, when the present Florida Community Control program was described to Mr. Barkdull he indicated that the program described to him bore little or no resemblance to the concept he was advocating in his article.

IV. THE GRAND JURY STUDY

Last year the Fall Term 1979 Grand Jury, in its Final Report, evaluated several components of our juvenile justice system. The one principal component the Report did not deal with was Community Control, due mainly to the fact that the program had only recently been implemented. Early in our Term, however, a number of witnesses who appeared before us suggested that a study of community control should be undertaken, and we agreed.

In order to assess the effectiveness of the Community Control program we have done the following:

(1) Obtained and studied the files of two hundred youths who were placed on community control in late 1979 and who were discharged between December 1979 and March of 1980. From these files were extracted information relating to the nature of program participation as well as subsequent arrests.

(2) A confidential community control evaluation questionnaire was prepared for, and mailed to, all present community control counselors and supervisors as well as to those individuals who had recently left their positions. The anonymous questionnaire

contained fifty-one questions designed to obtain the employees' assessments of various aspects of the Community Control program. Of sixty questionnaires mailed out, forty-nine were returned and tabulated.

(3) Finally, fifty of the two hundred files were selected for personal interviews with the families of the youths who had been placed in community control. The purpose of these interviews was to obtain their assessments of their own participation in the program. Thirty-three families agreed to be interviewed.

The results of the study of the two hundred files will be presented in Section V (An Evaluation of Sanctions and Treatment) and VI (An Evaluation of Recidivism) of this Report. Section VII (Community Control: The Counselors' and the Families' Assessments) will present conclusions drawn from the counselor questionnaires and the family interviews. Finally, in Section VIII we present our recommendations.

V. AN EVALUATION OF SANCTIONS AND TREATMENT

As has been mentioned earlier, the Community Control concept incorporated three principal themes which are (1) a requirement that a delinquent act lead to the imposition of both a restriction or punishment ("sanctions") as well as a strategy for treatment and rehabilitation ("treatment plan"), (2) an individualization of the sanctions and treatment plan for each child, and (3) an endorsement of the concept of community corrections, defined as "matching clients with community resources and working with the community to generate resources where they are lacking."

Our conclusion that Community Control presently is not working is based upon the program's failure to successfully implement each of the three themes. We find that (1) sanctions are generally ineffective and inadequately enforced and treatment is generally nonexistent, (2) neither sanctions nor treatment are individualized and (3) "community control" is at present a meaningless slogan in that it is failing to make adequate use of community

resources, and failing to generate resources where they are lacking.

We have already alluded to the peculiar history of the community control legislation. That history, we find, is in large part responsible for the present failure of community control. The legislation attempts to incorporate in one program the somewhat conflicting objectives of 'sanctions' and 'treatment'. One government study of corrections programs found that "the effort to combine punishment with treatment has led to a confused and self-defeating set of arrangements in which neither goal can be accomplished." We are not prepared to conclude that the concept of combining sanctions and treatment is unworkable and we are not convinced, therefore, that the law should be changed. We do find that, without careful training, the merger of the two concepts called for by the law is a difficult one to execute into a successful program. Successful execution will require a clear understanding by administrators of the objectives of the program and, particularly, of how sanctions and treatment are to be executed in a coordinated way. And successful execution will further require comprehensive and continuing in-service training designed to transfer clear understanding of the objectives to the counselors in the field.

In fact, these difficulties in the legislation have not been translated into clear objectives by HRS. Supervisors and counselors, most of them taught for years that their function was to help and rehabilitate children, have suddenly received the message that their function has shifted, yet they have not been adequately prepared to make that change. As a result, morale is low and neither sanctions nor treatment are being delivered in a meaningful way.

Our review of the files made it apparent at the outset that not only are sanctions and treatment plans not individualized for each child, but that they are lumped together in brief and generalized terms: the typical "plan" reads "twenty-five hours

of community service, a curfew of nine o'clock, maintain regular school attendance and regular contacts with the community control counselor." In such a "plan" the sanctions are the hours of community service and the curfew, with regular school attendance and caseworker contacts representing the treatment. The files regularly repeat the same generalized "plans" and they are in general neither imaginative nor individualized. They also appear to be quite ineffective, as we shall see.

A. Sanctions

Sanctions, punitive measures designed to teach a child to realize that unacceptable behavior must lead to restrictive consequences, are to be, theoretically and by law, individually tailored to the individual child. They also, in theory, are to represent only one part of a whole plan which is also to include equal emphasis upon "treatment." In fact sanctions appear to dominate the "plans," and the sanction of community service, defined as unpaid work in a socially constructive setting, is by far the sanction most often imposed.

One hundred seventy-two "plans" were identifiable in the files examined. The following sanctions were used in the corresponding percentages of cases (because more than one sanction could be assigned to an individual file, the percentage total exceeds 100%):

<u>Sanction</u>	<u>Percent of Cases</u>
Community Service	51%
Curfew	31%
Monetary restitution	13%
Forbid certain friends	3%
Do chores at home	2%
Write an essay	1%

The average Community Control participant is under supervision for three to four months and it is during this period that the community service sanction is to be completed. A special unit of HRS Youth Services assists the caseworker in setting up and carrying out the community service requirement. The following two tables represent (1) the number of hours required and

(2) the site at which the work was done in the cases in which this could be determined:

<u>Number of Hours Required</u>	<u>Percentage</u>
Ten to Twenty	22%
Twenty-five	24%
Thirty to forty	18%
Fifty	28%
Seventy-five to one hundred	8%

<u>Sites Where Work Performed</u>	<u>Percentage</u>
Child's School	24%
Public Park	12%
Church	9%
HRS Office	8%
Private Nursing Home	6%
Public Agency	15%
Private non-profit agency	12%
Private Business	3%
At Home	3%
Public Library	3%

Assuming a child is on Community Control for sixteen weeks with fifty hours of community service, this averages to three hours per week, hardly a formidable sanction. One must ask how constructive such minimal work is, and also whether the time and manpower required to supervise the worker and to see that the hours are actually completed are cost-effective. Again, an entire unit of caseworkers has the exclusive function of monitoring the community service so that, in theory, each community service participant has two HRS caseworkers, one to monitor the child and the other to monitor his community service. A final question that should be asked is how much of a community service is actually performed in the carrying out of these tasks.

In the files examined we found not a single instance of a child's failure to complete sanctions. While one might argue that all children are completing all their sanctions without incident and without exception, the probability is that the counselors are unable or unwilling to properly enforce sanctions. Eight out of ten of the counselors responded "often" or "sometimes" to the question "Were children honorably/successfully completed on community control when their conduct didn't really warrant it."

Furthermore, of 172 termination summaries we examined very few made mention of technical violations of sanctions in spite of the fact that HRS regulations mandate this. In that nearly half of the families interviewed stated their child had not actually completed community service, this would seem to indicate that sanctions, in addition to being benign, are generally unenforced.

While we understand the counselor's reluctance to return a child to court for the failure to adhere to a curfew or to complete the required hours of community service, we feel strongly that the failure to enforce imposed sanctions is more detrimental to a child's rehabilitation than the failure to impose any sanctions at all. If the lesson of sanctions is intended to be that the failure to follow the rules will lead to immediate specific consequences, the lesson implicit in unenforced sanction is precisely the opposite.

The questionnaires completed by the caseworkers indicate that they feel, in 96% of responses, that sanctions are "totally" or "very" important. Yet the two most frequent responses to "How can sanctions be made more effective?" were that the sanctions were (1) unrealistic and too demanding, and (2) that stricter sanctions were needed. Also nearly half of the responses felt that Community Control paid only "somewhat" enough attention to the planning of sanctions as well as to the participant's carrying out of the sanctions.

In finding that the sanctions presently imposed are unimaginative we are not unaware of the difficulty of creating "imaginative sanctions." Yet we feel that the attempt should be made. Rather than require a child to pick up papers in a park for twenty-five hours, that child might be required to tutor another child for the same amount of time, assuming he or she is capable. If the child is a poor student or incapable of tutoring, as will often be the case, that child might be required to receive tutoring for twenty-five hours, possibly from another child performing his or her community service, or from a community volunteer or community program.

B. Treatment

Over the past decade, the Juvenile Justice System has on several occasions revised its assessment of the importance of "rehabilitation" as an objective. The Community Control law, with its emphasis upon "sanctions," moves away from the traditional emphasis upon "counseling" or "therapy." Yet, by calling for a treatment plan to be individually prepared and carried out in each case, the law does not elect either sanctions or treatment as the predominant goal of Community Control, and instead calls for the existence of both in equal measures.

The caseworker questionnaires indicate that while 73% of responses felt that treatment plans were "totally" or "very" important, more than half felt that Community Control paid only "somewhat" enough attention to the preparation of treatment plans and half of those responding felt that Community Control paid only "somewhat" enough attention to the carrying out of treatment plans, or that not enough attention was paid. Also, while 29% of the caseworkers indicated that they "always" individualized their own treatment plans, 85% felt that their co-workers individualized their treatment plans only "sometimes" or "usually."

The "treatment" identifiable as part of the 172 files with such information included the following "treatment" as part of the overall sanction-treatment plan:

<u>Treatment</u>	<u>Percent of Cases</u>
Regular school attendance	45%
Attend a program	36%
Counseling	8%
Regular contacts with Community Control caseworker	22%
Employment	6%
Psychological evaluation	2%
Family counseling	2%
Group counseling	9%
Therapy	4%

It is interesting to note that only one out of three youths is referred to a community program and that only one in four is diverted to therapy or counseling of any other type.

Of the 62 youths referred to community programs, the referrals were of the following types:

<u>Program</u>	<u>Percent of Cases Referred</u>	<u>Percent of all Cases</u>
Drug program	26%	9%
Community counseling	24%	9%
Mental Health	13%	5%
Family counseling	8%	3%
Vocational Training/CETA	8%	3%
Miscellaneous	15%	5%
Dade Miami Institute	6%	2%
	<u>100%</u>	<u>36%</u>

The Fall Term 1979 Grand Jury referred to the minor role played by community programs in juvenile justice, either due to lack of programs and/or lack of HRS referrals, and our data certainly bears out that finding. In light of the low employability skills level and low income level of most delinquent youths, it is sad to note that only 3% of the 172 cases were exposed to a CETA job training program. That situation has changed somewhat due to implementation of the Alternative Youth Employment Strategies Program (AYES) in mid-1980. It appears, however, that due to federal budget cuts that program, which the Grand Jury visited, will be cut back or eliminated in October. We strongly recommend that the South Florida Employment and Training Consortium continue to fund this program.

Given the limited number of referrals to community programs or to specific counseling programs, the "treatment" component is more often than not left at "regular contacts with counselor" and "regular school attendance." Assuming the contacts were in fact "regular," the interaction between participant and HRS counselor, assuming a small caseload, might well be an acceptable form of "treatment." Our study clearly reveals, however, that this is not the case.

The average Community Control worker's caseload is presently 36, due to the short periods of supervision (3-4 months), which have replaced the pre-community control juvenile program caseloads of 70 to 100.

When asked to give the average number of personal contacts made with each child and/or child's family per month, responses varied from as few as one contact per month to as many as nineteen (this wide range would indicate a lack of policy as to numbers of contacts on the part of HRS). The average number of contacts which the counselors reported they made for each child each month was between five and six. However, our review of the files in which contacts are recorded reveals an incredibly low average of one personal contact per child per month. Even granting the fact that low contact numbers are not necessarily the caseworker's fault (children often fail to appear), this situation clearly indicates that little meaningful interaction can occur between a child and a caseworker who are seeing each other only once per month.

The two most frequent caseworker responses to the question, "How can treatment be made more effective?" were "More resources" and "Smaller caseloads." It is probably quite true that more community resources are needed (although the question remains as to how effectively the caseworkers are using those that do exist), but is clearly not true that caseloads are too large. A caseload of 36 is clearly manageable and the true response to how treatment might be made more effective may lie within the individual caseworker's ability to maintain adequate contacts.

Here again we see evidence of what appears to be a failure on the part of HRS to make clear exactly what Community Control is and what it is supposed to accomplish. One interesting manifestation of this, in the context of caseworker-child contacts, relates to answers to the question "What was the purpose of a personal contact with a child?" The principal answers included the following:

- Assess functioning and discuss progress of sanctions
- Develop rapport and make sure court order followed
- Carry out sanctions
- Counseling
- Discuss problems
- Discuss community control agreement
- Make child aware he's on probation

The range of responses indicates a lack of a clear understanding by the counselors of what it is they are supposed to be doing. And the range also reflects an underlying confusion as to whether the emphasis should be upon sanctions, or upon treatment, or somewhere in between.

In any event, the number of personal contacts is unacceptably low. Sparse caseworker contacts, coupled with few program referrals, non-individualized treatment plans and sanctions that are of questionable value appear to be collectively the principal shortcomings revealed by our study of the Community Control program.

VI. AN EVALUATION OF RECIDIVISM

It should be noted at the outset that recidivism (rearrests) do not represent the only measure of how effectively a rehabilitation program is operating. Yet, clearly, to be justifiable, a program should be able to demonstrate some impact upon recidivism. In order to measure the effect of community control, we have tabulated the rearrest rate of participants, as well as of a comparison group of youths who were of the same age, sex and race as the participants and who were charged with the same crimes at the same point in time. The only difference in the handling of the groups is that the participants were placed in community control and the comparison group cases were handled non-judicially and were not placed under supervision.

The rearrest rate (which does not include status offenses, such as truancy or ungovernable, or dismissed criminal charges) of the 184 participants from January 1980 to the present (14 months) is as follows:

<u>Record Prior to Community Control</u>	<u>No.</u>	<u>Subsequent Arrests</u>	
None	76	12	(16%)
One Arrest	51	22 (43%)	(48%)
More than one Arrest	39	18 (46%)	
Prior Probation	<u>18</u>	<u>12 (67%)</u>	(35%)
	184	64	

It is clear that the 35% rearrest rate overall, while in itself high, is in fact a composite of two quite different rates of rearrest, with one relatively low rate (16%) for offenders with no prior record, and another very high rearrest rate (48%) for those with prior arrests. And it would appear that the greater the prior involvement with the juvenile system, the greater the subsequent rearrest rate.

In looking at the comparison group rearrest figures we find the same pattern:

<u>Record Prior to Disposition</u>	<u>No.</u>	<u>Subsequent Arrests</u>	
None	56	7	(13%)
One Arrest	24	6	(40%)
More than one Arrest	9	6	
Prior Probation	7	4	
	96	23	(24%)

These figures indicate that youths not placed in Community Control, youths who are returned home without assignment to community control caseworkers, are no more likely to be rearrested than youths placed in community control. Stated another way, community control has no demonstrable impact upon a child's likelihood of being arrested again.

In that substantial number of the youths in our study turned eighteen since January of 1980, when they completed community control, we also have checked the adult records of this group. Of these 71 youths, seventeen were arrested as adults, with eleven of them having not been again arrested as juveniles before turning eighteen. If these are added to the recidivism rates, the rate for those with no prior offenses becomes 21%, and for those with prior records the rate becomes 55%, and the overall rate is 41%.

These figures clearly support the often repeated adage that the further a child penetrates into the juvenile justice system the more likely that child is to commit further offenses. Another way of stating this is that children with no prior records are much more likely to successfully complete any program than those who have

prior records. However, in treating both groups of children virtually identically Community Control may be paying excessive attention to children who do not need it and inadequate attention to children who need it most.

Our statistics might be interpreted as support for those who take the position that, in the field of corrections, "nothing works." We do not share that pessimistic approach and we attribute the failure of the present Community Control program to the shortcomings we identify in this Report. We feel these shortcomings can be corrected and we share the conclusion stated in a Law Enforcement Assistance Administration report on the successes and failures of community corrections programs:

In the 1960s we may have been too quick to accept uncritically the apparent success of community correctional programs. Now, with the swing of the pendulum and the shift in the national mood to one of skepticism about rehabilitation, we stand in danger of reaching opposite but equally simplistic answers to the same complex questions.

In the context of our present finding regarding the need for Community Control to deal with different groups of participating youths in different ways, the same L.E.A.A. report states:

What's needed is the "common sense" recognition that people become entangled in the justice system for an almost infinite variety of reasons. The task is to identify patterns of problems which lend themselves to patterns of solutions and to develop the acuity and flexibility to relate one to the other.

VII. COMMUNITY CONTROL: THE COUNSELORS' AND THE FAMILIES' ASSESSMENTS

A. The Counselors' Assessment

The fifty counselor questionnaires, while perhaps on occasion containing self-serving answers, reveal much about the Community Control program.

As to the critical questions dealing with overall effectiveness:

Q - To what extent was your job rewarding?

A - Totally: 6%, Very: 10%, Reasonably: 45%,
A little: 33%, Not at all: 6%

Q - To what extent did you help children?

A - Very much: 16%, Considerably: 42%, A little: 42%,
Not at all: 0

Q - To what extent does Community Control help children?

A - Very much: 4%, Considerably: 33%, A little: 61%,
Not at all: 2%

These responses summarize the results of the questionnaires:

The caseworkers felt that they helped children "a little" to "considerably," but felt in nearly two out of three responses that Community Control helped children only "a little." This is, obviously, less than a full vote of confidence by those who work there.

Some of the other information provided by the questionnaire:

- 72% of caseworkers felt their caseloads were too high or much too high.

- 100% felt they were paid too little or far too little and 53% felt that they work a little less or a lot less than they can as a result.

- 52% put their morale level at low to lowest and 57% put their co-workers' morale level at low to lowest.

- The principal factors which negatively affect morale are (1) the pay (98% rated it neutrally to very negatively), (2) the administration (90% rated it neutrally to very negatively), (3) the caseload size (90%), and (4) in-service training (75%).

- The principal factors which positively affect morale are (1) feeling I am helping kids (78% of responses rated it somewhat positively to very positively), (2) working with kids (70%), and (3) my supervisor (70%).

- Positive feelings regarding the Community Control supervisors were consistent throughout the responses: only 12% perceived their supervisor's job commitment as low and three out of four responses saw their supervisor as receptive to caseworker input and said they felt free to speak to their supervisor. Nine out of ten responses stated they felt their supervisors cared about individual cases.

- 61% of responses rated their personal job commitment as high to highest, but the same respondents rated commitment of their co-workers as only 12% high to highest, with 28% low to lowest and 60% middle.

- Likewise, 79% of respondents stated they cared "a lot" about their individual cases, but the same respondents felt that only 38% of their co-workers cared "a lot" about their own individual cases and 44% felt their co-workers cared only "somewhat."

-81% of responses felt that children were successfully completed when their conduct really didn't warrant it with "trying to reduce a high caseload" the principal reason.

-Approximately 60% of responses felt that participant-caseworker contacts were neither frequent enough nor extensive enough.

B. The Families' Assessment

Elsewhere in this Report we express our feeling that Community Control can work. It is in large part from our interviews with the families of the children under community control that we derive this optimism. Our interviewers spoke with thirty-three families. The families were interested in, and aware of, their children's situations. Eight out of ten of these felt that their child's counselor was somewhat or very effective although, paradoxically, four out of every ten reported that the counselor never visited their home. This may indicate that parents' expectations of counselors are limited and that even minimal services are much appreciated. Nevertheless seven out of ten parents felt sanctions were meaningful and eight of ten families felt the treatment plans had a positive effect. When asked to identify the most important service provided by Community Control, the most frequent responses identified the counseling provided by Community Control and that "my child was taught a lesson."

In another apparent contradiction, however, nearly half of all families related that their children had not in fact completed their required community service and that, of these, none were disciplined or required to complete the sanctions. This finding supports our observation that the Community Control program does not adequately enforce the performance of sanctions. It is also significant that more than half of the parents felt that counselors should supervise the participants more closely and that more follow-through should be provided for the implementation of treatment plans. Many parents felt that Community Control was too lenient, yet sympathized with the counselors for their having to deal with excessively high caseloads. Half of

the families felt their children would have benefited from more counseling.

The reservations notwithstanding, the parents interviewed supported the Community Control program and expressed clearly positive impressions of the counselors assigned to work with their children.

In summary, parents felt that both sanctions and treatment were important, but at the same time felt that Community Control should have provided more of both. It is clear that counselors should allocate more time to field visits. Personal contact between counselors and children is essential to any theory of rehabilitation and the parents interviewed support this fact. Why these essential personal contacts are not taking place is a critical question that must be addressed at once.

VIII. RECOMMENDATIONS

In the Introduction to this Report, we stated that we do not wish or intend that our findings be met with a sense of hopelessness. We do not find the Community Control concept to be unworkable and we feel that the Community Control program can be revitalized.

We note that, despite clear evidence of low morale, the majority of caseworkers do feel that they enjoy working with youth and feel they are helping youth and we wish to translate these feelings into programmatic accomplishments that clearly indicate to the community that youths can be rehabilitated.

We also note that HRS is staffed with many dedicated, capable and conscientious administrators and we wish to specifically thank Jack Richardson, Marilyn Smith, Robert Taro and Sidney Shapiro for their assistance and professionalism.

We find a need to totally readdress the objectives and the present operational procedures of the Community Control program and we find that this can be accomplished within the

confines of existing HRS resources and existing HRS staffing and personnel.

Our recommendations are as follows:

(1) An immediate meeting of Juvenile Court Judges, HRS officials, and representatives of the State Attorney's Office and other concerned agencies should be convened at once in order to develop a plan and a timetable for the implementation of the recommendations contained in this Report.

(2) The Community Control Advisory Board, called for by the 1978 legislation, has not been meeting let alone advising "the Court of the diversion programs and dispositional alternatives" as is called for by the law. The Board must be revitalized and broadened in order to include representation of community counseling and mental health programs and substance abuse and manpower programs. A strategy must be developed for the generation and utilization of community resources by the community control program. The Advisory Board should also assist HRS and the Courts in defining the relative emphasis to be placed upon sanctions and treatment and the method of reconciling these contradictory objectives and for their implementation in a meaningful way.

We also recommend that one or more Community Control counselors sit on the Advisory Board.

(3) We recommend that profiles of different categories of youths be developed. Our data suggests that Community Control participants will be dealt with best by utilizing different strategies. A low risk first offender group should be dealt with on a non-reporting status or by referral to a community program with that program assuming responsibility for that child, thus permitting utilization of counselors for the more intensive supervision of higher risk youths. The low risk youths not reporting to a counselor and those assigned exclusively to community programs could be monitored by paraprofessionals.

(4) Volunteers should be recruited to perform such services as monitoring school and program attendance so that counselors may devote themselves fully to supervision and counseling.

(5) Inservice training must be dramatically improved. Currently field counselors are working with little or no field related training. Intake currently employs a trainer and that trainer should also be available to field units to assist them and at the same time to improve communication between Intake and the field. We urge the immediate development of thorough inservice training designed to clarify the ambiguous objectives of community control and the nature and relationship of treatment and sanctions.

(6) Coordination must be developed between HRS Intake and field Community Control and the Courts, so as to specify responsibility for development of sanctions and of a treatment plan. We urge clarification of the roles of Intake and field counselors and of the Judges regarding responsibility for sanctions and treatment plans.

(7) We find it essential that violations of community control are met with predictable consequences. The theory of sanctions is based upon the proposition that violations of accepted norms will be met with identifiable consequences. Presently, such violations are ignored and youths are rarely disciplined for violating community control obligations. This must not continue. We believe that one method of enforcing sanctions may be accomplished by Juvenile Court Judges assigning flexible sanctions so that a counselor would have the authority to address violations with the imposition of additional sanctions. We believe that if our system is to maintain its credibility violations must be disciplined and not overlooked. We also recommend the creation of an administrative process within community control which will monitor violations of community control agreements and modify plans without the need of returning to Court.

(8) Consistent with our objective of restoring credibility and authority to the system is our recommendation that law violations committed while on Community Control be met with predictable increased punishment: youths on community control must expect and receive an escalation of sanctions as the result of subsequent crimes, and not merely a continuation of the original plan.

(9) The present system of assigning a separate "restitution counselor" to monitor a community service plan should be reassessed. The role of the restitution counselor should be expanded so that the unit becomes the nucleus for developing jobs, making available community resources and integrating these resources into more meaningful treatment plans. Their services would be available to all community control participants (except those low risk youths who would not be reporting to a counselor at all) and they would not necessarily be required to monitor individual cases.

(10) Aftercare, or furlough, cases should not be handled on the same caseload (nor in the same manner) as community control participants. That community control caseworkers simultaneously handle low risk and high risk community control cases as well as very high risk youths on furlough from institutions clearly indicates a failure to adequately recognize that all youths should not and cannot be treated in the same manner if anything meaningful is to be accomplished.

(11) Counselors must spend as much time as possible in personal contacts with youths. Clear guidelines must be developed as to the number of personal contacts to be required of counselors and participants, and inservice training must be instituted to render the contacts meaningful. We recommend that resources be implemented to assure that maximum time be allocated to field visits and we will transmit to HRS a series of specific recommendations prepared by one of our witnesses.

Also, documentation of contacts must be required and progress reports should be prepared and periodically and regularly

reviewed by supervisors. The supervisor reviews of counselor files called for by the HRS manual do not appear to have been done with any regularity.

(12) In addition to the need for more field contacts, we see a need for the increased utilization of community resources by counselors and an increased awareness of available resources.

(13) The attempt must be made to formulate more creative and meaningful sanctions than presently exist. Rendering and receiving tutoring, for example, is more meaningful than picking up trash in a public park.

(14) Positive incentives to completing sanctions, such as deleting part of a requirement for good behavior, should be considered as a helpful way to encourage and focus upon positive behavior.

(15) We recommend that the Spring Term 1981 Grand Jury attempt to assess the effectiveness of the various community programs which offer services for youthful offenders. During our term we visited a number of programs for juvenile offenders. It is our sense that programs vary greatly with respect to effectiveness, and the community and the juvenile justice system should be provided accurate information regarding what services the various programs offer and how effective they are.

(16) The South Florida Employment and Training Consortium must continue to have a role in the community control program, despite the difficulties inherent in budget cutbacks. A representative of the SFETC should sit on the Community Control Advisory Board and every attempt should be made to continue the Alternative Youth Employment Strategies Program.

(17) A computerized records system must be introduced at once. Repeat offenders should not be treated as first offenders because their previous records are lost or misplaced.

(18) Dispositional hearings must be given increased emphasis so that court orders contain individualized sanctions and treatment plans. The 1978 legislation contemplated an

expanded role for the dispositional hearing, and this has not occurred. For the community control concept to be viable, it must have the support of the Judges and the Judges must work in concert with HRS to expand the role of the dispositional hearing and to develop realistic sanctions and treatment plans.

(19) HRS has advocated and developed a check list form to be routinely made part of all Court Orders. This list would include sanctions and treatment plan components which the Judge might wish to include in the Court Order. We recommend that this procedure be adopted in that it would permit each offender to leave the court room with a copy of the list and a clear conception of what Community Control will require. This procedure would also significantly shorten the time lag between dispositional hearing and the first field contact. This time frame is in theory 48 hours but in reality is generally weeks.

(20) The inadequate salary levels for HRS counselors is having a devastating impact upon morale and performance. The turnover rate for field counselors last year was one hundred percent. One counselor vividly communicated his frustration at learning that a seventeen year old he placed in a blue collar job was earning more than he was. Many of our recommendations contemplate a well trained and experienced staff, and this will remain an impossibility unless the Florida Legislature addresses the issue of inadequate salaries.

(21) Finally, we recommend that the Spring Term 1981 Grand Jury monitor progress at meeting our recommendations and that their Final Report include an assessment of how our recommendations have been implemented. One community control counselor wrote us as follows:

Please do something. Don't let this be
another paper in a mountain of papers
without any actions.

We clearly do not intend this Report to be another paper in a mountain of papers without any actions.

H A N D G U N S

In all societies, the presence of small groups of uncontrolled and unauthorized men in unregulated possession of arms is recognized to be dangerous. A query therefore must ring in our heads: Why is it that in all modern democratic societies those endangered ask to have such men disarmed, while in the United States alone they insist on arming themselves?

Richard Hofstadter in
"America as a Gun Culture"
American Heritage
October 1970

The handgun used to shoot the President was assembled here in Miami. It was assembled from parts manufactured in Europe. Nine years ago the Florida Legislature enacted a law making it a crime to manufacture handguns by assembling parts made overseas. The Florida Supreme Court, in an appeal by a handgun manufacturer, adopted their position that the law was unconstitutional. That same manufacturer made the gun that shot the President and badly wounded three other men.

If we have learned nothing else during our term, it is that handguns do kill people. They are made to kill people and have no other purpose. We are appalled at the number of cases we have seen in which a killing could have been avoided if the handgun had been absent. Past Grand Juries have consistently made the same observation and have called for legislation banning the use of handguns. We make the same recommendation and we make the additional specific recommendation that legislation be once again introduced to ban the manufacture of handguns made from foreign parts, and that the legislation be drafted in a manner that will meet any constitutional objections. We also endorse legislation presently introduced in the State Legislature proposing a seventy-two hour cooling off period prior to the purchase of a handgun.

Finally, we reiterate here the summary and conclusions of a publication of the Handgun Control Project of the U. S.

Conference of Mayors:

America in general, and the American city in particular, is faced with the mounting problem of the uncontrolled availability, possession, and misuse of handguns ... Since defining the problem is often more difficult than devising the solution, it is well to make sure that the problem is clearly understood:

- Handgun ownership and possession correlates very closely with crime, accidents and suicides involving handguns; guns do kill people at an appalling and increasing rate.
- Handguns are most frequently purchased by Americans for self-protection, yet all data indicate that little, if any, protection results; on the contrary, the mere presence of a weapon in the home or on the person correlates directly with higher levels of violent crime, precisely what the gun is thought to prevent.
- The Constitution does not guarantee an unrestricted personal right to bear arms, and the U. S. Supreme Court and lower federal courts have consistently denied such a right.
- Handguns have little sporting purpose except for target shooting; the justification of handgun ownership for "sporting purposes" is valid only for strictly controlled gun clubs or sportsmen's clubs.
- Cheap "Saturday Night Specials," whatever their definition, are not the most frequently used weapons they are thought to be; expensive weapons kill and maim just as frequently at the close distance common to gun crimes and accidents.
- The great majority of the public supports stricter controls on handguns; a significant and increasing portion of the public supports an outright ban on handguns.
- The gun lobby is not the omnipotent creature it is thought to be, although it has in the past been disproportionately influential because of the absence of informed debate and an organized movement for handgun control.
- Existing controls have evolved as piecemeal and stopgap measures that fail to confront the handgun problem in any consistent and effective way. However, in many jurisdictions, despite the absence of federal regulation, controls on handgun possession have had a positive effect.
- The various methods of control are too little understood by the public and its policy makers, and most discussion of control methods have deteriorated into polemics having little relation to the approaches under consideration.

- The handgun problem is getting worse rapidly; the grimmest way to summarize the dilemma is to say: "If you think things are bad now, just wait."

Anyone who chooses to argue that the cure for gun crime is more guns has simply failed to comprehend the future implications of present trends. The increases in ownership and possession of handguns, gun crime and gun accidents are truly alarming. Yet gun manufacturers are permitted to sell and transport an additional 2.5 million handguns every year, with virtually no meaningful controls. Manufacturers, dealers, and true target-shooting sportsmen have legitimate interests that must be considered, but the general public and even the majority of handgun owners have virtually nothing to gain and very much to lose from the continued proliferation of these weapons. Those who would argue that it is irrational to punish the many legitimate gun owners for the exploits of a few criminals ignore the magnitude and degree of handgun crime. Certainly it is not a small problem to have 40 million handguns in circulation and the highest rate of handgun homicides of any country in the civilized world. In light of these facts, the burden of proof should not lie with the proponents of handgun control, but rather with those who oppose strict regulation.

The trends are ominous.

CONCLUSION

Late in our Term we became interested in the study of cost effectiveness in our justice system. Judge Seymour Gelber provided us with copies of An Economic Analysis of New York City's Criminal Justice System.

We recommend to the Spring Term 1981 Grand Jury that they explore the feasibility and cost of conducting a similar study here and that an attempt be made to evaluate the cost-effectiveness of our criminal justice system.

We also repeat here our recommendation that the next Grand Jury continue to study the juvenile justice system and we feel that the need exists for that Grand Jury to examine the various programs to which children are committed or referred.

CAPITAL AND OTHER CRIMINAL CASES PRESENTED TO THE GRAND JURY

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
DUANE FRANCIS GRAY, JR.	First Degree Murder Robbery	True Bill
EMILIO MACEO QUIALA	First Degree Murder	True Bill
LONNIE JAMES WALKER	First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense Grand Theft	True Bill
CHARLES BERNARD SAWYER and HUBERT L. SAWYER	First Degree Murder Aggravated Battery	True Bill
RICHARD BAXTER	First Degree Murder	True Bill
MIGUEL ANTONIO ORTIZ	Attempted First Degree Murder Robbery Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
ESAW GIBSON	First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
JORGE VELASQUEZ	First Degree Murder Attempted First Degree Murder Unlawful Possession of Firearm while Engaged in Criminal Offense Unlawful Possession of Firearm by Convicted Felon	True Bill
GERALD MAINOR	First Degree Murder Sexual Battery Burglary of Structure	True Bill
CARLOS CAMPANIONE and ANGEL PALLI	First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
PHILLIP TILLMAN, VANCE WHITFIELD, and DREW WASHINGTON	First Degree Murder Possession of a Firearm During the Commission of a Felony Attempted Robbery	True Bill
PEDRO CAMEJO and PABLO HERNANDEZ	First Degree Murder Armed Robbery Carrying a Concealed Firearm Carrying a Concealed Firearm	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
RAUL PALACIO	First Degree Murder Robbery	True Bill
FELIX TACORONTE	First Degree Murder Unlawful Possession of Firearm while Engaged in a Criminal Offense	True Bill
TIEN WANG	Kidnapping Sexual Battery First Degree Murder	True Bill
OWEN BENNETT	First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
MARSHALL KING and LARRY BRYANT	First Degree Murder Accessory After the Fact	True Bill
ADOLFO DIEGO	First Degree Murder Attempted First Degree Murder	True Bill
ANGEL MARTINEZ and ALFONSO MARTINEZ	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Unlawful Possession of Firearm while Engaged in a Criminal Offense	True Bill
ISIAH POLITE	Second Degree Murder Unlawful Possession of Firearm while Engaged in Criminal Offense	True Bill
KENNETH LEROY HAYES	Robbery Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
KENNETH LEROY HAYES	Robbery Unlawful Possession of Firearm while Engaged in a Criminal Offense Carrying a Concealed Firearm	True Bill
JEROME ROBERTSON, also known as JEROME NEWTON, also known as JEROME WILLIAMS, also known as TYRONE ROBINSON	First Degree Murder Burglary of a Structure	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
MARVIN ROLAND CLARK	First Degree Murder Sexual Battery Robbery	True Bill
JESUS RODRIGUEZ, also known as CARLOS PREMERO, and JUAN JOSE DIAZ, also known as JUAN CARLOS, also known as JUAN PREMERO	First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
LEROY BYERS, and JERRY BYERS	First Degree Murder Kidnapping Unlawful Possession of a Firearm while Engaged in a Criminal Offense ("A" Defendant Only)	True Bill
LANGTON KEETON, and JOHNNY McCREE	First Degree Murder Attempted Armed Robbery Attempted Armed Robbery Attempted Armed Robbery Unlawful Possession of Firearm while Engaged in Criminal Offense	True Bill
ROBERT ALVIN EDWARDS	First Degree Murder	True Bill
DANIEL DELGADO-ARMENTA A/K/A "TIJUANA" JULIAN MEJIA AVILES A/K/A "NEGRO" JESUS RANGEL REYES A/K/A "PELLON" MIGUEL JASSO VASQUEZ A/K/A "THE GENERAL"	First Degree Murder Armed Robbery	True Bill
WILLIAM TERRY PETTIT	First Degree Murder	True Bill
LAZARO RODRIGUEZ	First Degree Murder Armed Robbery Burglary of a Structure	True Bill
MICHAEL JACKSON, and KEITH SMITH	Burglary of Structure Robbery Robbery Attempted Robbery Aggravated Battery	True Bill
FIDENCIO BAQUE-HEREDIA also known as MACEO	First Degree Murder Attempted First Degree Murder Unlawful Possession of Firearm while Engaged in Criminal Offense	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
ANIBAL JARAMILLO, also known as JOSE BERNARDO PINEDA, also known as JOSE BERNANDO PINEDA	First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
ANIBAL JARAMILLO, also known as JOSE BERNARDO PINEDA, also known as JOSE BERNANDO PINEDA	First Degree Murder First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
LACUNIA BETHA FULLER	First Degree Murder Attempted Robbery Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
JULIAN DeJESUS YEPES, and GUSTAVO ADOLPHO YEPES	First Degree Murder Aggravated Assault Unlawful Possession of Firearm by Convicted Felon Unlawful Possession of a Firearm while Engaged in a Criminal Offense Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
EMILIO OCTAVIO CABRERA	First Degree Murder Unlawful Possession of Firearm while Engaged in Criminal Offense	True Bill
PEDRO WALDO RODRIGUEZ	First Degree Murder Attempted First Degree Murder Carrying Concealed Firearm Possession of Firearm while Engaged in Commission of a Felony	True Bill
LYNN ORD CONE also known as GEORGIA BOY	First Degree Murder Possession of a Firearm in the Commission of a Criminal Offense	True Bill
ADOLPHUS JORDAN	First Degree Murder Possession of a Firearm in a Criminal Offense First Degree Murder First Degree Murder Possession of a Firearm in a Criminal Offense	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
GARY ALLEN FRANCIS	First Degree Murder Carrying a Concealed Firearm Unlawful Possession of Firearm while Engaged in Criminal Offense	True Bill
MARCOS MERIDA TORRES, MIGUEL CARDENAS a/k/a MIGUEL MIRANDA-CARDENAS, EVELIO BERRIER SANCHEZ, and ROBUSTIANA JARAMILLO	First Degree Murder Attempted First Degree Murder False Imprisonment Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
SEVERO SANCHEZ-REYES	First Degree Murder Unlawful Possession of a Firearm while Engaged in Criminal Offense	True Bill
HENDERSON WARREN, RONALD HOLLOWAY, and RUDOLPH THOMAS	First Degree Murder Attempted Robbery Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
RONALD THORNTON EARL McGOWAN BETTY HICKSON CHRISTINE McGOWAN	First Degree Murder Attempted Robbery Possession of a Firearm in the Commission of a Criminal Offense Accessory After the Fact ("D" Defendant Only)	True Bill
ANTONIO MIRANDA SARRIAS	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Unlawful Use of Firearm while Engaged in Criminal Offense	True Bill
EMILIO CABRERA, SR.	First Degree Murder Unlawful Possession of Firearm while Engaged in Criminal Offense First Degree Murder Unlawful Possession of Firearm while Engaged in Criminal Offense	True Bill
ALEXANDER ALFARO	First Degree Murder Attempted First Degree Murder Unlawful Possession of a Firearm while Engaged in Criminal Offense	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
DAVID BRUNSON	First Degree Murder Attempted Murder in the Second Degree Aggravated Assault Unlawful Possession of Firearm by Convicted Felon	True Bill
LAZARO MARTINEZ and FERNANDO QUINTANO also known as "KIKI"	Burglary of Dwelling Grand Theft - Second Degree First Degree Murder Unlawful Possession of Firearm while Engaged in Criminal Offense Accessory After the Fact	True Bill
EDDY CLARENCE MULLINS	Sexual Battery	True Bill
KEITH McGEE	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Attempted First Degree Murder First Degree Arson	True Bill
LEROY McINTOSH	First Degree Murder Robbery	True Bill
BOBBY LEE EDWARDS	First Degree Murder Unlawful Possession of Firearm while Engaged in Criminal Offense	True Bill
BELARMINO CORDERO-PENA, EVELIO RODRIGUEZ, and ALFREDO BARCELO ESCALONA	Attempted Armed Robbery First Degree Murder Possession of a Firearm During the Commission of an Offense (As to the "A" Defendant Only)	True Bill
CLEMENTEEN SINGLETON	First Degree Murder Carrying a Concealed Firearm Possession of a Firearm	True Bill
PERCY BOWE	First Degree Murder Armed Robbery Unlawful Possession of Firearm while Engaged in Criminal Offense	True Bill
JASPER ALFONSO FERGUSON	First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense Possession of a Short- Barreled Shotgun	True Bill
ARMANDO SIERRA	First Degree Murder	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
ROBERT LEE LISEBY	Unlawful Possession of an Explosive Unlawful Possession of an Explosive Unlawful Transport of Explosives Unlawful Transport of Explosives Unlawful Possession of a Machine Gun Carrying a Concealed Firearm	True Bill
JOSE MENDANA	First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
FRANCISCO RODRIGUEZ	First Degree Murder Aggravated Assault Unlawful Possession of Firearm while Engaged in Criminal Offense	True Bill
THEODORE HARRIS	First Degree Murder Burglary of a Dwelling Robbery	True Bill
JUAN FRANCISCO FERRO	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Unlawful Possession of Firearm while Engaged in Criminal Offense	True Bill
JESUS MARTINEZ	First Degree Murder Robbery Attempted First Degree Murder Attempted First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
RICHARD HOLTON	First Degree Murder Unlawful Possession of Firearm while Engaged in Criminal Offense	True Bill
ANGEL LUIS NIEVES, and ANGEL MANUEL RUIZ	First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
PRESTON LEE PANNELL	First Degree Murder Unlawful Possession of a Firearm while Engaged in a Criminal Offense	True Bill
RONALD THORNTON, EARL McGOWAN, BETTY HICKSON, and CHRISTINE McGOWAN	First Degree Murder Attempted Robbery Possession of a Firearm in the Commission of a Criminal Offense Attempted First Degree Murder Unlawful Possession of Firearm by Convicted Felon Accessory After the Fact ("D" Defendant Only)	True Bill

ACKNOWLEDGMENTS

The Fall Term 1980 of the Grand Jury wishes to express our sincere thanks to Judge Rivkind, Janet Reno, George Yoss, Kathy Rundle, and the staff of the State Attorney's Office for all their assistance.

We are especially grateful to Tom Petersen for his professionalism in providing this fledgling Grand Jury with the leadership so necessary to the successful completion of its responsibilities.

Special thanks go to Madeline Camp for her untiring efforts and her ever present smile and of course to Sam Karlin for all the refreshments that were always available.

Respectfully submitted,



Bonni Axelrod, Forewoman
Dade County Grand Jury
Fall Term 1980

Attest:


Sally Levy Clerk

Dated: May 12, 1981