

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

FALL TERM A.D. 1992

FINAL REPORT OF THE DADE COUNTY GRAND JURY

FILED

August 4, 1993

Circuit Judge Presiding
MARTIN GREENBAUM
Associate Circuit Judge Presiding
JUDITH L. KREEGER

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I. INTRODUCTION

None of us will ever forget the horror and destruction of Hurricane Andrew. As a community, we are still struggling with its aftermath. The 1992 Spring Term Grand Jury made many needed recommendations as a result of its examination of deficiencies in building codes and practices that were exposed by Hurricane Andrew. Our primary responsibility was to "watchdog" the implementation of these recommendations. It is now almost one year since Hurricane Andrew ravaged our community. A new hurricane season has already begun. While we are pleased with some of the progress made in the past year, there is still much more to do. Despite what we have experienced and learned, our community is still not properly prepared to face the threat of this new hurricane season.

II. THE SOUTH FLORIDA BUILDING CODE

After seeing the destruction caused by Hurricane Andrew and reviewing the numerous reports evaluating this destruction, we agree with our predecessor grand jury that one of the most critical changes needed was the strengthening of the South Florida Building Code (SFBC). The necessary reforms were well documented by that grand jury. The SFBC revisions, originally passed by the prior nine member Dade County Commission, were scheduled to go into effect on May 1, 1993. When the new thirteen member Dade County Commission voted to delay this implementation, we feared a retreat from the commitment shown by the enactment of the strengthened code. We worried that our newly elected officials had already begun to forget Hurricane Andrew's destruction; a destruction aggravated by building code deficiencies. To our relief, implementation occurred on June 1, 1993. By not allowing further delays, our new Dade County Commission has shown a clarity of vision and a strength of purpose.

We were also pleased that the new code incorporated almost the entire spectrum of reforms suggested by the 1992 Spring Term Grand Jury. On January 1, 1994, we will see the SFBC incorporate the preferred ASCE 7-88 wind standard to replace the prior 120

mile-per-hour wind standard. As the 1992 Spring Term Grand Jury had outlined in great detail the engineering advantages to the ASCE 7-88, there is no need to repeat it here. Suffice for us to say that this additional and essential modification of the SFBC should provoke a wide-ranging improvement of most of our building designs, methods and products. It should also result in the building of structures that will provide greater safety and security during a hurricane. We urge our new county commissioners to maintain the strength and courage they have previously shown when dealing with future construction issues. We hope they will not falter under the continued pressures of those who wish to rebuild Dade County in a quick or cheaper manner.

We are greatly concerned about the thousands of existing and undamaged homes in our community built to a standard now viewed as deficient. No governmental agency, either state or local, has yet addressed the need to inspect existing homes to uncover potentially destructive defects. Nor has any governmental agency established a program to provide financial assistance to homeowners seeking to remedy any defects discovered. Lacking any state action, our local government must act to insure the integrity and safety of all Dade County's buildings, not just those being rebuilt or newly constructed. Our government will not have fully discharged its duty to protect its citizens until this is accomplished.

Another concern is the need for education about the revamped SFBC. Those who will design, build and enforce these new standards must be sufficiently familiar with them. The burden of insuring adequate knowledge of the changes in the SFBC rests with the licensing authority of the Dade County Building and Zoning Department and the Department of Business and Professional Regulation (BPR). These agencies must adopt appropriate educational requirements about the revamped SFBC as a prerequisite to the issuance or renewal of construction related licenses.

III. THE BOARD OF RULES AND APPEALS

The actions taken by the Board of Rules and Appeals (BR&A) that undermined the SFBC and allowed the use of poorly performing substitute materials were also well chronicled by our predecessor grand jury. We were pleased when the prior Dade County Commission restructured the BR&A and removed its authority for products approval and the revision of the SFBC. This reconstruction provided for the duties of product approval to be performed by the Chief Code Compliance Officer along with the recently formed Building Code Committee (BCC). The BCC is primarily composed of academics, some of whom are also general contractors, having the expertise to suggest revisions to the SFBC as needed. The nonalignment of the panel with the construction industry is essential to avoid the potential for conflicts which hampered the old BR&A. This directly addresses one of the major concerns of the previous grand jury. As we near the end of our term, we have learned of efforts which may undo these positive changes and possibly recreate the "old" BR&A under another guise. We urge the Dade County Commission to extend the life and present format of the BCC so that it will not "sunset" in 1994 and continue to resist those who would return us to the dangerous status quo that existed prior to Hurricane Andrew. The protection and safety of our community should remain the focus of the product approval process.

Of all the damage caused by Hurricane Andrew, the most prevalent was damage to roofs. Design flaws, approval of poorly performing substitute products and shoddy workmanship were all to blame. The reformed SFBC, along with the adoption of the ASCE 7-88 wind load standards, now offers the opportunity of correcting many of these problems. However, roofing professionals are concerned that the SFBC is being applied to roofing in a manner that is creating more problems than it solves. For instance, they question the propriety and necessity of installing a "water-proof" roofing membrane and then puncturing it by nailing roofing tile to the roof. Many roofers feel this nailing guarantees leakage. They also question the use of nailed-on roofing tile on a roof having less than the minimum

slope. Such a procedure, they argue, may create a situation where the tile would catch the wind, pull upwards on an angle and allow rain to enter the home through the nail holes. Roofing professionals are concerned that the essential function of all roofing, waterproofing, is being lost.

County officials have told us that many of these concerns are valid and are currently being addressed. According to these officials, many of the existing problems stem from the necessary learning process that is occurring with the implementation of the reformed code. For instance, as of June 1993, they have begun a process whereby roofing is approved on a "system" basis rather than on a basis of the individual components making-up the roof. They feel that this approach will provide contractors and homeowners with approved "roofing systems" wherein the entire system has been tested as a unit and determined to meet the requirements of the SFBC. Roofing professionals criticize this new approach on the basis that it would limit them to a particular type of roofing and prevent them from installing a "better" roof than required by code. County officials answer this criticism by stating that the code does not limit the number nor type of "roofing systems" that can be approved.

From the testimony we have heard, it appears to us that roofing is a unique area of the SFBC. While we agree with the current idea of approving "roofing systems" rather than individual components, we also agree that some of the roofing professionals' criticism may be valid. We urge the roofing industry and county officials to work together and solve whatever teething problems currently exist in the implementation of our strengthened code.

The amount of shoddy workmanship uncovered by Hurricane Andrew emphasizes the need for a specific and enforceable "workmanship standard". Our predecessor grand jury recommended this, however the necessary changes to the existing standards have not occurred. We again urge that the SFBC and Florida Statutes be changed to provide a specific and enforceable "workmanship standard" with appropriate sanctions.

Although much of the current reform of the product approval process is very much in line with most of what the Spring Term 1992 Grand Jury had sought, the creation of an independent product testing system by Dade County has not received much attention. Currently, the tests performed on products submitted for approval have been conducted by independent laboratories but are paid for by the manufacturer of the product being tested. Witnesses have told us that Dade County, by itself, could not fund its own laboratory for the purpose of conducting these tests. However, a sufficient fee for the submission of the product for approval could be charged allowing Dade County to pay for independent lab testing. This would remove the possibility for a conflict of interest that currently exists. Additionally, in designing the product testing, Dade County should solicit input from the construction industry. All tests should be developed so that the performance of the product in our unique, South Florida environment is considered.

IV. CODE INSPECTIONS

A lack of proper building inspections was a major contributing factor to the widespread destruction caused by Hurricane Andrew. Faulty construction and shoddy workmanship were hidden until uncovered by the storm. This must never happen again. Since the hurricane, Dade County Building & Zoning has increased its total number of building inspectors and supervisors from 16 to 43 and the total number of roofing inspectors and field supervisors from 4 to 31. Even so, officials have told us that inspectors are currently averaging between 22 and 25 inspections per day. This is still too many. In view of the substantial evidence of substandard workmanship uncovered by Hurricane Andrew, more inspectors must be added to reduce the number of daily inspections.

However, merely adding more inspectors will not, by itself, insure better inspections. Education is needed as well. Building inspectors have the legal authority to stop construction that does not meet the code's requirements. To perform this duty properly, they must be adequately educated about the standards

they are enforcing. Dade County Building & Zoning must take the lead in providing this education. Witnesses have told us that the needed education process has already begun. However, witnesses have also told us of instances where confusion, or a lack of knowledge on the part of inspectors, has resulted in the unnecessary delay or suspension of construction. Such errors are perhaps unavoidable and a part of the learning process. However, these errors may cause additional expense to a contractor and, even more importantly, erode confidence in the building code enforcement process itself. The massive post-hurricane rebuilding process has created an unprecedented increase in the number of building inspections. As a result, the need for a sufficient number of well-trained inspectors, knowledgeable in the requirements of the new code, is paramount.

V. PLANNED UNIT DEVELOPMENTS

Hurricane Andrew had the dubious distinction of being the fiercest hurricane in recent American history to have struck a highly populated area. At the time of the hurricane, South Dade County contained most of Dade's recently constructed housing. This housing, for the most part, was organized in subdivisions also known as "planned unit developments". The sheer graphic, widespread and apparent uniform destruction of many of these developments invited the focused examination of disaster analysts, the community and the media. Film crews, locally and from all over the world, documented the widespread destruction. Daily film clips revealed the domino-like rows of collapsed roofs and walls of what were once thriving family communities. These scenes of destruction provoked frustration, sadness and anger; emotions still felt today.

Our review leads us to believe that, to a great extent, Hurricane Andrew's devastation in the planned unit developments was aggravated by an inadequate building code and inadequate inspections by building officials. These inadequacies, as evidenced by the building code violations and shoddy construction we found, appeared in several subdivisions. Our predecessor grand jury began an inquiry into the many questions the damage raised.

We sought to continue our predecessor's work and focus on those developments that appeared most devastated by the storm. Hurricane Andrew largely determined the focus of our inquiry. Everyone could see that some types of construction fared substantially worse than others. Most disconcertingly, some of the worst damage occurred away from the area of the strongest winds. One specific inquiry centered on the issue of whether or not the damaged homes were constructed in accordance with the approved plans and specifications and the SFBC. In other words, had the developer/builders sold something other than what they represented to the home buyer?

We soon learned that our undertaking was incredibly time consuming and of vast dimensions. In some cases, what appeared to be large individual developments were actually groupings of smaller developments involving numerous companies, often different builders. They also contained several different models and different types of construction. Each of these different models required a separate set of construction documents (i.e. architectural and engineering drawings). In addition, a thorough inquiry also required a review of the developers' internal documents, many of which related to houses built over ten years ago. Though all of the developers involved in our inquiry have assisted in the production of their documents, the process of obtaining records from warehouses, sometimes located in different parts of the country, has been a difficult one. Even as we concluded our term, the process of obtaining documents for several developments continued.

We found evidence which indicates the existence of systemic deficiencies in the construction practices that were employed in the observed areas. This is true irrespective of the obvious severe wind conditions brought about by Hurricane Andrew. The failures we discovered in the planned unit housing developments were typical of the types of failures discovered in most of the housing in the hurricane ravaged area. Only the sheer number of such failures made these developments stand out. Our specific observations were also buttressed by a variety of available reports compiled by building committees and building analysts.

Much of the damage to residences we studied was the result of inadequate design, substandard workmanship and/or the misapplication of building materials. In particular, we found that a major cause of structural failure was the result of inadequate design for load transfer. The SFBC requires that all structures be designed and constructed to be of sufficient strength to support the estimated or actual imposed dead load, live load, wind load and any other loads without exceeding the allowable material stresses specified by the code. Floor and roof systems must be designed and constructed to transfer horizontal forces to such parts of the structural frame as are designed to carry these forces to the foundation. Although the SFBC requires it, the plan review process of Dade County Building & Zoning failed to insure that designs used in these planned unit developments satisfied these load requirements.

Another cause of the total damage resulting from Andrew was the massive failure of roof framing systems. In those planned developments studied, we found that the typical roof framing system was composed of prefabricated wood trusses and plywood sheathing. In many instances, the construction documents relied upon the sheathing to supply the only permanent bracing for the roof trusses. In our opinion, the lack of adequate lateral bracing contributed significantly to the systematic failure of roof framing systems.

There was also substantial evidence of substandard workmanship in the anchoring of the plywood sheathing (or oriented strand board, in some cases) to the roof trusses. We observed example after example of inadequate or non-existent nailing or stapling of plywood sheathing to trusses. We feel that the use of braced truss roof systems, sufficient to resist lateral wind forces independent of the roof sheathing, should be required by the SFBC. Roof bracing should also be included as part of the newly adopted sheathing inspections.

The most considerable damage to buildings occurred where there was evidence of a breakdown in the load transfer path. Typically, those structures that fared the worst were the one or two story, light wood-framed buildings with wood-framed gable

ends. The structural integrity of the overall building depends not only on the strength of the primary structural systems (i.e. exterior load-bearing walls and non-loadbearing wall panels, the roof structure and diaphragm, and foundation) but also on the adequacy of the connections between them. The improper installation, and in some cases the absence of framing connections, hurricane straps, or bracing from non-loadbearing walls to connecting wall and roof components, was observed. These conditions contributed significantly to the catastrophic failure of the framing system of the wood-frame residences.

The grand jury recognizes that Hurricane Andrew may have packed winds in excess of the design standard of the SFBC. We recognize the failures of the wind load requirements of the SFBC. We also recognize that the designs and methods of construction used complied with the SFBC and were approved by Dade County Building & Zoning. This should never have occurred. Dade County Building & Zoning should have paid more attention to the primary structural systems of these homes during the design and construction phase. The failure by Dade County to adequately evaluate these primary structural systems, including defining the critical "load transfer path", occurred at every step: from design to plan review; and from construction through the final inspection.

Despite our intense review, our conclusions do not differ from those of our predecessor grand jury and the numerous building experts who have studied the situation as we have. Building failures in our planned unit developments, while appearing to be unique, were caused, in reality, by the same factors affecting our housing countywide: design failures; an inadequate building code; workmanship deficiencies; inappropriate approval of materials; and an inept inspection process.

VI. CONTRACTING FRAUD

The massive rebuilding effort following Hurricane Andrew has provided a breeding ground for unscrupulous contractors, both licensed and unlicensed. Numerous homeowners, desperate for contractors to repair their storm damaged homes, have given newly

obtained insurance money to people thought to be knights in shining armor. In reality, many were wolves in sheep's clothing. These homeowners have found themselves without repairs, without insurance monies and apparently without recourse. In desperation, they have engulfed the Department of Business and Professional Regulation (BPR), Dade County Building and Zoning and local and state law enforcement agencies in a tidal wave of complaints. These agencies are simply unequipped to deal with the magnitude of the problem. Sometimes antiquated laws are a hindrance. Other times, a lack of jurisdiction or authority to act, stands in the way. The current crisis has uncovered problems never foreseen by our legislature and exposed shortcomings in the systems designed to combat contractor fraud. Simply put, enforcement agencies have not been provided with the tools to effectively do the job demanded of them.

No better example of this is the present requirement of Florida Statute 455.225(10) which forces the BPR to withhold from a homeowner the very information that homeowners need before giving money to a contractor. Unless a lengthy administrative process has resulted in a finding of probable cause, this statute precludes the disclosure to a homeowner of the existence of any complaints pending against a contractor. The administrative process usually takes one year or longer to complete. In the interim, an unscrupulous contractor, with numerous complaints pending, is able to defraud homeowners of thousands of dollars while appearing to have an unblemished record. During our term we learned of one such contractor who allegedly defrauded over 40 homeowners out of almost \$500,000 in the period after Hurricane Andrew. Many of these homeowners had contacted BPR prior to giving him their money. Due to the requirements of this statute, the homeowners could only be told that no formal complaints existed when numerous complaints were pending. This is inexcusable. The law should be amended in a manner that would allow disclosure of the existence these complaints. A balance must be created which protects the rights of the homeowner as well as the rights of the contractor.

Present criminal statutes do not apply to most situations where contractors have taken homeowners' money and done little or no work. Unfortunately for the homeowner, this renders our law enforcement agencies powerless to act. Current proposals for statutory changes requiring a contractor to use a homeowner's funds only for the work contracted, will help address these problems. Such legislation would provide some of the tools needed by law enforcement. We also applaud a recent change in Florida's Unlicensed Contracting law. This revised statute takes additional action against unlicensed contractors by making it a felony to work as an unlicensed contractor during an emergency as declared by Florida's governor. The second offense for working as an unlicensed contractor has also been raised to a felony by this same law.

Florida's contracting laws allow licensed individuals to "qualify" unlicensed persons and therefore provide them with access to permits which would otherwise be unobtainable. This has resulted in instances where, although a fraud was committed by the unlicensed individual, the "qualifier" remained beyond the reach of administrative or criminal action since the direct involvement of the qualifier could not be proven. The 1989 Fall Term Grand Jury addressed this problem and recommended that anyone functioning as a "qualifier" have a managerial or a financial interest in the company being qualified. Additionally, it recommended that qualifiers should be present on the construction site. Unfortunately, Dade County Building & Zoning's attempts to have these recommendations made a part of the SFBC died through lack of interest by the BR&A. Action on this reform in 1990 might have saved Dade homeowners many thousands of dollars and many hours of grief. We were pleased to see that some action has finally occurred on the state level to deal with this issue. As of July 1, 1993, state law now requires a qualifier to have a financial or managerial interest in the company qualified. Failure to do so can result in an administrative action against the qualifier by BPR.

Contributing to enforcement problems can be the enforcement agencies' own bureaucratic processes which slow informational

movement from location to location and agency to agency. For instance, it can take BPR three weeks from the date of receiving a complaint in its Tallahassee office, to review, assign and ultimately return the case to an investigator back in Dade County. It can take weeks to get court required documents from Tallahassee in order to proceed with an unlicensed contractor charge. Some of these problems could be eliminated with a decentralization of authority from Tallahassee to local Miami offices or a cross-designation of the Dade County Building and Zoning Department as an agent of BPR.

VII. MOBILE HOMES

Even while truckloads of mobile homes were being brought into our community as replacement housing, our predecessor grand jury was recommending a moratorium on their use. This recommendation was predicated on a finding that mobile homes provided a substantially lower standard of safety and protection during a hurricane than did conventional housing. The weaknesses of mobile homes have been known to anyone who wished to investigate. The United States Department of Housing and Urban Development (USHUD) standard of wind loads for mobile homes was rated at approximately 80 MPH, 40 MPH lower than the requirements of the old SFBC. The 1992 Fall Term Grand Jury felt that this low standard amounted to discrimination against those persons unable to afford the costs of conventional housing. They called for a moratorium on the placement of new mobile homes in Dade County unless the construction met the standards of ASCE 7-88. Additionally, they recommended that the HUD rules be revised to make ASCE 7-88 the wind load standard for the construction of mobile homes.

We were pleased to learn that USHUD has upgraded the wind standards for mobile homes, adopting the use of ASCE 7-88 as the new standard. This is expected to become effective in November 1993 for all mobile homes manufactured after that date. As a result, new mobile homes will finally provide the mobile homeowner with wind load standards equal to that provided by conventional housing. Unfortunately, little consideration is

being given to the status of mobile homes manufactured prior to this 1993 date. None of the mobile homes presently in our community meet the standards of ASCE 7-88. Facing a new hurricane season, we have found a complete lack of effort by our local government to undertake any appropriate action regarding these mobile homes. The massive destruction of mobile homes by Hurricane Andrew appears to have been completely forgotten. Those living in mobile homes remain in danger. Those now living near mobile homes remain at risk. Nothing has been done to prevent this. It would appear acceptable to our local government officials that those presently living in or around mobile homes be required to accept a much lower standard of safety and protection as a consequence. This is inexcusable. Our local and state officials must act to end this inequity and hazard by immediately instituting a moratorium on the installation of any new mobile homes not meeting the wind standards of ASCE 7-88. Included as part of this moratorium should be the removal of any mobile home serving as temporary housing as soon as the present residents can be permanently housed. Dade County should also create a program to assist present mobile homeowners in retrofitting their mobile homes to meet ASCE 7-88 standards.

VIII. DISASTER PLANNING

Like our predecessor grand jury, we too lived through the preparation and aftermath of Hurricane Andrew. The lack of adequate preparation by our community and our state was obvious. Even more obvious was the total lack of coordination that existed between the various disaster relief agencies after the hurricane had passed. No one was in charge. No one knew what to do. There was no plan. As a result, a large segment of our community that had been reduced to a "third world" existence remained that way. The various excuses and interagency turf battles that followed were insulting to those who had lost everything in the storm and just needed help. As we came to our service, former excuses were transformed into promises to do whatever was necessary to avoid a repetition of this "keystone cops" version of disaster relief. As a result, we waited eagerly during our term for the creation of one centralized, cooperative disaster

relief agency that would command and implement an overall disaster relief plan. As we end our term, we are still waiting.

In contrast, we are seeing positive action undertaken by the Dade County Planning Department and the Dade County Office of Emergency Management. Rather than simply waiting for an overall plan to be arranged, these agencies are taking the lessons of Hurricane Andrew to heart. They are already in the process of implementing their own hazard mitigation and disaster plans relying upon local assets and resources. Designation of specific command centers are being made, shelters are being found to replace those lost during Hurricane Andrew, supply lines are being arranged, assignments of responsibilities are occurring and the use of expected federal disaster relief funds are being designated. We congratulate these agencies for their foresight and tenacity. However, local governments by themselves cannot deal with hurricane disasters. We again urge, as did our predecessor, our federal, state and local disaster relief agencies to work together to create the one centralized authority needed when disaster strikes a community.

CAPITAL AND OTHER CRIMINAL CASES PRESENTED TO THE GRAND JURY

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
HITLER FLEURINORD	First Degree Murder	True Bill
ANTWAN BROWN (A), EDWARD BRUCE BRITT (B), and DERRICK MARQUIS WILKES (C)	Attempted First Degree Murder Attempted Armed Robbery Armed Burglary Conspiracy to Commit Robbery	True Bill
RAUL RODRIGUEZ, JUAN MIGUEL BETANCOURT, and ULISES CARRAZANA	First Degree Murder Attempted Armed Robbery Attempted First Degree Murder Burglary Armed Robbery Armed Robbery Armed Robbery Armed Robbery Armed Robbery Armed Robbery Armed Kidnapping Armed Kidnapping Armed Kidnapping	True Bill
RICHARD HENRY GAMBLE	First Degree Murder Armed Burglary Armed Robbery Armed Possession of Cannabis	True Bill
ALEX B. DUNCAN	Armed Robbery	True Bill
FRANCISCO MORRISON	Armed Robbery Robbery	True Bill
THOMAS MACKEY	Burglary of an Occupied Vehicle with an Assault Therein Attempted Strongarm Robbery	True Bill
SEBURT NELSON CONNOR	First Degree Murder First Degree Murder Kidnapping Burglary with an Assault Therein	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
DARRELL STEVEN HOWARD also known as "GOAT" also known as "NANNY GOAT"	First Degree Murder Armed Robbery	True Bill
CHRISTOPHER HARRIS	First Degree Murder Armed Robbery Dealing in Stolen Property Grand Theft	True Bill
KENTA E. ALLISON and LUIS PRIETO	Burglary with Assault Therein Robbery	True Bill
REGINALD WILKINSON	First Degree Murder Armed Robbery	True Bill
REGINALD WILKINSON	First Degree Murder Attempted Armed Robbery	True Bill
STERLING FRINKLIN STUBBS	First Degree Murder Burglary with an Assault and Battery	True Bill
STEVEN SCOTT COLEMAN	First Degree Murder First Degree Murder First Degree Murder Armed Burglary with an Assault Armed Sexual Battery Attempted Armed Sexual Battery	True Bill
DWAYNE GARCIA, also known as GODFREY	First Degree Murder Burglary with an Assault	True Bill
BYRON JYMAR TISDOL	Sexual Battery by Threat or Physical Force or Violence Kidnapping	True Bill
SCHILON VERDEZ HARGROVE	First Degree Murder Armed Burglary Attempted Armed Robbery	True Bill
ADRIAN JEROME GILLIAM and LARRY RIVERS	Armed Robbery Armed Robbery	True Bill
ALMAN HUGH GREEN	Aggravated Child Abuse First Degree Murder	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
WILBERT CONCEPCION BASSETT	First Degree Murder Armed Robbery Unlawful Possession of a Weapon while Engaged in a Criminal Offense Fraudulent Use of a Credit Card Forgery of a Credit Card Petit Theft	True Bill
MICHAEL JUDSON BOGES and RICHARD DOUGLAS COPELAND	First Degree Murder Armed Robbery	True Bill
ROBERT EDWARD CURRY	Armed Robbery Armed Burglary with Assault	True Bill
JOHN LEE GEORGE	First Degree Murder First Degree Murder Unlawful Possession of a Weapon while Engaged in a Criminal Offense Unlawful Possession of a Weapon while Engaged in a Criminal Offense	True Bill
JAMES MASON, CHRISTOPHER CLARK and MARVIN WILLIS	Burglary of a Conveyance with Assault Therein Attempted Strong-Arm Robbery	True Bill
CARLOS VILLAVICENCIO	First Degree Murder First Degree Murder	True Bill
PEDRO LUIS TORRES	First Degree Murder Burglary with Assault or Battery Therein While Armed Armed Robbery	True Bill
THERON ROYALE JACKSON	First Degree Murder Attempted Armed Robbery Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill
JOSEPH LAWRENCE WHITE	First Degree Murder Attempted Armed Robbery	True Bill
SANTOS MITJANS	First Degree Murder Armed Burglary Shooting into an Occupied Vehicle	True Bill
TUQUINCEY THOMPkins, also known as QUINCEY JONES	Armed Burglary First Degree Murder	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
SERGE CLARKE and SHANTNAILL LEWIS	First Degree Murder Attempted Armed Robbery Unlawful Possession of a Weapon While Engaged in a Criminal Offense	True Bill
MARVIN CARLTON	Armed Robbery Armed Robbery Armed Robbery	True Bill
JEFFREY OTIS BATTLE	First Degree Murder First Degree Murder Attempted First Degree Murder Armed Kidnapping Armed Kidnapping Armed Kidnapping	True Bill
SANDRA DURHAM, also known as SANDRA EWING	First Degree Murder Robbery Burglary	True Bill
ALFREDO BRINDYS	First Degree Murder	True Bill
MAXIMILIANO VALDEZ	First Degree Murder	True Bill
ANTHONY T. HAYES	Burglary of Occupied Conveyance with Assault Criminal Mischief Petit Theft	True Bill
ROBERT YOUNG, also known as ROBERT SCOTT, also known as "BOBBY" CAMPBELL, also known as BILLY JOE COMPBELL and BENJAMIN BARRY KRAMER, also known as BEN KRAMER	First Degree Murder	True Bill
DONALD EDWARD WRIGHT	First Degree Murder Leaving the Scene of an Accident Involving Personal Injury	True Bill
LAZARO CAMPOS, LEON COOPER and DANIEL PALMER	Armed Burglary with an Assault Attempted Armed Robbery Shooting or Throwing Deadly Missile Resisting an Officer Without Violence	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
ARCHIE BERNARD SUMMERALL	First Degree Murder Attempted Armed Robbery Attempted Armed Robbery Armed Robbery Attempted First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Unlawful Possession of a Firearm by a Convicted Felon	True Bill
AARON BETHEL	Armed Sexual Battery Armed Kidnapping Armed Robbery	True Bill
AARON WORD	First Degree Murder First Degree Murder	True Bill
ELLIOT BUSH, also known as ELEPHANT MAN and GERALD LEE TILLMAN	First Degree Murder Attempted Armed Robbery Unlawful Possession of a Short-Barreled Shotgun Unlawful Possession of a Firearm by a Convicted Felon	True Bill
LAWRENCE COOK	First Degree Murder Armed Robbery Armed Burglary with Assault Armed Burglary	True Bill
EDDIE LEWIS TAYLOR	Burglary with Assault Therein Strong-Arm Robbery	True Bill
JOSEPHINE MOBLEY	First Degree Murder	True Bill
PAUL KEJELL JONES, DEREN SEARS, PAUL PEDRO GLINTON and CLIFTON O. GLINTON	Armed Burglary with Assault Therein Attempted First Degree Murder Resisting An Officer Without Violence	True Bill
ANTHONY TROY HARRIS	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder	True Bill
DERRICK PERNELL CRUSE	Armed Robbery	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
TAURUS SEYMORE and CORY PORTER	Strong-arm Robbery Burglary with Assault or Battery Therein Grand Theft	True Bill
JAWANZA CHIKUYU WIMS	Armed Robbery Armed Robbery Armed Burglary Grand Theft	True Bill
KENNY JEROME GRIFFIN	First Degree Murder Armed Robbery Burglary with Assault Therein	True Bill
JONATHAN WILLIAMS, DAMON PETERSON and MORRIE BRYANT	First Degree Murder Attempted Armed Robbery Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill
STANLEY EUGENE WILLIAMS and CEDRICK LAMONT CRAFT	Attempted Armed Robbery First Degree Murder	True Bill
SEVERINO PULIDO	First Degree Murder	True Bill
DUWON WILLIE GIBBS	Robbery Burglary with an Assault or Battery Therein Robbery	True Bill
CHANCE MILLER	Armed Robbery	True Bill
SHAWN JOHNSON and WENDELL JOHNSON	First Degree Murder Armed Robbery	True Bill
OSVALDO GARCIA	Armed Robbery	True Bill
WILLIAM COGGINS	First Degree Murder Possession of a Firearm in the Commission of a Felony	True Bill
PATRICK LA FOSSE	First Degree Murder First Degree Murder Attempted First Degree Murder Burglary with Assault or Battery Therein While Armed Armed Robbery	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
ALPHONSO GAINER and KENNETH THOMAS	First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense Unlawful Possession of a Firearm by a Convicted Felon	True Bill
LERICK M. ANDERSON and MAURICE CARMICHAEL	Armed Robbery Armed Robbery Aggravated Battery	True Bill
RUFUS SAUNDERS	Burglary with an Assault Robbery Attempted Robbery	True Bill
GARY W. BROWN and JAMES D. BROWN	Armed Robbery	True Bill
ROLANDO GARRIDO, MANUEL MESA and ROBERTO TAPIA	First Degree Murder Armed Burglary Armed Robbery	True Bill
JEFFREY OTIS BATTLE "A", LEON FRANK BYRD "B", and JAMES LAVANCE CASON "C"	First Degree Murder First Degree Murder Attempted First Degree Murder Armed Kidnapping Armed Kidnapping Armed Kidnapping	True Bill
MICHAEL T. WEAVER	First Degree Murder Unlawful Possession of a Weapon While Engaged in a Criminal Offense	True Bill
TYREASE CELESTIN	Burglary of an Occupied Conveyance with a Battery and/or While Armed Throwing a Missile into an Occupied Vehicle	True Bill
LEROY ROGERS and ANTHONY WILLIAMS	First Degree Murder Strong-Arm Robbery	True Bill
CHRISTOPHER RANDOLPH and NANCY BAEZ	First Degree Murder Attempted Armed Robbery	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
BEATRIZ CORRALES	First Degree Murder	True Bill
REGINALD WILKINSON	First Degree Murder Attempted Armed Robbery	True Bill
MAURICE CARMICHAEL	Sexual Battery on a Minor	True Bill
RANDY WILLIAM TUNDIDOR	First Degree Murder	True Bill
JULIE MERIN JEAN	Armed Robbery Aggravated Assault	True Bill
RUDY J. GONZALEZ "A", PEDRO EMILIO AVILA "B"	First Degree Murder "A" Carrying a Concealed Firearm "A" Accessory after the Fact "B" Tampering with Evidence "A" & "B"	True Bill
SEDDLER BELLO	First Degree Murder Burglary with an Assault	True Bill
SAMUEL ALLEN	First Degree Murder Armed Robbery	True Bill
DINO MARCUS GARCIA "A" and DAVID FRANKLIN WEIN "B"	Conspiracy to Buy or Sell Marijuana (A&B) First Degree Murder (A&B) First Degree Murder (A&B) First Degree Murder (A&B) Attempted Armed Robbery (A&B) Shooting Within a Dwelling (A&B) Unlawful Possession of a Firearm During a Criminal Offense (A&B)	True Bill

ACKNOWLEDGEMENTS

We wish to thank the Honorable Judge Martin Greenbaum, Chief Judge Leonard Rivkind and State Attorney Katherine Fernandez Rundle. We especially thank Deputy Chief Assistant State Attorney Chet Zerlin and Assistant State Attorneys Russell Killinger and Bill Altfield, whose dedication and skill in presenting the facts and explaining the law made our task more enjoyable and certainly easier to perform.

To Rose Anne Dare, Administrative Assistant to the Grand Jury, who graciously and expeditiously managed the myriad of administrative details of the Grand Jury; Arthur Lewis, our faithful Bailiff and Mary Cavalaris, our Deputy Clerk of Court, all of whom contributed greatly in assisting this Jury in fulfilling its duties, we express our gratitude. Special thanks to Eddie Pierone who served admirably as our trusted bailiff for most of our term. We wish him a happy retirement.

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

We also wish to acknowledge the contributions of David Felder and our initial Foreperson, James Stringer, who unfortunately were unable to complete their Grand Jury service.

Respectfully submitted,

Dawn Romanowski

Dawn Romanowski, Foreperson
Dade County Grand Jury
Spring Term 1993

ATTEST:

Tonya Floyd
Tonya Floyd
Clerk

DATE: August 4, 1993

CAPITAL AND OTHER CRIMINAL CASES PRESENTED TO THE GRAND JURY

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
HITLER FLEURINORD	First Degree Murder	True Bill
ANTWAN BROWN (A), EDWARD BRUCE BRITT (B), and DERRICK MARQUIS WILKES (C)	Attempted First Degree Murder Attempted Armed Robbery Armed Burglary Conspiracy to Commit Robbery	True Bill
RAUL RODRIGUEZ, JUAN MIGUEL BETANCOURT, and ULISES CARRAZANA	First Degree Murder Attempted Armed Robbery Attempted First Degree Murder Burglary Armed Robbery Armed Robbery Armed Robbery Armed Robbery Armed Robbery Armed Robbery Armed Kidnapping Armed Kidnapping Armed Kidnapping	True Bill
RICHARD HENRY GAMBLE	First Degree Murder Armed Burglary Armed Robbery Armed Possession of Cannabis	True Bill
ALEX B. DUNCAN	Armed Robbery	True Bill
FRANCISCO MORRISON	Armed Robbery Robbery	True Bill
THOMAS MACKEY	Burglary of an Occupied Vehicle with an Assault Therein Attempted Strongarm Robbery	True Bill
SEBURT NELSON CONNOR	First Degree Murder First Degree Murder Kidnapping Burglary with an Assault Therein	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
DARRELL STEVEN HOWARD also known as "GOAT" also known as "NANNY GOAT"	First Degree Murder Armed Robbery	True Bill
CHRISTOPHER HARRIS	First Degree Murder Armed Robbery Dealing in Stolen Property Grand Theft	True Bill
KENTA E. ALLISON and LUIS PRIETO	Burglary with Assault Therein Robbery	True Bill
REGINALD WILKINSON	First Degree Murder Armed Robbery	True Bill
REGINALD WILKINSON	First Degree Murder Attempted Armed Robbery	True Bill
STERLING FRINKLIN STUBBS	First Degree Murder Burglary with an Assault and Battery	True Bill
STEVEN SCOTT COLEMAN	First Degree Murder First Degree Murder First Degree Murder Armed Burglary with an Assault Armed Sexual Battery Attempted Armed Sexual Battery	True Bill
DWAYNE GARCIA, also known as GODFREY	First Degree Murder Burglary with an Assault	True Bill
BYRON JYMAR TISDOL	Sexual Battery by Threat or Physical Force or Violence Kidnapping	True Bill
SCHILON VERDEZ HARGROVE	First Degree Murder Armed Burglary Attempted Armed Robbery	True Bill
ADRIAN JEROME GILLIAM and LARRY RIVERS	Armed Robbery Armed Robbery	True Bill
ALMAN HUGH GREEN	Aggravated Child Abuse First Degree Murder	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
WILBERT CONCEPCION BASSETT	First Degree Murder Armed Robbery Unlawful Possession of a Weapon while Engaged in a Criminal Offense Fraudulent Use of a Credit Card Forgery of a Credit Card Petit Theft	True Bill
MICHAEL JUDSON BOGES and RICHARD DOUGLAS COPELAND	First Degree Murder Armed Robbery	True Bill
ROBERT EDWARD CURRY	Armed Robbery Armed Burglary with Assault	True Bill
JOHN LEE GEORGE	First Degree Murder First Degree Murder Unlawful Possession of a Weapon while Engaged in a Criminal Offense Unlawful Possession of a Weapon while Engaged in a Criminal Offense	True Bill
JAMES MASON, CHRISTOPHER CLARK and MARVIN WILLIS	Burglary of a Conveyance with Assault Therein Attempted Strong-Arm Robbery	True Bill
CARLOS VILLAVICENCIO	First Degree Murder First Degree Murder	True Bill
PEDRO LUIS TORRES	First Degree Murder Burglary with Assault or Battery Therein While Armed Armed Robbery	True Bill
THERON ROYALE JACKSON	First Degree Murder Attempted Armed Robbery Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill
JOSEPH LAWRENCE WHITE	First Degree Murder Attempted Armed Robbery	True Bill
SANTOS MITJANS	First Degree Murder Armed Burglary Shooting into an Occupied Vehicle	True Bill
TUQUINCEY THOMPSON, also known as QUINCEY JONES	Armed Burglary First Degree Murder	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
SERGE CLARKE and SHANTNAILL LEWIS	First Degree Murder Attempted Armed Robbery Unlawful Possession of a Weapon While Engaged in a Criminal Offense	True Bill
MARVIN CARLTON	Armed Robbery Armed Robbery Armed Robbery	True Bill
JEFFREY OTIS BATTLE	First Degree Murder First Degree Murder Attempted First Degree Murder Armed Kidnapping Armed Kidnapping Armed Kidnapping	True Bill
SANDRA DURHAM, also known as SANDRA EWING	First Degree Murder Robbery Burglary	True Bill
ALFREDO BRINDYS	First Degree Murder	True Bill
MAXIMILIANO VALDEZ	First Degree Murder	True Bill
ANTHONY T. HAYES	Burglary of Occupied Conveyance with Assault Criminal Mischief Petit Theft	True Bill
ROBERT YOUNG, also known as ROBERT SCOTT, also known as "BOBBY" CAMPBELL, also known as BILLY JOE COMPBELL and BENJAMIN BARRY KRAMER, also known as BEN KRAMER	First Degree Murder	True Bill
DONALD EDWARD WRIGHT	First Degree Murder Leaving the Scene of an Accident Involving Personal Injury	True Bill
LAZARO CAMPOS, LEON COOPER and DANIEL PALMER	Armed Burglary with an Assault Attempted Armed Robbery Shooting or Throwing Deadly Missile Resisting an Officer Without Violence	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
ARCHIE BERNARD SUMMERALL	First Degree Murder Attempted Armed Robbery Attempted Armed Robbery Armed Robbery Attempted First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Unlawful Possession of a Firearm by a Convicted Felon	True Bill
AARON BETHEL	Armed Sexual Battery Armed Kidnapping Armed Robbery	True Bill
AARON WORD	First Degree Murder First Degree Murder	True Bill
ELLIOT BUSH, also known as ELEPHANT MAN and GERALD LEE TILLMAN	First Degree Murder Attempted Armed Robbery Unlawful Possession of a Short-Barreled Shotgun Unlawful Possession of a Firearm by a Convicted Felon	True Bill
LAWRENCE COOK	First Degree Murder Armed Robbery Armed Burglary with Assault Armed Burglary	True Bill
EDDIE LEWIS TAYLOR	Burglary with Assault Therein Strong-Arm Robbery	True Bill
JOSEPHINE MOBLEY	First Degree Murder	True Bill
PAUL KEJELL JONES, DEREN SEARS, PAUL PEDRO GLINTON and CLIFTON O. GLINTON	Armed Burglary with Assault Therein Attempted First Degree Murder Resisting An Officer Without Violence	True Bill
ANTHONY TROY HARRIS	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder	True Bill
DERRICK PERNELL CRUSE	Armed Robbery	True Bill

<u>Defendant</u>	<u>Charge</u>	<u>Disposition</u>
TAURUS SEYMORE and CORY PORTER	Strong-arm Robbery Burglary with Assault or Battery Therein Grand Theft	True Bill
JAWANZA CHIKUYU WIMS	Armed Robbery Armed Robbery Armed Burglary Grand Theft	True Bill
KENNY JEROME GRIFFIN	First Degree Murder Armed Robbery Burglary with Assault Therein	True Bill
JONATHAN WILLIAMS, DAMON PETERSON and MORRIE BRYANT	First Degree Murder Attempted Armed Robbery Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill
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Dawn Romanowski

Dawn Romanowski, Foreperson
Dade County Grand Jury
Spring Term 1993

ATTEST:

Tonya Floyd
Tonya Floyd
Clerk

DATE: August 4, 1993