



# Coral Gables JUSTICE ADVOCATE PROGRAM



The Justice Advocate Program is a collaborative effort between the City of Coral Gables City Attorney's Office, the Coral Gables Police Department (CGPD) and the Miami-Dade State Attorney's Office. The program's goal is to identify those defendants who repeatedly commit crimes and victimize the Coral Gables community and to ensure vigorous prosecution. The Program is facilitated by The Reyes Law Firm, P.A., Police Legal Advisors, Coral Gables Police Department.

The Program was initiated to insure that those individuals who repeatedly victimize the Coral Gables community are tracked through the system and to insure Coral Gables has an opportunity to be heard at all significant stages of the criminal proceedings through its legal representatives.

# Goal

- The **goal** of the Justice Advocate Program is to **reduce repeat victimization of the citizens of Coral Gables** by offenders who commit certain target crimes (Burglary, Robbery, Vehicle-based crime) within the City of Coral Gables and are highly likely to target Coral Gables again upon their eventual release. Additionally, the Justice Advocate(s) **provide legal representation of the City's interest** and the communities interest during the course of the various criminal proceedings.
- The initiative is **designed to ensure that criminals, once arrested are subjected to the maximum effect of the criminal justice system.** This includes: Stay Away Order's for nuisance criminals and seeking increased bond amounts for criminals that present significant risk of public harm if released, ensuring plea deals are in the best interest of the public in general and Coral Gables citizens in particular, and that maximum sentences are sought, obtained and served.
- The Justice Advocate Program has been **active** for approximately **1 year and 10 months.**



# Arboleda, Ruben



Residential Burglary and  
Grand Theft (5 cases)

- **Closed – 2 years Prison (w/CTS) followed by 2 years Probation**
- This case is an example of how a case can fall through the cracks despite the JA's best efforts.
- The JA and Lead Detective attended multiple hearings and were in frequent contact with the assigned ASA assisting when necessary and providing all necessary information for the prosecution. However, when the case was reassigned, without notifying CGPD, the newly assigned ASA closed the cases.
- **HOWEVER**, following the closure of the case, the JA and Lead Detective were successful in getting the SAO obtain a Stay Away Order from a cooperating witness.
- Additionally, the JA successfully defeated the Defendant's attempts to obtain the return of property currently being used in a separate investigation, and assisted the SAO in drafting a Response in Opposition to the Defendant's Motion to Vacate his sentence.
- Finally, the JA has successfully defeated a Motion for Contempt filed against the Lead Detective and CGPD.
- **Cooperation with the SAO has led to the filing of a Probation Violation Affidavit in this matter for the Defendant's violation of the aforementioned Stay Away Order.**



# Austin, Steve

## F-14-22398



Burglary, Grand Theft 3d Degree, Criminal Mischief

- **CONVICTED**

- Prior to Trial the Justice Advocate contacted the assigned Assistant State Attorney and confirmed the State had everything necessary to successfully prosecute this individual.
- This Offender was convicted following a Jury Trial where Detective Baena of the Criminal Investigative Division Testified.
- The Defendant was sentenced to **30 years in State Prison on June 30<sup>th</sup>, 2015.**



# Ayala, Adrian

## F-15-21088, 219092 & 21100



### Burglary

- **Convicted**

An open line of communication with the SAO and the Police Department led to an improved plea offer from the perspective of the City. After consulting with the assigned ASA the probation length was doubled from 2 years to 4 years reporting probation, with an adjudication, and special conditions, including 1 year inpatient substance abuse and alcohol treatment followed by any after care prescribed, AA/NA meetings as determined by the treatment program and probation, and a Mental Health evaluation and treatment if necessary.

Note: Defendant is allegedly moving to Colorado with his family.



# Barthelemy, Andy Hernandez

## F-14-20172-B



- Burglary (Unoccupied Conveyance) –
- Grand Theft –
- Grand Theft Conspiracy
- **Bonded Out.**
  
- JA has provided Initiation Form to SAO for inclusion in file.
- JA has offered any help possible to assist in prosecution. ASA indicated no assistance was required and that case was under control.
  
- JA sent additional offer of assistance following modification of Defendant's release conditions.
  
- Defendant failed to complete Pre-Trial Intervention and **Trial is Set for 04/11/2016**



# BASALO, LUIS ALBERTO

## F-15-23635



Armed Carjacking (PBL)

Att. Premeditated Murder (2 Counts)

**Defendant in Custody.**

Defendant in highly publicized October shooting.

- Case was direct filed in Adult Court.

JA and Investigating Officers met with Assigned ASA at outset to offer any and all assistance. JA has been in contact with Assigned Trial Prosecutor.

- Defendant is seeking to have bond set in this matter (Arthur Hearing).
- Hearing date set for March 24, 2016. JA will be in attendance.
- Set for Trial 4-18-16. Not likely to proceed that date.



# Brown, Kareem

## F-14-25635-B



Burglary

Grand Theft 3D

Crim Misc +1000

**- Alias Capias Issued – Failure to Appear for Trial**

This is one of three Defendants arrested for a publicized incident regarding a series of burglaries followed by a traffic accident which left someone seriously injured. Despite the best efforts of the JA in conjunction with CGPD and the SAO, two of the cases were dismissed (Victim Refused to Cooperate / Insufficient Evidence of ID).

- JA has been in frequent contact with SAO concerning this matter.
- The JA, City Attorney Leen and Mayor Cason attended an initial hearing in this matter on 3/16/15 and expressed the City's interest in the three related matters.
- Trial: 09-21-15
- <http://miami.cbslocal.com/2014/11/14/gables-cops-arrest-burglar-trio-after-chase/#.VGeAhlQh7hx.mailto>
- **Two of three Defendants are presently fugitives from justice.**
- **Remaining Defendant set for trial 5-2-16**





# Casey, Francis

## F-15-7339, F-15-7341, F-15-7340



Residential Burglary Subject charged with **Three (3) Home Burglaries**  
**Sentenced – 119 Months in Prison – Habitual Offender**

- The JA was in frequent contact with the SAO to insure any and all needs for the trial were met and to express the City's concern regarding this individual.
- Defendant had an extensive criminal history.
- The Defendant agreed to a plea of 119 Months plus restitution to all victims.
- This plea was approved by all victims and was satisfactory to JA.



# Cooper, Vaughn F-14-7000



Armed Burglary with Assault therein, Armed Robbery, Felon in possession of firearm, and various drug offenses.

- **Incarcerated**

- Report Re: Trial 06-17-16
- Motion to enhance penalty has been filed by SAO due to this offender's lengthy and violent criminal history. Career Criminal.
- The JA has contacted the assigned ASA and offered assistance in any way possible.
- The assigned ASA has indicated that all is proceeding perfectly and that he will advise if any assistance is required.



# Oliva, David

## F-11-031293-A & F-12-028322



### Defendant had 13 Counts related to Organized Fraud and Grand Theft

#### - CONVICTED

- While 3 of the 4 cases associated with this individual predated the Justice Advocate Program, the Justice Advocate was in contact with the Assigned ASA and offered to render any assistance necessary to obtain a successful prosecution on the previously existing cases and the new cases initiated in April of 2014.
- JA discussed potential plea offers with ASA and approved eventual sentence
- Defendant accepted a plea of 10 years State Prison
- Sentenced July 17, 2015.



# Osorio, Luis Blanco

## F-14-20172-A



**Defendant has multiple counts related to Burglary and Grand Theft**  
(Co-Defendant with Offender Barthelemy)

- JA has provided Initiation Form to SAO for inclusion in file.
- JA has offered any help possible to assist in prosecution. ASA indicated no assistance was required and that case was under control.
- Defendant sentenced as **Habitual Felony Offender** and accepted plea deal of 24 months State Prison.



# Otero, Jose Luis

## F-15-7077



- Defendant has multiple counts related to Burglary and Grand Theft
- Prior to the case closing, the JA offered any help possible to assist in prosecution.
  - Defendant accepted plea agreement of 5 years probation.
  - Defendant has failed to pay restitution and has been rearrested for another offense.
  - JA has followed up with assigned ASA and Division Chief regarding upcoming report and hearing dates of 4-29-16 and 5-9-16.



# Pinault, Dominique

## F-14-8412



### Defrauding an Inn Keeper (Biltmore Hotel)

Justice Advocate attended hearing on 5/6/15 and where Offender Pinault was ordered to pay \$16,500 in restitution.

Offender paid \$11,500 of the restitution in cash to the Biltmore representative in cash during the hearing.

Offender has been sentenced to pre-trial intervention program which requires that the Offender pay the outstanding balance of \$5,000 to the Biltmore.



# Redero, Juan Carlos

## F-15-8548



Leaving Scene of Accident involving Death

Tampering with Evidence

- Out-of-Custody

- The JA worked extensively with CGPD in drafting search warrants and an arrest warrant for the Defendant in this case mere hours and days following the incident, which led to the Defendant's eventual arrest and ongoing prosecution.
- The JA has been in contact with the SAO to insure any and all needs for the trial are met and to express the City's concern regarding this individual.
- Set for Trial 3/28/16
- **As a result of their work in this case, Sgt. Escobar and Officer Sotolongo received the Investigative Services Award at the Dade Chief's LEO Awards.**



# Rodriguez, Antonio Damian

## F-14-23165



Burglary / Indecent Exposure

**Incarcerated**

- The JA was highly involved with this case from the outset.
- JA attended the initial bond hearing and **argued for increased bond** based on the Defendant's priors. The Judge increased the bond from \$8,500 to \$50,000.00
- The Judge also ordered house arrest and GPS monitoring in the event he was able to post bond, and ordered a stay away from the location, the victim, and Coral Gables.
- JA was in contact with the assigned ASA and provided assistance in obtaining necessary documentation from Lead Detective and even provided legal research to assist SAO on seizure issue.
- Case dismissed by the State Attorney's Office as part of a plea deal for an unrelated MDPD case.
- The Defendant was sentenced to 30 months State Prison.
- The CGPD Case was no longer prosecutable as the victim refused to cooperate in the prosecution and moved out of state.





# Rodriguez, Jeffrey Paulino

## F-14-008446



### In-Custody

- Defendant is charged with Aggravated Assault with a Deadly Weapon and Aggravated Battery (Stabbing at Havana Harry's)
- JA is in contact with SAO concerning this matter.
- Next hearing is 3-24-16 report re: plea.

# Benefits of Program

- As the above examples illustrate to varying degrees, the Justice Advocate Program offers a vast array of benefits to the City of Coral Gables as a stakeholder in the criminal process. Among the benefits which have already been realized are the following;
  - the ability to attend the first appearance bond hearing to argue for increased bond when appropriate;
  - the facilitation of communication between the SAO and CGPD;
  - the provision of legal research and an increased analytical ability to the SAO for Coral Gables cases when new or novel issues arise;
  - the obtaining of Court Order Stay Away Orders from Coral Gables for offenders;
  - attending the deposition of officers when a member of the SAO is unavailable; and
  - advocating for more severe plea offers or sentences.



# Important Note Concerning Community Involvement



- **The City cannot be 100% effective on its own.** Through the Justice Advocate Program, we have been able to identify numerous instances in which subjects have been apprehended, often caught red-handed, and **prosecutions are derailed by residents in the community who refuse to cooperate.** This has the decidedly undesirable effect of encouraging the commission of crime in Coral Gables. Criminals are emboldened by the knowledge that they can commit crimes against the citizenry and they will often not face any consequences because the public refuses to cooperate. *i.e. Markeith Nickles & Jasmine Lee (Burglary Arrests), where victims FTA'd for PFC's two times resulting in No Action by SAO.*
- **The Reyes Law Firm, P.A.** has also agreed to make its conference rooms available for depositions of Coral Gables residents in order to alleviate them of the burden of leaving the City and to ensure that an RLF attorney will attend the deposition if the assigned Assistant State Attorney cannot attend.