



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.
- It is important to note that the Justice Advocate Program has **only** been **active** for approximately **1 year and 3 months**. Relative to the average length of a criminal prosecution the Program remains in its infancy. Nonetheless, as illustrated by the actions taken in the presently active cases as discussed below and the results already obtained, **it is accomplishing the stated goals and proves to be a useful tool.**

New Procedure

- Since the previous presentation on this program to the Commission, the way the JA initiates the tracking of an offender has been revised to allow for greater accountability across the board. Immediately after it is determined that an offender qualifies for the program, the Lieutenant for CID notifies the JA and provides all relevant case information along with a Justice Advocate Initiation Form (next slide). This Form is provided to the SAO to advise them of the offenders inclusion in the program and to provide the necessary contact information.

Initiation Form



JUSTICE ADVOCATE PROGRAM

The Justice Advocate Program is a collaborative effort between 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 listed defendant has been identified as an Offender of Special Concern for CGPD.

DEFENDANT: _____

SEX: _____ RACE: _____ DOB: _____

COURT CASE # _____

CGPD CASE # _____

CHARGES: _____

If you experience any difficulty in processing this case (i.e., witness fails to appear or additional information needed), contact the listed personnel for expedited assistance. This list should include the lead detective, the supervisor, and key officers.

Name	Unit & Badge	Phone	Email @coralgables.com
[Arresting Officer]			
[Lead Detective]			
[Unit Supervisor]			

If you are unable to contact anyone, please contact the CGPD Police Legal Advisor / Justice Advocate, The Reyes Law Firm, P.A., at MGuarch@reyeslawfirm.com (preferred) or (305) 403-2272 or (305) 321-9054.

The Numbers

- **Open** J.A.P. Cases: 38
- **Closed** J.A.P. Cases: 69
- **Total** J.A.P. Cases: 107

Justice Advocate(s)

- **Israel U. Reyes**: the Founder and Managing Partner of The Reyes Law Firm, P.A. He is a former Circuit Court Judge of the Eleventh Judicial Circuit of Florida appointed by former Governor Jeb Bush on August 14, 2003. He retired on May 22, 2011, after approximately thirty years of public service as a judge, assistant state attorney, and police detective. While a member of the judiciary, he served as the Associate Administrative Judge of the Circuit Civil Division and in both the Criminal and Juvenile Divisions. Prior serving as a circuit court judge, he was a County Court Judge in the Criminal Division. Before taking the bench, Mr. Reyes was an Assistant State Attorney in the Racketeering/Organized Crime Unit, Civil Forfeiture Section. While there, he handled the litigation of civil forfeitures concentrating on illegal drug money laundering cases. From 1980 until 1995, he was a police officer/detective with the Miami-Dade Police Department where (during various times) he worked in the Homicide Bureau, Media Relations Section, and Special Investigations Division's Criminal Conspiracy and Racketeering Squads. He served in the Organized Crime Bureau; U.S. Secret Service Task Force; Police Applicant Background Investigation Unit; Firearms Training Section; and Uniform Patrol Division, earning numerous commendations and awards. Before that, he was a police officer with the City of South Miami Police Department from April 1979 to July of 1980.
- **Manuel A. Guarch**: Joined The Reyes Law Firm, P.A. in 2012 as an Associate Attorney. He attended Georgetown Law School in Washington D.C. where he earned his Juris Doctorate. Following graduation, Manuel accepted a position as an Assistant State Attorney at the Miami-Dade County State Attorney's Office where he was able to gain valuable trial experience, taking in part in approximately twenty jury trials and countless more bench trials. At the State Attorney's Office he dealt with a variety of criminal cases ranging from simple traffic offenses and DUI's to violent crimes and drug offenses.

Example Cases

- The following cases are representative samples of how the J.A.P. are or have been involved in and benefited cases, or, where despite the JA's best efforts, a successful prosecution was not possible.



Kareem Brown

F-14-25635-B



Burglary – Grand
Theft 3D - Crim Misc +1000

- **Bonded Out**

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 contact with SAO concerning this matter.
- The JA, City Attorney Leen and Mayor Cason attended the last hearing in this matter on 3/16/15 and expressed the City's interest in the three related matters.
- Trial: 06-29-16
- <http://miami.cbslocal.com/2014/11/14/gables-cops-arrest-burglar-trio-after-chase/#.VGeAhlQh7hx.mailto>



Antonio Damian Rodriguez

F-14-11483



Burglary / Indecent Exposure

Incarcerated

Trial: 5/18/15

- 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 is able to post bond, and ordered a stay away from the location, the victim, and Coral Gables.
- JA has been in contact with the assigned ASA and has provided assistance in obtaining necessary documentation from Lead Detective and even provided legal research to assist SAO on seizure issue.



Tapia, Maykol - F-14-139



Fraud

- INCARCERATED

Trial: 07-14-14

- The JA has been in frequent contact with the assigned ASA and has **assisted in obtaining documentation necessary for trial**, including a business records certification from the victim and Use-of-Force Reports.
- The JA has also **facilitated communication** between the SAO and the assigned lead detective.
- Report Re: Plea Set for 4/16/15 – Trial 4/27/15



Felix Rivera

F-13-018824



Residential Burglary – Criminal Mischief – Grand Theft excess \$100,000.00

This Defendant's case pre-dates implementation of Justice Advocate Program.

- JA was in contact with the assigned ASA and offered to assist in any way possible.
- JA discussed the relative weaknesses and strengths of the case with the assigned ASA.
- **CONVICTED BY JURY – Sentenced to 15 years State Prison.**
- Lead Detective Baena spoke at sentencing 3/13/15.



Ruben Arboleda



Residential Burglaries (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 Department'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.
- When the case was reassigned, without notifying CGPD, the newly assigned ASA closed the cases.
- The JA and Lead Detective discussed this with the Division Chief, who agreed that the series of events was unacceptable and discussed same with her subordinate.
- **The JA and Lead Detective have requested the SAO obtain a Stay Away Order from a cooperating witness.**



Carvajal, Johnny

F-13-021774 & F-13-021775-A



Residential Burglary Subject

Incarcerated

- This was one of the first JAP Offenders
- This offender was arrested in September of 2013 and has been sentenced to **10 years State Prison**.
- The JA coordinated with the ASA handling the case on multiple occasions and facilitated the receipt of documentation for the purposes of discovery.
- The JA was in frequent contact with the SAO to insure any and all needs for the trial were met.
- This was a great success in light of the Defendant's extensive criminal history.



Arnaldo Rafael Pino



Commercial Burglary

- Incarcerated – Sentenced to 4 years State prison

- This individual is a prime example of the usefulness of the Justice Advocate Program. From the initial arrest, the JA was consulted regarding possible ways to strengthen case, including the gathering of additional evidence and documenting the clothing the individual was wearing at time of offense to corroborate with video recording of crime.
- The JA also provided the statutory basis for an enhanced charge thereby increasing the Defendant's exposure to an elevated bond amount.
- The JA was in contact with assigned ASA and discussed possible enhancement of charges as well as possible pleas.



Mariano Payo

F-11-31481, B-14-325 & B-13-55634



Burglary, Loitering & Prowling, Voyeurism, and Resisting W/O Violence

- **CONVICTED**

- JA was in **constant contact with the ASA** assigned to this matter who was very responsive to CGPD input. When arrested for second case, the presiding Judge set low bond resulting in the offender being released. Following the arrest for the third case, the Defendant's Bond was revoked. The Defendant requested that the Court consider a below guidelines plea for the felony case.
- The **JA attended the hearing with a Detective and spoke on behalf of the Department and the victim and asked the Court not to undercut the State's plea** in light of the fact that the Department believes the offer is appropriate under the circumstances.
- The **Court has refused to undercut the State's offer** and the offender has since **accepted an offer of 22.75 months in State Prison (with CTS), followed by 6 years of Probation and 2 years community control.**
- This Offer was approved by the victim who expressed her satisfaction to the ASA with CGPD's work on this matter.



Ricardo & Leonardo Sanchez



- SAO No Actioned these cases due to lack of victim cooperation.
- These Defendants committed tire thefts in Coral Gables.

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;
 - 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



- **CGPD 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.
- **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.



Important Note Concerning Community Involvement



Case Study:

- There have been multiple cases where the perpetrator of a vehicle burglary is apprehended while in possession of the stolen property. Despite this, the **victims more often than not, refuse to cooperate with the State Attorney's Office.**

In particular, there was a case where a **group of juvenile offenders** were committing a rash of vehicle burglaries. After apprehending the offenders, the JA went to the Court house and successfully argued for the offenders to be held in custody. The next day, the SAO contacted the JA and informed him that the victims did not want to prosecute the matter. Having been informed of this, the Department spoke to the citizens in an attempt to obtain their cooperation. Despite assuring the members of the command staff who spoke with them that they would cooperate, the victims in fact refused resulting in the dismissal of the cases.

- An additional example of a more high profile incident where a victim has refused to cooperate, leading to a dismissal, is found in the cases concerning Offenders **Brown, Wooten & Wincher**. One of the victims absolutely refused to participate in the prosecution, resulting in the case against the individuals being dismissed.