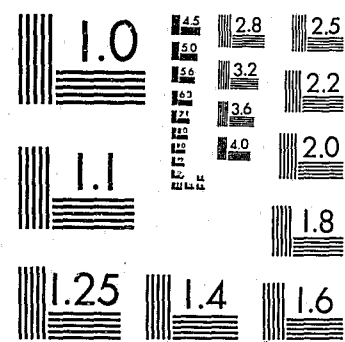


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MF 2

# MIAMI RIOTS MAY 1980



## AFTER ACTION REPORT OF MIAMI POLICE DEPARTMENT

75626

# INTRODUCTION

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INTRODUCTION

The material presented is a summary of the After-Action Reports compiled by the City of Miami Police Department during the civil disorder within the City of Miami.

A chronological review between the 17th to 19th of May 1980 of the riot-related incidents will illustrate many of the problems encountered. However, the questions and solutions left unanswered will not be resolved in this report but only show a need for a comprehensive study to create a disaster management plan that is current and can be used as an effective tool in the event of disaster, riots, or other unforeseen emergency needs.

The comments are not intended to place blame on any individual, unit of the Police Department, or special interest groups, but merely to serve as a retrospective guide to improve police service and response to future crises.

The report pertains to the City of Miami area only.

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## RIOT OVERVIEW

### BACKGROUND

For over a year prior to the 1980 Miami Riot, a series of criminal justice cases involving Miami area White police officers and Black victims/defendants were given massive coverage by the local news media. A common theme of the media coverage of these cases was the impropriety of the White officers' actions, harm done to the Black victims/defendants, inadequate response of the State Attorney's Office and leniency of the courts. The perception created by these highly publicized incidents was that the criminal justice system (particularly the police, the State Attorney and the courts) was operating to the advantage of the White community at the expense of Blacks.

The Johnny Jones case and the Arthur McDuffie case appear to be the catalysts which precipitated the Miami Riot. These two cases (reviewed in more detail in the report annexes) confirmed to many the perception of a double standard of justice in Miami - one standard for Whites, particularly police officers, and a tougher standard for Blacks. Johnny Jones, Superintendent of the Dade County School System, was indicted, prosecuted and found guilty of larceny two weeks before the riot.



The conviction of Johnny Jones of a property crime was contrasted with the acquittal by an all White jury of five White Dade County Public Safety Department officers in the beating death of Black motorcyclist Arthur McDuffie. The announcement of the verdict in the McDuffie case preceeded the Miami Riot by only a few hours.

That the perceptions of the criminal justice system was a focal point in the factors leading up to the riot was confirmed by one of the first riot events - a mass rally and subsequent rioting at the Metro Justice Building (housing the State Attorney's Office and Courts) and the adjacent Dade County Public Safety Department Headquarters.

The influx of Cuban and Haitian refugees into Miami played a part in increasing tension in tri-ethnic Miami. Black Haitian refugees, fleeing the poorest country in the Western Hemisphere, had been refused political asylum in Miami while Cuban refugees have been granted status as political refugees. The Cuban refugee boatlift was one month underway (having brought in approximately 50,000 Cuban refugees) by the beginning of the riot. The Cuban Boatlift had received enormous publicity prior to the riot.

The areas of rioting were predominantly the Black sections of the County and City containing the poorest, the most unemployed and underemployed, the highest crime rates, the least politically potent and the least educated. Essentially, the same areas were the scenes of rioting in 1968 and 1970.

#### THE VERDICT

A touch of irony was displayed in the fact that at the time when the verdict in the McDuffie trial was handed down at 1436 hours Saturday, May 17th, 1980, Chief Harms, Major Clarence Dickson and P.S.D. Director Bobby Jones were heading a rally against crime at African Square Park. This park is located at N. W. 14th Avenue and 62nd Street. In a few hours, this area would become the scene of some of the riot's most violent acts. By nightfall that evening, two instances of ambushing White motorists in passing cars would result in four deaths on N. W. 62nd Street.

The anti-crime rally ended at 1530 hours and by that time, word of the McDuffie verdict was spreading quickly through the Miami area. Chief Harms spoke individually with several people who were upset with the verdict. At 1545 hours, the Miami Police Department (M.P.D.) Complaint Room received a call stating that an officer would be killed because of the acquittals in the McDuffie trial. This phone call was the first documented indication of what was to follow.

Between the hours of 1600 and 1630, Major Dickson of the Community Relations Section met with his personnel at African Square Park and instructed them to go into the community in an attempt to keep things under control. At the same time, members of the Strategic Information Unit were sent into the field to gather intelligence information reference the McDuffie incident. The late afternoon hours of May 17th, 1980, saw the word of the McDuffie verdict spread quickly through the Miami Black community. Black radio station WEDR was advising of a meeting to be held later that night at the Metro Justice Building at 1351 N. W. 12th Street. Some of the remarks over the air were inflammatory. There were also reports of meetings and demonstrations at the Elks Club (N. W. 7th Avenue and 50th Street) and at the African Square Park.

At 1736 hours, Major Dickson reviewed the tapes with reference to threats to police officers at the station and from this information advised Lt. Schlefstein to contact Midnight personnel and notify them to wear vests and bring riot gear when reporting to work. State Attorney Janet Reno was advised of the situation and of the planned march on the Justice Building.

#### THE RIOT

At 1800 hours, the first incidents of rock and bottle

throwing were reported in the N. W. 62nd Street area. In a short time, police vehicles were unable to enter this area without being subject to rocks and bottles.

At 1813 the vehicle of Jeffrey and Michael Kulp was ambushed on N. W. 62nd Street. They were both pulled from the car and beaten. One would eventually die as a result of this beating. A White female who was with them was led to safety by an unidentified Black male. Details of this incident can be found in the Homicide Annex.

While enroute to the scene of the Kulp homicide, Unit 212 had a rock thrown through its rear window. By this time, no patrol car could enter the 62nd Street area without coming under gunfire. All one-man units were advised to regroup at the Fire Station at 1455 N. W. 46th Street. At 1830 hours the Miami Police Department went into full emergency operation. The North End Command Post was set up at the aforementioned Fire Station. The Emergency Operation Center (E.O.C.) was activated at the Station and the Fire Station at Oak Avenue and Virginia Street became the South End Command Post.

As the situation at N. W. 62nd Street rapidly escalated, units were placed at N. W. 7th Avenue and 62nd Street and at N. W. 17th Avenue and 62nd Street. Their objective was to divert traffic from going east and west on N. W. 62nd

Street. For the remainder of the night, N. W. 62nd Street was a virtual battleground. Conditions were so bad and manpower so sparse that units only responded to remove injured motorists from the area. All police activity in this area was carried out under heavy gunfire.

Between 1930 hours and 2000 hours, about 3,000 people formed at the Metro Justice Building for a mass rally that had been promoted over Black radio stations. It did not take long for this rally to deteriorate into a mob scene. The leaders of the rally had made no provisions for bull horns and the mood of the crowd quickly became ugly. At 2035 hours, three D.P.S. cars drove through the crowd and were attacked by rocks and bottles being thrown. Allegedly, one of the D.P.S. vehicles ran over the foot of a protester.

By 2115 hours, the Civic Center area was effectively under siege. The Metro Justice Building was broken into and set afire. The State Building was looted and burned, and the Public Safety Department was under attack. All M.P.D. units were advised to group at the old Police Station at 1145 N. W. 11th Street. At 2140 hours, about fifty officers went into the Civic Center area under the command of Major Michael Cosgrove, Acting Assistant Chief. Major Cosgrove had received

orders from Chief Harms to re-take the Justice Building. By 2200 hours the Justice Building and the P.S.D. Building were secured and the Fire Department was able to respond. By this time, the crowd had regrouped at N. W. 12th Avenue and 14th Street, and they again had to be dispersed by using tear gas and formation tactics by Major Cosgrove's Task Force.

By 2230 hours, the crisis at the Civic Center was under control. The protesters had torched many vehicles and the damage to area buildings was extensive.

After the Civic Center was secured, Major Cosgrove's Task Force proceeded to the large Zayre's Department Store located in the heart of Liberty City at N. W. 12th Avenue and 54th Street. Control was quickly regained at this area and many arrests for looting were made. From the Zayre's area, the Task Force went into the Allapattah business district reference large scale looting.

At 0200 hours on Sunday, May 18th, 1980, Major Cosgrove met with Chief Harms and advised him of the situation on the street. By then it was clear that the conditions called for outside assistance and the National Guard was requested.

The violence and looting continued throughout the night and police units were responding to only calls which involved life-threatening situations. Numerous fires were set and response by the Miami Fire Department was limited due to heavy sniper activity. Fire units would only respond when accompanied by police units.

All normal police service was eliminated in the affected areas and our officers' primary function during these early hours of the riot was to keep people out of the area. All days off were cancelled and an emergency call up was implemented on Saturday night. By Sunday all Miami Police Department personnel were on twelve hour shifts. Platoon "B" and "C" worked from 3 p.m. to 3 a.m. and Platoon "A" and C.I.S. personnel from 3 a.m. to 3 p.m. This configuration lasted until late Tuesday and all Patrol Section days off were cancelled through May 26th, 1980. Early Sunday morning, local National Guard troops began relieving Miami Police Officers along traffic posts on N. W. 7th Avenue. Also at this time, Broward Sheriff's Office and Ft. Lauderdale Police Department advised that they had men available for assistance.

The violence of Saturday night continued through Sunday.

Sunday daytime hours were spent coordinating a unified Police/Fire/National Guard response to the curfew proclamation. At 1320 hours, M.P.D. Chief Harms released information from D.P.S. Director Jones on curfew hours, geographical boundaries, prohibited sales of alcoholic beverages, gasoline, firearms, etc.

On May 18th, 1980, approximately 1300 hours, Lt. Edward McDermott was escorting National Guard troops down South Dixie Highway when he suffered a massive heart attack. Attempts to revive him were unsuccessful. Lt. McDermott died at Mercy Hospital.

That same day, approximately 1745 hours, Capt. Larry Boemler, Lt. James Walton and Ass't City Attorney Steve Edelstein were investigating looting at N. W. 7th Avenue and 57th Street when they were hit by sniper fire. Capt. Boemler was hit in the arm and leg and Lt. Walton in the foot. Ass't City Attorney Edelstein was grazed on the upper leg.

About the same time, Sgt. Larry Bankert was investigating looting at N. W. 12th Avenue and 54th Street when he was accidentally shot in the toe by another officer.

All four victims have recovered.

Community Relations personnel attended various meetings throughout the day. Many nationally known Black leaders arrived in Miami.

The curfew first went into effect on Sunday night at 2000 hours. The station had been prepared for the processing of mass arrests and it soon became apparent that we were gradually regaining control of the City. There were still many instances of looting and arson in the North end but by late Sunday night, the Central and Grove areas were quiet. Scattered acts of sniper fire and arson continued throughout the night.

On Sunday, May 18th, 1980, during the height of the riot, the M.P.D. announced a new Deadly Force Policy. This policy was the result of a review of the former policy and a policy development process initiated months ago by Chief Harms. The Miami riot situation prompted the enactment of the new Deadly Force Policy. At 2150 hours, the following announcement was broadcast on all M.P.D. Communication Channels:

"Officers of the Miami Police Department are not expected to expose their lives to unnecessary or unreasonable risks. Looters should not be pursued on an individual action basis. As 24-hour security posts are established between the

National Guard and the Miami Police Department, effective control of our City will be obtained with minimal risks to our officers. The following Deadly Force Policy is now in effect:

Deadly Force is authorized as a last resort:

- 1 - To prevent death or great bodily harm to the officer or another person; or
- 2 - To apprehend a fleeing felon who is armed and dangerous; or
- 3 - To apprehend a fleeing felon who has just committed a felony resulting in death or great bodily harm.

If clarification is required on any aspect of this policy, your respective district commander should be contacted."

The purpose of this policy change was to ensure that deadly force was not used to apprehend fleeing looters or other crimes against property offenders, which in many instances involved unarmed juveniles and women. It was felt that deadly force application under these types of conditions would only inflame the rioters to an even higher escalation of property damage, crimes against persons and prolong the duration of the riot.

Early Monday morning saw a continuing decline in criminal activities as the effects of many curfew arrests

began to make an impact. By daybreak Monday, leaders cautiously spoke of the worst being over.

Daytime hours on Monday, May 19th, 1980, provided police agencies with the opportunity to shore up coordination problems. Arrangements were made for newly arriving National Guard troops to be housed throughout the City. Downtown businesses were open for the most part although many closed early Monday afternoon pursuant to rumors about ensuing problems in the Central Business District. There were numerous rallies held at various locations in the North End of the City but, by and large, no major problems were encountered.

At 1930 hours, a rally at African Square Park was attended by Rev. Jesse Jackson. About 80 people showed up but the meeting was ended when the 2000 hours curfew time took effect. During and following the riot, several nationally known leaders came into Miami to calm tensions. Overall, the outside leaders received the same lack of acceptance as did local leaders. On several occasions, these meetings were disrupted by the outbursts of a vocal minority. Monday night and Tuesday morning saw a continuing decline in criminal activity although there were still scattered reports of looting and sniper fire.

At 1500 hours on Tuesday, May 20, 1980, the Miami Police

Department went off the twelve hour shift configuration. All days off remained cancelled through the week and Patrol's days off remained cancelled through Monday, May 26th, 1980.

The curfew restrictions were gradually lifted throughout the week as the City returned to normal.

At the Zayre's Department Store, N. W. 12th Avenue and 54th Street, at least two major looting escapades had occurred on Saturday, May 17th, and Sunday, May 18th, 1980. Each time the Miami Police Department made mass arrests. About twenty-five cars, belonging to both arrested looters and fleeing looters, were left in the Zayre's parking lot as a result of the two days of looting. During Sunday night and Monday morning, police officers and National Guardsmen were involved in vandalizing vehicles left in that lot by looters. The vandalism consisted of slashing tires and interiors, breaking windshields and spray painting the word "LOOTER" on sixteen vehicles. Based on evidence that M.P.D. officers were involved, the Miami Police Department immediately assumed liability for those vehicles damaged by our officers. To date, we have already agreed to pay a total of \$20,000 for those damages. Four officers were immediately relieved of duty pending

completion of the investigation of the incident. This incident naturally received much publicity and the Miami Police Department became a focus of attention. A statement attributed to the Mayor of Miami, in which he referred to the officers who vandalized the cars as "bums" later became an issue over which Miami area police threatened to go on strike. This threatened strike was defused when M.P.D. Chief Harms reinstated the officers to duty in a Stress Control Program pending the completion of the vandalism investigation.

As an overview of all riot-related events, there was a total of eight deaths in the City of Miami. Four were Whites attacked while traveling through the riot areas; three were blacks shot by Miami Police Officers; and one was a City of Miami Police Lieutenant who suffered a massive heart attack while escorting National Guard troops.

More than four hundred adults were arrested for violent crimes and looting. There was a total of seventy-four juvenile offenders apprehended for various violations. There were estimated riot costs to the community of more than thirty-one million dollars. Of this total, 86% related to losses from looting, fires and damaged inventory. The total cost to the City of Miami Police Department during this riot was more than six hundred fifty thousand

dollars - three hundred fifty thousand dollars in overtime costs. This total represented ninety percent (90%) salary costs and eight percent (8%) for damaged equipment. (See appropriate annexes for more detailed information on any of the above topics.)

There were one hundred sixteen structures destroyed in the community. More than 800 jobs were lost in the White-owned businesses during the riot. The total estimate of annual payroll loss is above four million dollars. Also because of the destruction to White-owned businesses, approximately \$70,000 was lost in City taxes per year.

## CONTRIBUTING CASES

### CONTRIBUTING CASES

The widely publicized criminal justice cases preceeding the Miami Riot are the following:

1. Homicide of Black burglary suspect RANDY HEATH by White Hialeah police officer on September 2, 1979.
2. Eleven year old Black female molested by White F.H.P. on January 9, 1979.
3. Wrong house raid by White D.P.S. officers on home of NATHANIEL LaFLEUR, a Black school teacher on February 12, 1979.
4. Black School Superintendent JOHNNY JONES larceny conviction by all White jury in May 1980.
5. Death of ARTHUR McDUFFIE, Black motorcyclist, following physical confrontation with White D.P.S. officers.

Prior to the riot and throughout the above cases, the Miami Police Department was not a focus of news media and community attention. After the McDuffie verdict was announced at 2:36 p.m. on



May 17th, 1980, Whites and the police were targets of violence in the riot areas.

The perception of inequities in the criminal justice system crossed over municipal and County jurisdictional boundaries. Many persons taking to the streets following the McDuffie case verdict were genuinely concerned - State Attorney Janet Reno herself later expressed disappointment over the verdict. Many took to the streets to take advantage of the situation and cause havoc and commit crimes.

#### THE RANDY HEATH SHOOTING

##### FACTS:

On September 2, 1979, RANDY HEATH was driven to the area of the Lawter Company by his sister, Teresa. Heath got out of his sister's car and went to the Lawter Company Warehouse. Hialeah Policeman Shockley was working off duty inside the warehouse. Shockley came outside and drew his gun on Heath and had Heath face the warehouse wall and lean against the wall. Schockley's gun discharged and the projectile struck Heath in the back of the neck, killing him.

##### STATE ATTORNEY'S SYNOPSIS:

Officer Schockley gave several conflicting statements - each having a different version of what transpired after approaching Heath. These conflicts concerned what, if any, resistance was given by Heath and whether his weapon was single action or double action mode. All other statements were consistent - whether in deposition or on polygraph.

The sister, Teresa, gave several statements, all of which conflicted. She would not testify at the inquest. She was impeached at the Grand Jury after she admitted to lying.

To have someone convicted of manslaughter there must be proveable culpable negligence - much more than probable cause. If brought to trial, admissible testimony would relate that Heath had admitted burglarizing the same business before. There were also statements regarding Heath selling merchandise belonging to the business.

Shockley volunteered and took several polygraphs - the results of which were inconclusive. Shockley also volunteered to be questioned after being administered Sodium Pentathol. Heath's sister would not give a deposition without being granted immunity and refused to take a polygraph.

Shockley admitted to violating procedures in reference to the way he handled his revolver and to the way he was controlling Heath (cuffing and searching procedures, cocking weapon, placing cocked weapon against subject, etc.) but there was insufficient evidence to support culpable negligence.

FLORIDA HIGHWAY PATROL TROOPER W. T. JONES

On January 9, 1979, an eleven year old Black female was allegedly molested by a White Florida Highway Patrol Trooper. The trooper pleaded guilty and was put on probation.

SYNOPSIS OF ALLEGATION:

Victim was walking home when the trooper pulled along side her in his patrol car. The trooper told her that she was suspected of stealing candy. The trooper had her get in his car and he drove to a secluded area and parked. The trooper had the victim remove her jacket, shirt and shoes. The trooper then touched victim's feet (over her socks) and victim's vaginal area (over her clothes). The trooper then told the victim to take off her pants. The victim began to cry. The trooper then gave the victim a towel to dry her eyes, told her to put her clothes back on and then drove her to the vicinity of her house and let her out. The victim went home and told her family some of the above facts.

STATE ATTORNEY SYNOPSIS

Based on recollection and age, the victim would not have been a good witness in court. She told the SAO that subject's car had "Police" written on the doors.

Florida Highway Patrol cars do not have "POLICE" on the vehicles at all. Victim could not identify the F.H.P. uniform as being the one that the subject was wearing. Victim had to be prompted to identify a picture of the subject.

Trooper Jones did admit to having the victim in his patrol car but did not admit to touching her.

The S.A.O. contacted victim's family and asked what course they wished to pursue. The victim's family would not commit themselves to any course of action. All they would say was that they wanted justice to be done. They continued to make the same comment after being advised that the State was contemplating allowing the subject to plead guilty in return for probation and payment of victim's psychiatric bills.

The family voiced no objection at the time to the verdict. However, after the case was closed, they became increasingly opposed to the verdict.

NATHANIEL LaFLEUR, BLACK MALE, SCHOOL TEACHER

On February 12, 1979, approximately 7:00 p.m., plainclothes Department of Public Safety detectives and a uniformed D.P.S. officer were going to serve a Search Warrant at 9121 N. W. 25th Avenue. Mistakenly, they went to the home of NATHANIEL LaFLEUR, 9245 N. W. 25th Avenue (not the correct address). The uniformed officer (Leggett) knocked on the front door. LaFleur opened the door, saw the uniformed officer, then slammed the door on the officer's hand. Officers broke through the door. LaFleur then ran into the bedroom and locked that door. Officers kicked in the door and pursued LaFleur into the bedroom. Officers observed LaFleur in a closet. He was pulled from the closet and ended up on the bed. He started crawling across the bed and was grabbed by the officers and then struck on the head with a gun butt. Officers found a loaded revolver under the mattress in the corner towards which LaFleur was crawling. LaFleur sustained a laceration to his scalp and was given first aid at the scene. He was later treated at Jackson Memorial Hospital where the doctors noted a small laceration. LaFleur was X-rayed and no fractures were found.

STATE ATTORNEY'S OFFICE SYNOPSIS:

LaFleur thought police officers were there to harrass him. His son made allegations that he himself was beaten. The son had two witnesses who both flunked polygraphs and then admitted they were lying. State Attorney's Office contends that they could not prove willful and wanton conduct which would be necessary to prosecute the officers.

JOHNNY JONES, BLACK MALE, DADE COUNTY SCHOOLS SUPERINTENDENT

On February 23, 1980, School Superintendent Johnny Jones was indicted by the Grand Jury for converting school board funds to his own use. The charge was Second Degree Theft.

On April 21, 1980, the jury trial began. The jury was all White. The presiding judge (Scott) denied motions for change of venue and would not allow any delays in starting the trial.

SYNOPSIS OF STATE'S CASE:

Craig Meffert, White male, a contractor/builder from Naples, Florida, who was constructing a house for Jones, stated that on October 19, 1979, Jones signed a contract with Meffert to build Jones a \$121,000 house in Naples.

On January 5, 1980, McArthur High School Principal Solomon Barnes and Jones go to Bond Plumbing Supply Company and check the prices on expensive bath fixtures.

On January 15, 1980, Jones ordered Meffert to make detailed changes in construction plans to accommodate new fixtures in kitchen and bath.

On January 25, 1980, Jones signed a request authorizing Barnes to make an "Emergency Purchase" of \$8,934 worth of deluxe bathroom fixtures.

On January 28, 1980, school officials transferred \$15,000 to the McArthur High School account.

On January 29, 1980, Barnes went to Bond Plumbing Supply Company to pick up the deluxe fixtures. The clerk became suspicious and called school purchasing officials, who cancelled the order.

On February 4, 1980, Jones called Meffert and instructed him to forget the changes in the construction plans.

SYNOPSIS OF DEFENSE CASE:

The reason Solomon Barnes wanted to buy the expensive plumbing was that he was thinking about starting a vocational training course in plumbing and he thought that the students would learn more if they were dealing with quality supplies rather than cheaper equipment. Jones stated he did not read the requisition but signed it anyway.

On May 1, 1980, Jones was convicted of Second Degree Theft.

ARTHUR McDUFFIE, B/M, AGE 33

On December 17, 1979, at approximately 1:51 a.m., D.P.S. (Department of Public Safety) Sgt. Ira Diggs observed a B/M on a motorcycle commit a traffic violation at N. W. 27th Avenue and 50th Street. A chase ensued which eventually involved approximately ten D.P.S. units. The B/M, who eventually became known as ARTHUR McDUFFIE, was apprehended at North Miami Avenue and 38th Street approximately six minutes and forty-seven blocks later. As many as twelve D.P.S. deputies were at the scene where McDuffie was apprehended. A scuffle took place between McDuffie and Deputies Watts, Viverka, Meier, Marrero and others. McDuffie was knocked to the ground and struck with a metal flashlight. He got up, continued to fight and was knocked down and handcuffed. The State Attorney's Office stated in court that after McDuffie was handcuffed, Deputy Marrero hit victim three times on the head with a nightstick or metal flashlight. There were several other versions of the apprehension and subsequent fight. In any event, McDuffie was severely injured during the fight.

After McDuffie sustained the injuries, the Deputies reportedly knocked out the lights on the motorcycle and ran over it with a police car in order to fake an accident.

As soon as the fight was over, the Miami Fire Department Rescue Squad was requested. The victim was treated at the scene and transported to Jackson Memorial Hospital where he remained until he expired several days later.

A coverup of the incident was instituted by the Deputies and their Supervisors in the field, according to the State Attorney's Office. Reports were falsified, evidence tampered with, created and/or destroyed. The Deputies were reportedly briefed as to what to say in depositions and as to what the entire cover story would be. Again, these are what the State Attorney's Office believes to be the facts and this was the supposition which was presented to the jury.

After McDuffie's death, the Medical Examiner first reported the cause of death as injuries sustained in a motorcycle accident. An Accident Investigator of D.P.S. was the first to have doubts as to the reports being factual. Eventually, the Deputies' Commanding Officers and others in D.P.S. grew suspicious and an investigation was initiated. Internal Affairs was brought in and nine Deputies were eventually suspended.

Charges of Manslaughter were filed against Deputies Marrero, Hanlon, Watts and Sgt. Diggs. Minor charges were brought against one other Deputy.

#### A. STRENGTHS OF THE STATE'S CASE

1 - Eye witnesses that could testify as to who hit the victim and how many times and with what objects - these were Deputies who were originally suspended and then granted immunity and Miami Police Officers who arrived towards the end of the incident.

2 - Medical Examiner's testimony as to extent of injuries and the amount of force used to cause the injuries.

#### B. WEAKNESSES OF STATE'S CASE

1 - The victim was hit by so many people that, in reality, it was virtually impossible to prove that one man's blows killed the victim.

2 - The State was forced to try all the suspects together. This gave the Defense (since each defendant had his own attorney) five chances to cross examine each State's witness, which rapidly dilutes their testimony.

3 - The witnesses the State had to use were people who took part in the beating and a certain amount of credibility was lost.

4 - The news media had played up McDuffie to be a "model citizen" to say the least. The jury could not understand how a "model citizen" could lead the police on a forty-seven block chase.

C. WHY WERE NOT THE OFFICERS CHARGED WITH HIGHER OFFENSES?

1 - First Degree Murder: Key element is premeditation.

D. CASE OUTCOME

The trial was moved from Miami to Tampa due to pre-trial publicity. The jury was all White males. The State Attorney assigned some of the most gifted prosecutors to the trial. The jury apparently did not believe the State's case and acquitted four of the five defendants on all charges. The fifth defendant was granted a direct verdict of acquittal by the presiding judge after the State rested its case. The jury's verdict was announced at 2:36 p.m. on May 17, 1980. For the next three days, Miami would experience the worse riot in its history.

**INTELLIGENCE**

INTELLIGENCE

The Criminal Justice System in the Miami-Dade County area has received news media and community attention for some time. Demonstrations by Black Haitians have been occurring regularly in Dade County protesting the immigration policy of the Immigration and Naturalization Services.

The Black community has stood by sensing a double standard government policy treating the arriving Haitians differently from the Cubans. The Blacks in Miami saw arriving Haitians jailed while the Cubans were treated as legitimate refugees.

Local organizations began supporting the Haitian plight and made this known by taking part in their demonstrations. This began some time ago but our attention here will be focused to cover the period immediately prior to the riot.

On April 19, 1980, the Haitian community sponsored a demonstration in which more than 400 person were present. This group marched from a church in the Culmer area to the Dade County Courthouse. Other than Haitians, one local organization and two National organizations were represented: Socialist



Workers Party, National Association for the Advancement of Colored People (N.A.A.C.P.) and People United to Save Humanity (P.U.S.H.).

On April 30, 1980, the Haitians sponsored another demonstration. There were approximately sixty (60) people in attendance. Again, a march preceeded the demonstration but this time starting in Liberty City. The participants marched through the streets of Miami to the Downtown area where they congregated at the Dade County Courthouse to demonstrate. Support to the Haitian plight was still being given but this time only two organizations participated: the Socialist Workers Party and the N.A.A.C.P.

On May 10, 1980, another demonstration was sponsored by the Haitians. This demonstration began in the area of N. E. 2nd Avenue and 54th Street and remained in the general area where most Haitians live. At the point where the marchers were to stop and demonstrate, they openly defied a Patrol Sergeant's instructions to remain on the route designated by their permit. There were approximately seventy-five (75) participants at this demonstration: Haitians, Socialist Workers Party and Miami area Blacks and Whites. The past leader of the Black Afro Militant Movement (B.A.M.M.) also participated in this demonstration. This demonstration ended without any further confrontations.

The possibility of a "Not Guilty" verdict in the trial of the D.P.S. officers in the Arthur McDuffie case had long been considered by members of the Miami Police Department's Strategic Information Unit (S.I.U.). Rumours had been heard in the Black community that if Dade County School Superintendent Johnny Jones was found guilty and the officers in the McDuffie case were found not guilty, there would be some trouble. Dr. Jones was found guilty in a Miami Courtroom. Many concerned citizens wanted a change of venue in the Jones' trial hoping for a different outcome. The trial of the P.S.D. officers had been moved to Tampa, Florida, which again caused some concern by members of the Black community. Inequities in the Criminal Justice System was the cry.

On Friday, May 16, 1980, it was learned that the trial of the officers in the McDuffie case could possibly end during the upcoming weekend and that the jury, having been charged, was to begin its deliberation. On Saturday, May 17, 1980, when it was learned that the trial had ended and the jury had begun deliberating, S.I.U. personnel began to make contacts to check for potential problems. Most of the people contacted felt that the officers would be found guilty. A few indicated that "they had better not do that" with reference to a "Not Guilty"

verdict. That same afternoon, May 17th, 1980, at 1400 hours, a community rally against crime was held at African Square Park which is located on N. W. 62nd Street at 14th Avenue. Attending the rally was Miami Police Chief Kenneth Harms and Dade County Public Safety Director Bobby Jones - both designated as speakers.

While the rally was taking place, a verdict was reached in the trial of the P.S.D. officers. Chief Harms was apprised of the "Not Guilty" verdict and immediate instructions were given to Major Clarence Dickson, who was also attending the rally. Major Dickson met with his personnel from the Crime Prevention Unit and the S.I.U. personnel at the park and informed them of the verdict. Instructions were given circulate among the groups of people at the rally to determine if there was a potential for major problems.

Information about the "Not Guilty" verdict reached the park as several newcomers began circulating among the groups holding brief conversations. S.I.U. personnel overheard comments such as "What are we going to do about McDuffie?" and "Something has got to be done!" At this point, S.I.U. personnel contacted several reliable people at the park and discussed with

them how they could assist in preventing future problems. They agreed to assist and to pass on any information which would indicate immediate problems.

A few remarks were shouted about McDuffie during the closing of the meeting which did not cause any problems to develop. However, as Chief Harms was leaving, a citizen (who appeared to be upset) confronted him. Chief Harms spoke briefly with this person and then with Major Dickson. The Chief then left the area. This citizen, who had appeared upset while talking with Chief Harms, was interviewed by a local television news announcer.

S.I.U. personnel contacted Major Dickson and advised of what efforts would be made to determine the potential for problems. At a location away from the park, two concerned citizens were contacted. It was learned that a meeting was in progress at the Elks Club at N. W. 7th Avenue and 50th Street where plans were being made in reaction to the verdict from the trial. It was learned that throughout Dade County, small groups of blacks, age 16 to 22 years, were meeting on street corners talking violence.

Plans were also being made by older blacks to stage a response to the verdict on Monday, May 19th, 1980. No further details on this matter were related.

Major Dickson was again contacted at African Square Park and advised of what had been learned. He was further advised that the meeting at the Elks Club would be attended by S.I.U. personnel.

Upon arriving at the Elks Club, it was learned that a benefit function was being held for Dr. Johnny Jones and Mr. Solomon Barnes in the main ballroom. The source contacted here indicated that a "Horn-a-Thon" would be starting later in the Carol City area which would arrive at the Justice Building at 2000 hours. The participants would then hold a rally. The source indicated that people were very upset at the jury's decision in the McDuffie incident. Also that people throughout the Miami-Dade area were being asked to participate. The source would not indicate who organized the rally but did indicate that plans were being formulated aimed at keeping the rally peaceful. However, indication was that nothing could be promised. Some patrons in the lounge expressed great displeasure with the way the Criminal Justice System works with blacks.

After leaving the Elks Club, areas of Liberty City were checked mainly responding to police radio transmissions.

On N. W. 62d Street between 13th and 14th Avenues, a large crowd of young black males were observed standing on the south side of the street with rocks and bottles in their hands. This crowd was looking at the occupants of passing vehicles as if checking for something or someone in particular. The station was advised of the situation at that location. It was later learned that the inspections of vehicles was being done to single out White occupants passing through this area. Several Whites were reported to have been attacked in this immediate area.

Upon arrival at the Miami Police Station, S.I.U. personnel contacted Capt. Paul Oboz, Commander of the Special Investigation Section (of which S.I.U. is a part) and apprised him of what was occurring in the streets of Miami. The possibility of problems increasing was also discussed.

Several areas were checked discovering large crowds of people and vehicle fires. The Complaint Room was advised of the types of incidents occurring. Reports were still going out over the police radio of rock throwing and acts of violence.

At approximately 2000 hours, it was discovered that the area of the Metro Justice Building was very crowded with both vehicular and pedestrian traffic. Hundreds

of people were marching, singing, chanting and carrying signs which made reference to the Criminal Justic System and the McDuffie incident. After being stopped in vehicular traffic for approximately twenty (20) minutes, S.I.U. personnel were able to find a parking space and walk to the Metro Justice Building.

At the Metro Justice Building, an extremely large crowd of people was observed in front covering the steps, street and part of the parking lot at the south side of the building. There appeared to be some problems with the Public Address System and the crowd became restless. Police radio communication initiated efforts being made to obtain a Public Address Ssystem for the speakers. Immediately following this radio transmission, a Dade Public Safety Patrol Unit with flashing red light appeared in the parking lot at the west side of the Justice Building. Some members of the crowd hurried in the direction of this Patrol Unit. Shortly after this, two (2) other P.S.D. Patrol Units with flashing red lights drove west on N. W. 12th Street in front of the Justice Building and through the crowd. As these units passed through the crowd, it sounded as though they were being hit with hands and other objects. When finally the units got through the crowd and stopped in the parking lot west of the

Justice Building, with the first unit on the scene, the crowd began to follow. At this point, S.I.U. personnel returned to their vehicle and advised that problems were developing at the Justice Building.

S.I.U. personnel throughout the night responded to any report where assistance was needed. In the unmarked vehicle and in plainclothes, the S.I.U. personnel were able to move into "hot" areas without problems. There was, however, one incident where two (2) young black men ran in front of the S.I.U. vehicle looking inside the vehicle as if to identify the occupants. The intersection of N. W. 12th Avenue and 62nd Street had been oiled and a dumpster placed partially in the northbound lane. This caused the S.I.U. vehicle to slide momentarily while the Black males were looking inside. When they recognized that the occupants were not White, one of them shouted, "You'd better honk your horn while you're driving through this area".

When Fire Department units with police escorts were dispatched to fire scenes, S.I.U. personnel would check the area for snipers and other types

of problems prior to their arrival. S.I.U. personnel also assisted in the investigation where a Miami Police Sergeant shot and killed an offender who had fired shots at the police unit occupied by the Police Sergeant. Witnesses were identified and taken from a gathered crowd in the riot area. These witnesses gave statements which corroborated the Police Sergeant's account of the incident.

Throughout the period of the riot, S.I.U. personnel were present during community meetings where issues were discussed and plans were formulated on how to articulate demands which would be made to City, County and Federal governments. National leaders and local governmental officials were accompanied by S.I.U. personnel and Crime Prevention Unit personnel when they attended some of these community meetings. Much intelligence was gained relative to newly developed organizations and the identities of leaders of already existing organizations were learned.

Information was also obtained which identified where groups were gathering, the times of these gatherings and possibly who would be present. This information was passed on to the Emergency Operations Center (E.O.C.) immediately upon receipt in an effort to have all meetings and gatherings covered to get some idea of the direction they were headed. As a result, the M.P.D. was somewhat aware of what to expect.

## CHRONOLOGY OF EVENTS

SATURDAY, MAY 17, 1980

1400 hours: Miami Police Chief Kenneth Harms, Miami Police Major Clarence Dickson and Department of Public Safety Director Bobby Jones attended a Community Rally Against Crime at African Square Park, N. W. 14th Avenue and 62d Street. Uniformed Community Relations and plainclothes Special Investigation Unit (S.I.U.) personnel also attended the rally.

1436 hours: The verdict in the McDuffie trial was announced.

1450 hours: Community Relations and S.I.U. personnel were informed of the verdict and that Chief Harms had been informed. S.I.U. personnel were advised by Major Dickson to circulate among the groups at the park to get a feel for potential problems.

1500 hours: D.P.S. plainclothes officers arrived at the rally.

1530 hours: D.P.S. Director Jones and plainclothes officers left the Park. Chief Harms spoke briefly with a citizen who appeared to be upset about the verdict and shortly thereafter left the park. Rally Against Crime was terminated.

1545 hours: Complaint Room received a call stating that an officer will be killed tonight because of the acquittals in the McDuffie trial. Several other threatening calls were received by the Complaint Room reference police officers.

1550 hours: S.I.U. personnel left the park to meet with a source reference the potential for community problems as a result of the verdict.

1615 hours: Major Dickson met with Community Relation personnel at African Square Park and gave instructions to go into the field and gather information reference the Community's response to the McDuffie verdict. Two Community Relations officers were instructed to remain at the area of the park to monitor crowd demeanor.

1715 hours: It was reported that Radio Station WEDR was advising of a meeting to be held at the Metro Justice Building - remarks were allegedly inflammatory.

S.I.U. personnel returned to African Square Park and advised Major Dickson of what had been learned: a meeting was being held at the Elks Club

1715 hours: (N. W. 7th Avenue and 50th Street).  
(continued)

Also that there were reports of several groups of young Black males throughout the County discussing the verdict heatedly.

1736 hours: Community Relations personnel at the park reported that ten to twelve people were protesting at African Square Park. Major Dickson reviewed three tapes reference threats to police officers.

1746 hours: Major Dickson advised Lt. Schlefstein to contact "C" shift personnel and to notify them to wear vests when reporting for duty; also to bring helmets and nightsticks.

1758 hours: Major Dickson contacted State Attorney Janet Reno and advised of the scheduled demonstration at the Metro Justice Bldg.

1800 hours: Major Dickson contacted Chief Harms and advised him to contact State Attorney Janet Reno.

1801 hours: Report of rocks and bottles being thrown at police units at N.W. 62 St. & 14 Avenue.

1804 hours: Unit 210 requested that Complaint Sgt. advise On Duty Captain of the situation.

1809 hours: Public information personnel were called in.

1813 hours: Report that two White males and a White female were dragged from car and beaten

1813 hours: after a trap was set which caused  
(continued) their car to become involved in an  
accident at N. W. 12 Parkway and 62  
Street. This originally went out as  
a child shot. The child was struck by  
this particular car involved in the  
accident.

1814 hours: Unit 203 advised Complaint Sgt. to have  
a unit escort squad in and have another  
unit go to the scene.

1815 hours: Report that Radio Station WEDR broad-  
casted that the N.A.A.C.P. was sponsoring  
the rally at the Justice Bldg.  
Reported that the child struck by the  
car at N.W. 12 Parkway and 62 Street had  
been removed from scene by civilian  
vehicle. Units 210, 211 and 212 advised  
to respond to 1435 N. W. 61 Street #6  
where child lived. The escort squad was  
cancelled.

1818 hours: Rock was thrown through the rear window  
of Patrol Unit 212 at N. W. 59 Street and  
14 Avenue while enroute to 1435 N.W. 61  
Street.

1819 hours: Unit 210 advised all single-man units to  
remain out of the immediate area of the  
disturbance.

1820 hours: Units in affected area were advised by  
Car 203 to block 62d Street westbound at  
7th Avenue and to stop all white motorists  
from going west on 62nd Street (Unit 213).

1830 hours: Northend Command Post was set up at the  
Fire Station #12 located at 1455 N. W. 46  
Street. The primary function initially was  
to send units into the area of N. W. 62  
Street to remove and aid injured motorists.

E.O.C. at the Miami Police Station was  
activated.

Southend Command Post was set up at the  
Fire Station located at Oak Avenue and  
Virginia Street.

Reports of looting and rocks being thrown  
in the vicinity of Douglas Road and Grand Ave.

Unit 3142 advised that 100 plus juveniles  
and adults were on the corner of N.W. 13  
Avenue and 62 Street.

Unit 552 advised this crowd had rocks and  
bottles in their hands and were checking  
the occupants of passing vehicles.



1831 hours: Unit 223 is met by citizen at N.E. 2 Ave. & 71 Street reference citizen's vehicle hit by rocks and bottles on 62d Street.

1832 hours: Dispatcher advised that crowd was beating White male at N. W. 13 Ave. & 62 St.

1833 hours: Unit 210 advised Dispatcher to send two units to check this information out.

1835 hours: Unit 3142 advised that they told him a hundred juveniles were beating a White male at N. W. 13 Avenue & 62nd Street.

1836 hours: Dispatcher advised of a man shot at N. W. 12 Avenue & 62 Street. Unit 211 advised that he was at the scene along with Units 203 and 210 and that they were receiving rocks and bottles. Advised further that they have the victim and that they were transporting them out to the squad.

1837 hours: Unit 203 requested barricades at N. W. 7 Avenue & 62 Street.

Unit 211 advised that his vehicle windows were shattered. He would go to N.W. 17 Avenue & 62d Street & divert Eastbound White motorists.

1840 hours: Unit 211 advised that he heard shots coming from the area of N. W. 14 Avenue & 62d Street.

1841 hours: Unit 203 advised Dispatcher to have all 10 and 20 Sector cars go to N. W. 14 Avenue & 46 Street (Command Post).

1844 hours: Dispatcher advised that barricades are 10 minutes away.

Unit 211 advised a Miami Herald vehicle occupied by three White males pulled up to him with windows shattered - wanted to know which route to take to get out of area.

Unit 211 advised of shots being fired at approximately N. W. 14 Avenue & 62 Street - possibly a shotgun.

1847 hours: Dispatcher advised that a 700 Unit was being sent to check out N. W. 14 Avenue & 62 Street.

1900 hours: Unit 213 stated that a motorist advised of a White male being beaten at N. W. 14 Avenue & 62 Street.

1902 hours: Unit 211 stated that a citizen advised that two White males and one White female were being beaten at N. W. 14 Avenue & 62 Street.

1939 hours: Report of rocks and bottles being thrown while police units were on the scene at N. W. 17 Avenue & 62 Street.

2000 hours: Mass rally at the Metro Justic Bldg - 1351 N. W. 12 Street. Approximately 3000 people involved.

2026 hours: Report that a group was headed toward the police at the Command Post - NW 14 Ave. & 46 St.

2026 hours: Report that two people were shot while on a bus at N. W. 7 Avenue & 62 Street.

2030 hours: D.P.S. Unit requested "315" (Emergency Assistance to Police Officer) to Metro Headquarters; windows being broken out by large crowd.

2030 hours: Report that three white males were pulled out of their vehicle at N. W. 13 Avenue & 62 Street. They were beaten severely. Two were D.O.A. at the scene; the third victim died later at Mercy Hospital.

2035 hours: Three D.P.S. units drove through the crowd in front of the Metro Justice Bldg., 1351 N. W. 12 Street. The crowd surrounded the vehicles and attacked. One person was allegedly struck by a D.P.S. vehicle.

2049 hours: Unit 230 requested a Bull Horn at the Metro Justice Bldg.

2050 hours: The crowd assaulted the Metro Justice Bldg. - broke windows and set fire on First Floor.

2100 hours: Request to have all K-9 personnel and units around Justice Bldg. report to the old police station - 1145 N. W. 11 Street.

Report of man shot in the area of N. W. 17 & 18 Avenues on 62 Street.

2104 hours: Unit 480 assembled a group of MPD officers at the old police station.

2105 hours: Report of a White male pulled from his vehicle.

2106 hours: Request for assistance at the Metro Justice Bldg.

2108 hours: D.P.S. reported 315 Justice Bldg.

2109 hours: Report that man was being beaten at N. W. 17 Avenue and 62 Street. Also vehicle on fire.

2110 hours: Report of a vehicle fire at the Justice Bldg. Windows and doors were being kicked in. Some windows were shot out with guns.

2112 hours: Large fire at Justice Bldg. - gas requested.

2115 hours: Complaint Room advised that gas is enroute to old station. S.W.A.T. was then requested to come to the old station.

Chief Harms gave instructions to secure the Justice Building.

2118 hours: Car 28 advised units already at the Justice Bldg. to retreat to the old police station.

2120 hours: Dixie Highway (in Coconut Grove) was blocked off at Grand Avenue. Request was made to also block Dixie Highway at Bird Avenue.

2125 hours: Unit 1565 has injured female in vehicle on Dixie Highway.

2127 hours: Vehicle was abandoned in street in Coconut Grove.

2127 hours: Blocked off Grand Avenue at McDonald.

2128 hours: Car 28 arrived at old police station.  
Report of White male being beaten at  
N. W. 12 Avenue and 35 Street.

2130 hours: Car 28 advised of shots being fired at an  
officer in the vicinity of the Justice  
Bldg.

2133 hours: Report of a fire on the East side of  
the Metro Justice Bldg.  
Report of problems and the need for  
assistance at Jackson Memorial Hospital  
Emergency Room. Situation was brought  
under control.

2136 hours: Report of crowd break into the Justice  
Bldg. Advised by D.P.S. that their police  
facility now under seige.

2137 hours: Report of an attempt to B&E gas station  
at N. W. 12 Avenue and 62 Street.

2138 hours: Report of two people shot at the market lo-  
cated at N. W. 13 Avenue and 62 Street.

2139 hours: Car 28 advised that he's getting ready to  
move in on the Justice Building with or  
without S.W.A.T.

2145 hours: Car 28 advised that his assembled group of  
officers were now moving in on the Justice  
Bldg.  
Command Post was activated by Lt. A. L. Dyer  
at Fire Station #8, 2975 Oak Avenue in Coconut  
Grove.

2146 hours: Justice Building now secured.

2151 hours: Report that the State Building located at  
N. W. 12 Avenue & 14 Street was on fire.  
Fire Units requested.

2152 hours: Report of police officer shot (unconfirmed).

2156 hours: Car 28 requested S.W.A.T. and Fire units to  
D.P.S. Building on east side.  
Report of fire at N. W. 17 Avenue & 36 Street.

2158 hours: Car 28 advised that the Justice Building and  
the D.P.S. Building are now secure. Need  
more units at 13 Avenue and 14 Street.  
Report of a small fire on the southeast  
corner of the Justice Building.

2159 hours: Report of sniper fire from the parking lot  
at Cedars Hospital.

2205 hours: Car 28 advised of a large crowd on the  
outside of N. W. 12 Avenue at 14 Street - also  
that his formation is ready.

2206 hours: Report of fire at the Mailman Center at  
N. W. 12 Avenue & 16 Street.

2208 hours: Report of man shot at Royal Castl, N. W. 17  
Avenue & 36 Street.

2212 hours: Request for units to expedite to area of  
N. W. 14 Street & 12 Avenue.

2213 hours: Report of Black male on roof at N. W. 12  
Avenue with rifle.

2227 hours: Report of police officer shot at N. W. 15  
Avenue and 79 Street (unconfirmed).

2230 hours: News media notified to caution public of problem areas and to avoid entering them.

2231 hours: Car 28 requested a wagon to transport prisoners arrested in the area of the Justice Building.

2238 hours: Report of a serious accident at N. W. 3 Avenue & 20 Street. Request for escort.

2239 hours: Report of White female badly beaten at N.W. 17 Terrace and 27 Avenue.  
Report of White female beaten at N. W. 7 Avenue & 50 Street.

2242 hours: Report of looting at Zayre Department Store at 1100 N. W. 54 Street.

2245 hours: Report of possible two D.O.A.'s at N. W. 7 Avenue and 15 Street. Checked by unit - nothing found.  
  
Fire Department went into a task force configuration. Major Bannon, Lt. Scherer, Sgt. Jones and ten officers from Coral Gables Police Department offered their assistance. They assisted MPD officer to disperse large crowd between Douglas Road and Hibiscus Street on Grand Avenue.

2247 hours: Report of police officer shot at N. W. 17 Avenue & 54 Street. D.P.S. advised.  
Report that Cantor's Wholesale Grocery, N. W. 12 Avenue & 20 Street, was on fire.

2249 hours: Vehicle fire reported between N. W. 15 & 22 Avenues on 62 Street.

2253 hours: Report of shotgun shooting at 6311 N. W. 1 Ave.

2310 hours: Report of two white employees shot at the Chicken Unlimited, N. Miami Avenue & 54 Street.

2325 hours: Report of bottles and rocks thrown and shooting at vehicles with White occupants in Coconut Grove.

2330 hours: Report of looting in the area of N. W. 17 Avenue & 36 Street.

2332 hours: Report of looting and fire at N. W. 7 Avenue and 70 Street.

2332 hours: Report of man shot at 3055 McDonald in Coconut Grove.

2338 hours: Report of setting fire to building at N. W. 17 Avenue & 36 Street.

2355 hours: Report of vehicle fire at N. W. 3 Avenue & 20 Street.

SUNDAY, MAY 18, 1980

0005 Hours: Report of a man shot at Northwest 19 Street and 5 Avenue.

0050 Hours: Report of three (3) people being beaten at Northwest 3 Avenue and 20 Street.

0200 Hours: Assistance was requested from other agencies and the National Guards.

0200 Hours: Acting Assistant Chief Cosgrove briefed Chief Harms as to current conditions in the streets.

0300 Hours: Several offenders were arrested for looting at Zayre's Department Store - 1100 N.W. 54 St.

0310 Hours: Fatal shooting by Police Officers at Northwest 22 Avenue. Subject fired at Sgt. E. Westpy who returned fire striking the subject.

0330 Hours: Report of continued looting at Zayre's Department Store - 1100 N. W. 54 Street.

0400 Hours: Chief Harms along with Acting Assistant Chief Cosgrove, Major Fonner, Robert Warshaw and Assistant City Attorney Alvarez toured the City to inspect those areas affected by burnings and lootings.

0520 Hours: Lt. Flynn of D.P.S. Northside Command Post advises that Major Collis and Lt. Bishop of the National Guard are at that location and they will be relieving City of Miami Police with the exception of one officer on traffic posts along N. W. 7 Avenue. Lt. Flynn was advised to have the National Guard contact the City's North Command Post.

0600 Hours: Sheriff Butterworth of Broward Sheriff's Office called to volunteer officers for additional manpower - advised not at this time. However, handi talkie radio batteries and gas are needed.

0600 Hours: Ft. Lauderdale Police Department advises that they have 25 people available if needed.

0630 Hours: Sheriff Butterworth of Broward Sheriff's Office called and says he can provide 25 people within an hours if needed and another 25 later - phone 765-4344.

0720 Hours: Mr. D. Moss of the Solid Waste Dept. contacted to report to EOC Room.

0900 Hours: Lt. March contacts National Guard reference large wrecker.

0918 Hours: Lt. Witt advised to call in 14 recruits.

0915 Hours: Sgt. Bodea advised of burned vehicle - to be towed to sanitation at 14 Avenue and N. W. 20 Street.

1000 Hours: Major Dickson and Lt. Alba attended a Community Relations Board meeting.

1020 Hours: Sgt. Nassberg contacted reference coordinating and planning mass arrest procedures.

1115 Hours: D.P.S. now advises that their North boundary is extended to 95 Street.

1120 Hours: Gas station on fire at N. W. 36 Street and 27 Avenue.

1220 Hours: Advised of possible assault of Miami Police Station.

1230 Hours: Lt. McDermott to Mercy Hospital reference heart attack.

1240 Hours: Miami Baseball Stadium opened to house National Guards.

1300 Hours: National Guard arrived for station security.

1300 Hours: Community Relations personnel reported to work and assigned to Patrol.

1320 Hours: Chief Harms released proclamation from D.P.S. Director Jones establishing curfew hours, geographical boundaries, prohibited sales of alcoholic beverages, gasoline, firearms, etc.

1400 Hours: Prisoner Processing Unit advised of an estimated 160 arrested thus far.

1400 Hours: Major Dickson and Lt. Alba attended a Community Relations Board meeting.

1430 Hours: Dinner Key Auditorium opened to National Guard personnel by Mr. Jennings.

1500 Hours: Patrol Roll Call - update, assignments, safety.

1619 Hours: Bomb threat to M.P.D. - all agencies notified.

1620 Hours: Two (2) homicides: one at 3826 Florida Avenue; the other at 1936 N. W. 4 Court - Homicide Detail notified - N.F.I.

1851 Hours: N. W. 12th Avenue and 54th Street - Sgt. Bankert accidentally shot in foot to J.M.H.

1854 Hours: 5660 N. W. 7th Avenue - Capt. Boemler and Lt. Walton shot by a sniper; Capt. Boemler shot in arm and leg to J.M.H. - Lt. Walton shot in foot to Cedars.

2009 Hours: Homicide at 1731 N. W. 1st Ct. - N.F.I.

2055 Hours: Fatal shooting by City of Miami Police Officer. Offender tried to run officer down with vehicle and was shot and killed.

2150 Hours: Revised Deadly Force Policy issued.

2255 Hours: N. W. 2 Avenue and 42 Street - attempted murder of Police Officer with vehicle - Officer shot offender - D.O.A.

2345 Hours: County Commissioner Barbara Carey, 735 N. W. 42d Street, called reference bomb threat.

B SHIFT DISCHARGE OF FIREARMS:  
 Officer Robbins - 12 Avenue and 54th Street, N.W.  
 Sgt. Hill - N. W. 6 Court and 56 Street  
 Sweewater Police Officer - N. W. 6 Avenue and 62nd Street.

MONDAY, MAY 19, 1980

0625 Hours: Lt. Paine was appointed liaison coordinator on the National Guard/Police/Fire coordinating council.

0820 Hours: Request made for six (6) National Guardsmen at Zayre's Department Store - 1100 N. W. 54 Street.

0830 Hours: Arrangements made for National Guards to be housed at Bayfront Park Auditorium.

1000 Hours: Offices were opened for normal routine. Complaints were then received at the Miami Police Information Desk.

1015 Hours: Provided National Guards with 1,500 copies of City of Miami maps.

1030 Hours: Miami Police Officer shot offender at 131 N. E. 93 Street.

1030 Hours: Quiet in Coconut Grove.

1130 Hours: Quiet in northend - numerous groups (juveniles) observed in streets.

1230 Hours: Rally at Tacolcy Center.

1300 Hours: Meeting of community leaders at 66 West Flagler with Mr. Bill Colson, Ambassador Andrew Young, Mayor Ferre, ex-Commissioner M. Athalie Range, Attorney George and Joyce Knox, County Manager Merritt Steirheim, Frank Borman, Mayor Steve Clark, Sonny Wright, Alvah Chapman and Ray Goode.

1300 Hours: Report of a crowd of 150-200 Blacks at Manor Park in a disturbed mood.

1310 Hours: A group of 300 Blacks left Tacolcy and are marching to Manor Park to demonstrate.

1317 Hours: Report that downtown businesses and people were being advised by police to secure and leave the area.

1345 Hours: Press release by Miami Police dispelling rumors that the downtown area was unsafe.

1346 Hours: Announcement of boundary extensions for the curfew.

1357 Hours: Crowd of 500 Blacks upset and shouting at Manor Park - Northwest 12 Avenue and 50 Street.

1359 Hours: Announcement that the curfew was still in effect in all phases.

1411 Hours: Twenty-five (25) motormen were dispatched to Manor Park.

1436 Hours: Report from helicopter that the crowd was breaking up a Manor Park.

1500 Hours: Ambassador Andrew Young met with Blacks at Manor Park, was not allowed to speak.

1555 Hours: Advised of a meeting at the Caleb Center at 1800 Hours. If Center was unavailable, the meeting would probably be at St. John Baptist Church.

1600 Hours: Ambassador Young back to meeting at 66 West Flagler.

1619 Hours: Report of rocks and bottles being thrown at Northwest 10 Avenue and 46 Street.

1630 Hours: Report of looting at 1921 N. W. 1 Avenue.

1640 Hours: Report of looting at Northwest 36 Street and 13 Avenue.

1643 Hours: Police shot and killed a man with a knife at Northwest 7 Avenue and 54 Street.

1700 Hours: Report of a fire at Northwest 1 Avenue and 17 Street.

1715 Hours: Report of looting at 55 N. W. 20 Street.

1725 Hours: Advised that plastic containers were being filled at the gas station located at Dixie Highway and Douglas Road.

1726 Hours: Report of shots fired at Northwest 7 Avenue and 36 Street.

1730 Hours: Report of a sniper at Northwest 1 Avenue and 13 Street.

1735 Hours: Additional units dispatched to the shooting scene (Northwest 7 Avenue and 54 Street) reference crowd control.

1745 Hours: Report of looting at 1627 North Miami Avenue.

1806 Hours: Report of fires at Northwest 14 Avenue and 54 Street, 17 Avenue and 54 Street and 17 Avenue and 62 Street.

1855 Hours: Report that 150 people gathered at Miami Avenue and 62 Street.

1930 Hours: Report of a group of 80 people gathered at African Square - Northwest 14 Avenue and 62 Street; Revered Jesse Jackson also at the location.

2000 Hours: African Square Park; 200 people now in attendance ended at curfew hour.

2030 Hours: Window was smashed at post office across the street from Miami Police Station. Offender was arrested.

2048 Hours: Report of a large crowd at 2 Avenue and 57 Street. Curfew violation arrests were made.

2050 Hours: Report of a man shot at Northwest 18 Avenue and 53 Street.

2056 Hours: Report of shots fired at Northwest 2 Avenue and 54 Street.

2105 Hours: Report of a house fire at 556 N. W. 22 Street.

2120 Hours: Report of a building fire at Northwest 2 Avenue and 10 Street.

2140 Hours: National Guards were fired on at 2121 N. W.  
36 Street.

2153 Hours: SWAT called to 1610 N. W. 55 Street after  
Dade Public Safety Officers were fired at.

2235 Hours: Report of gun shots at Dixie Highway and  
Plaza Street in Coconut Grove.

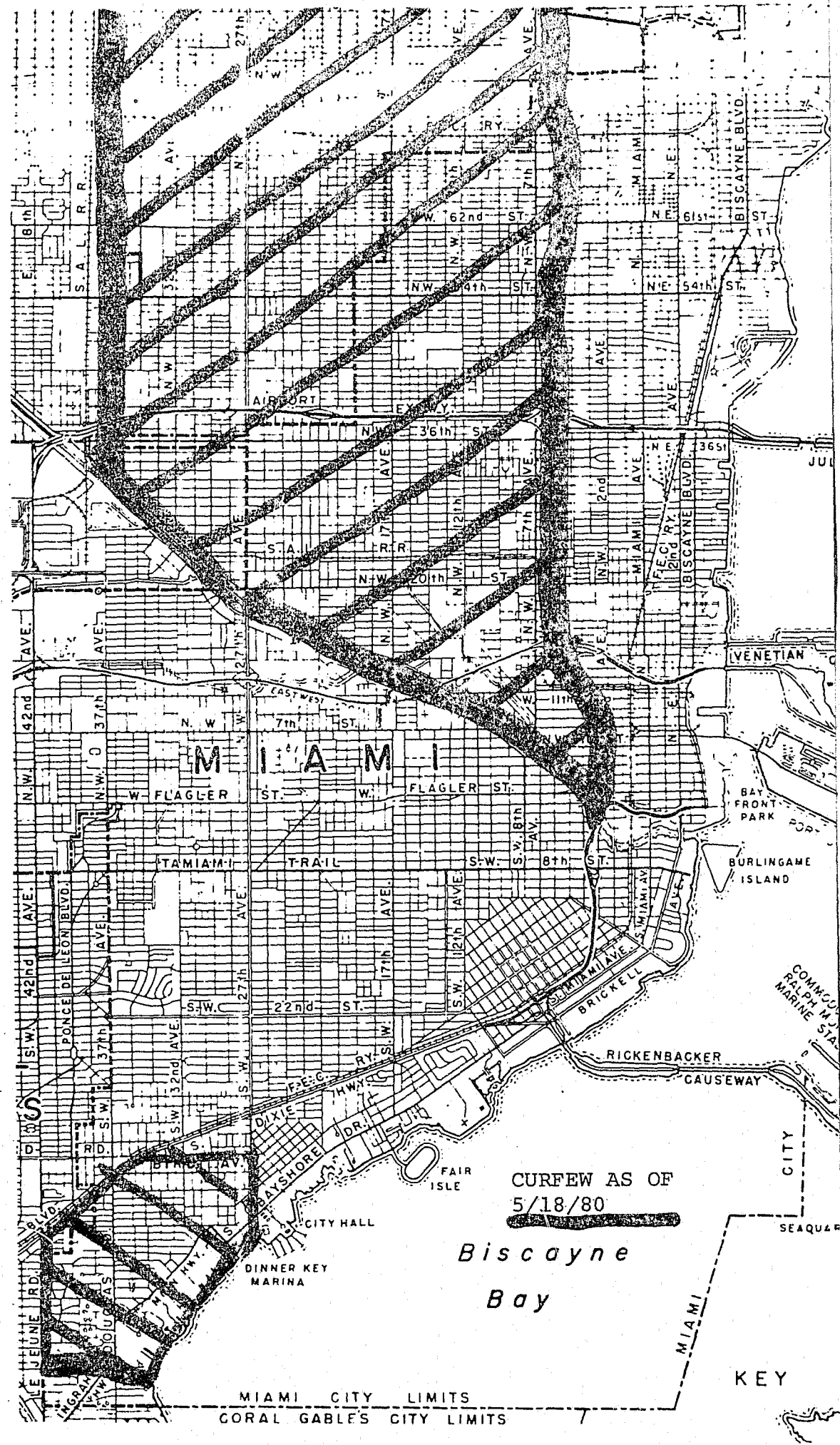
2330 Hours: Report of a fire at Northwest 12 Avenue  
and 42 Street.

2335 Hours: National Guard was fired on at 2121 N.W.  
36 Street, SWAT called in.

## MAPS & LOCATIONS







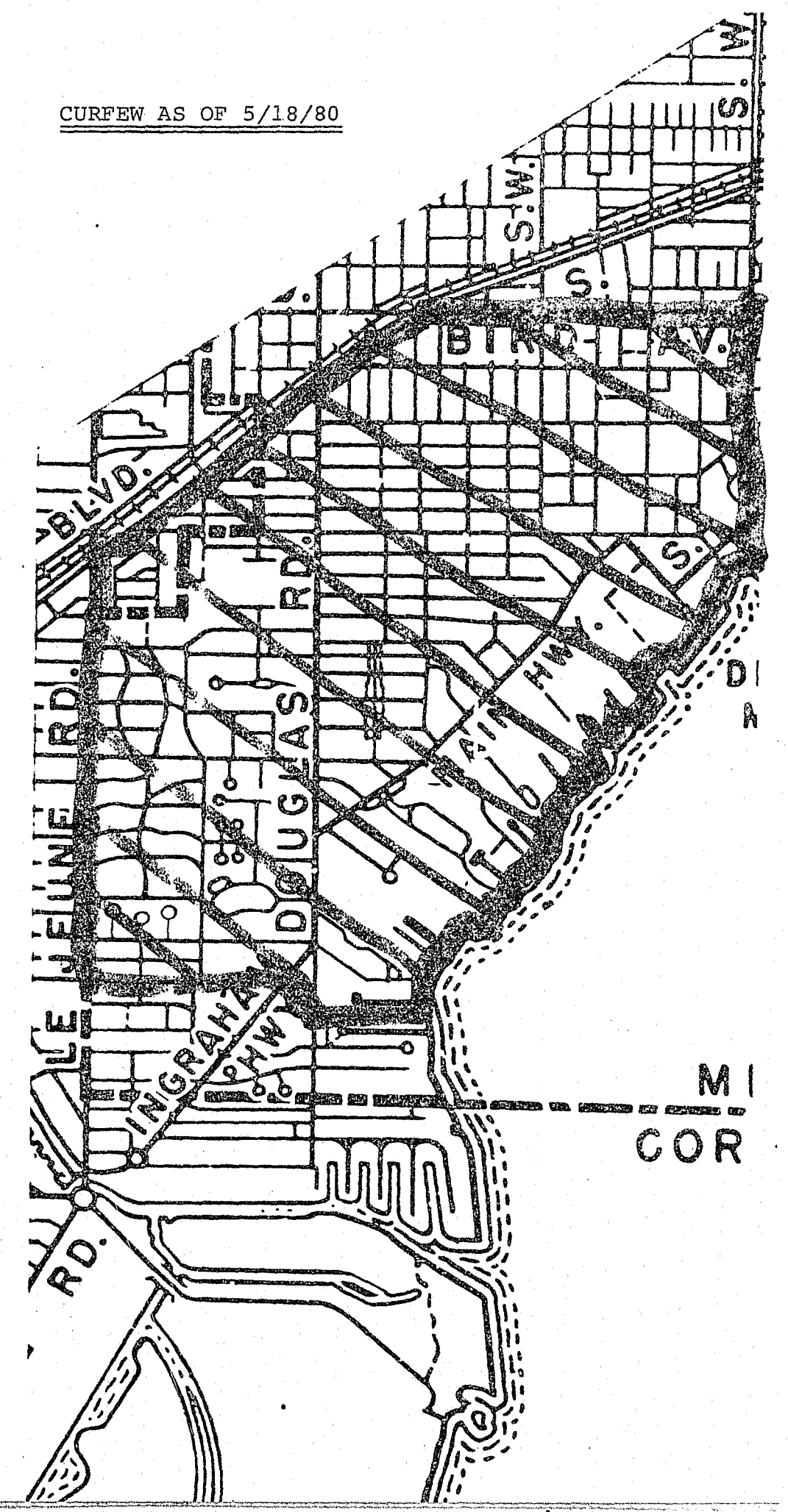
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Biscayne  
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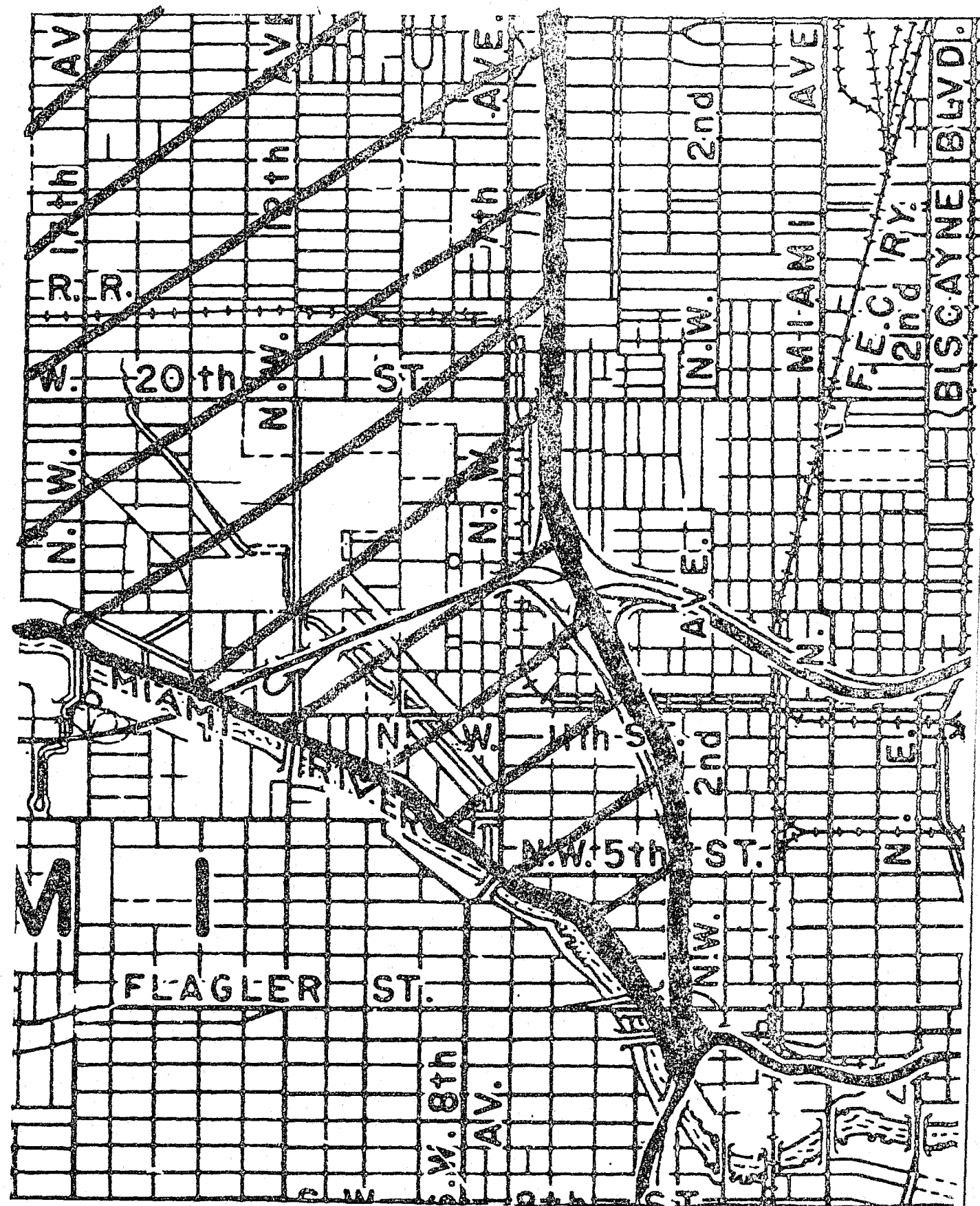
MIAMI CITY LIMITS  
CORAL GABLES CITY LIMITS

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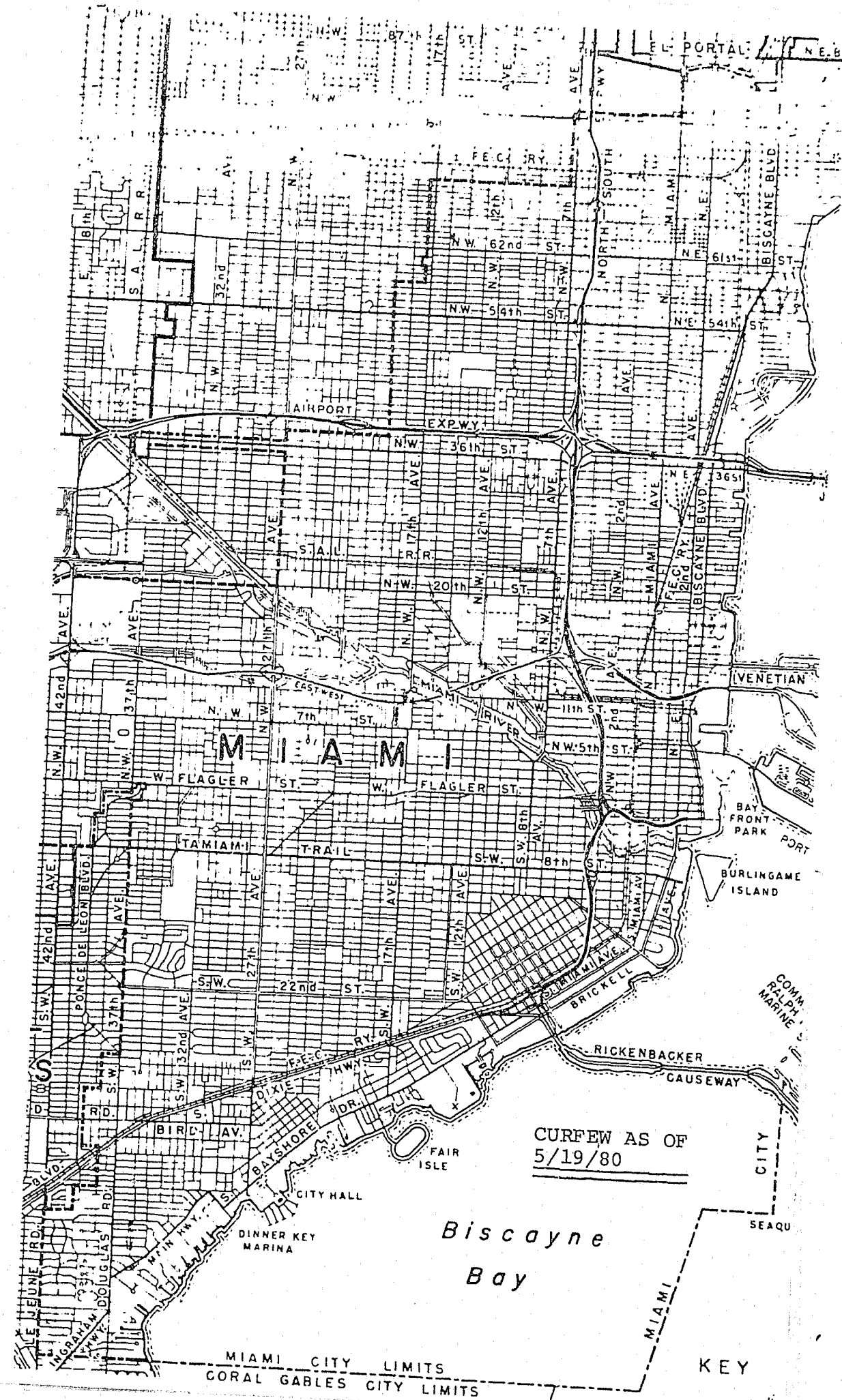
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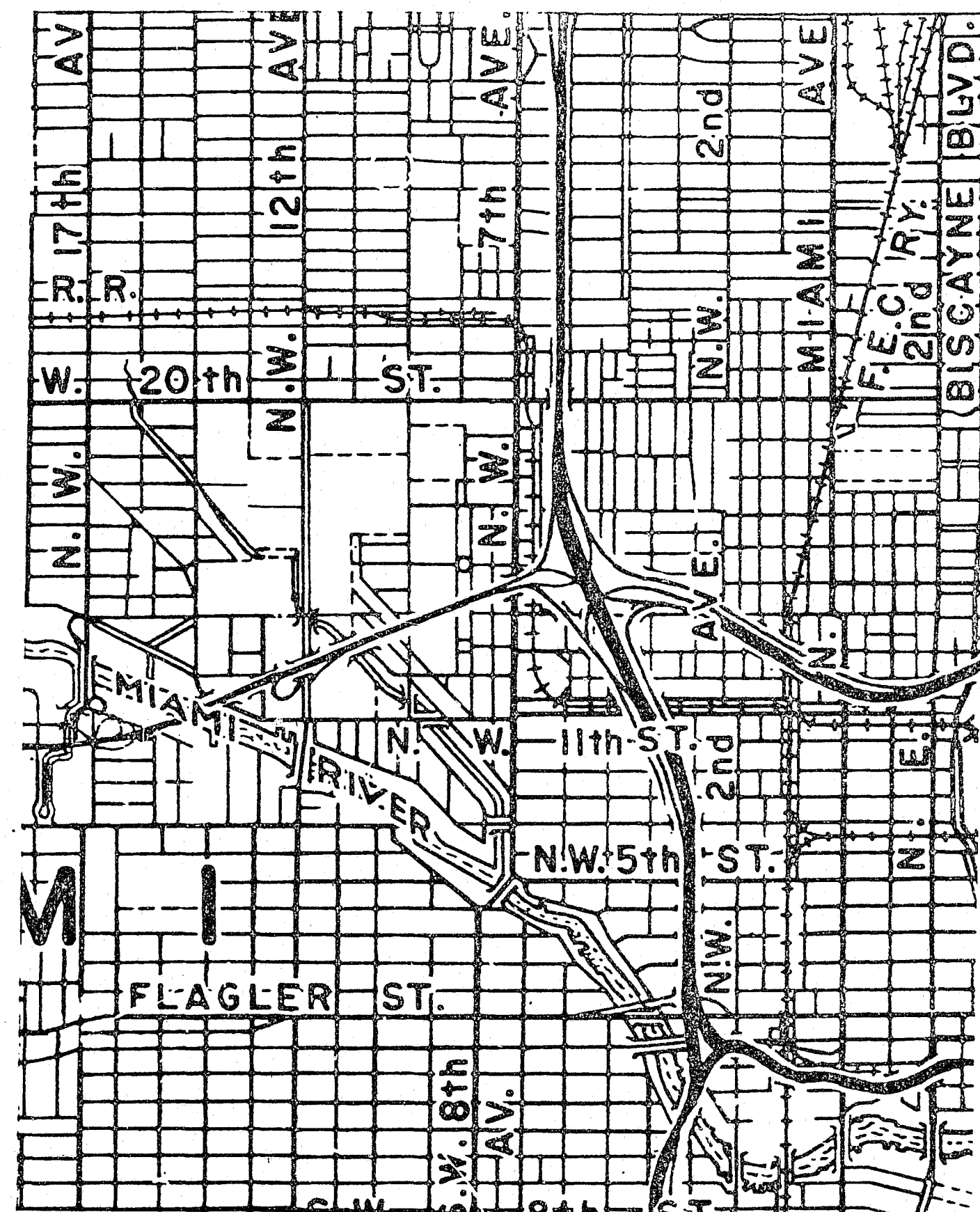
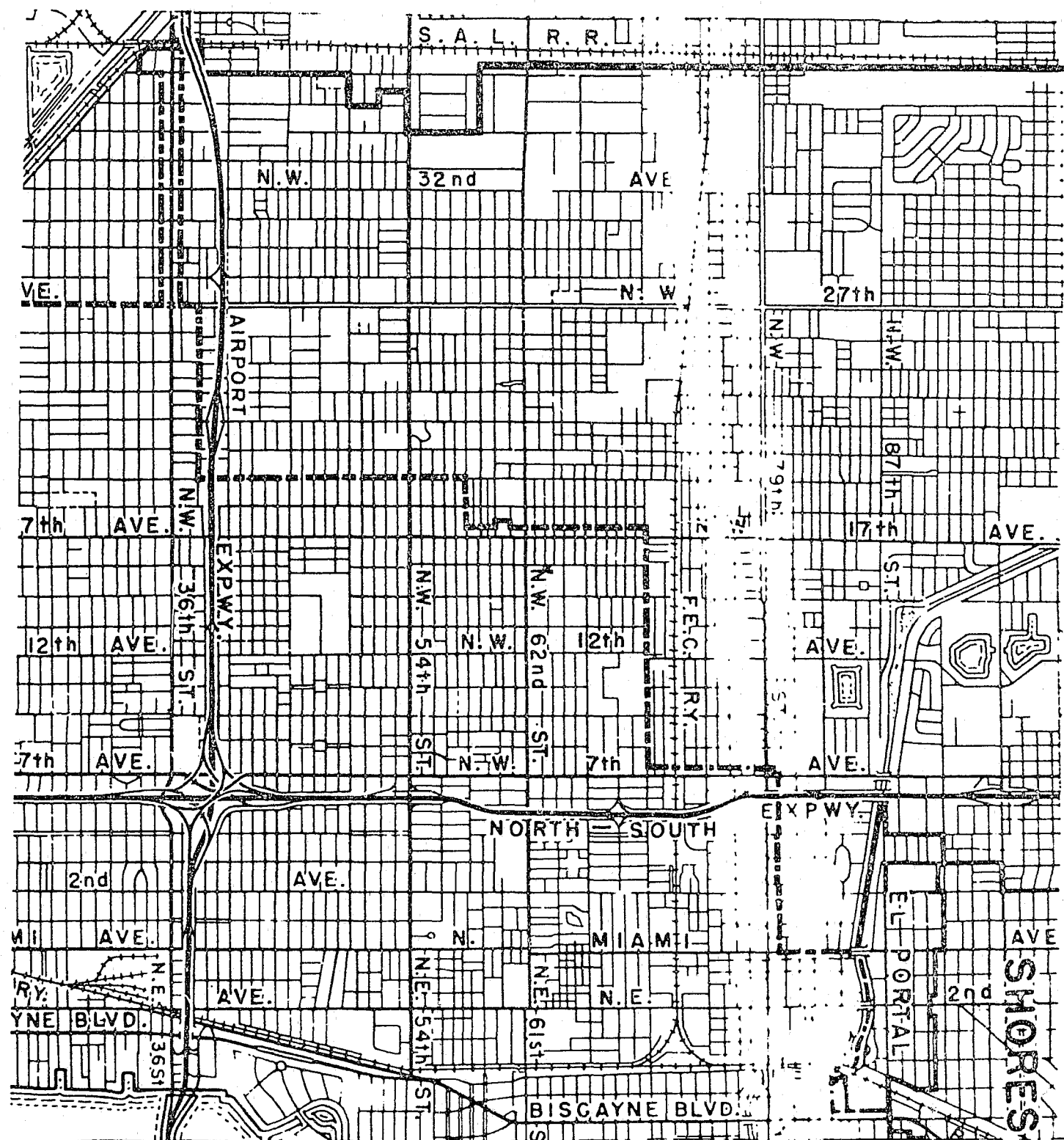
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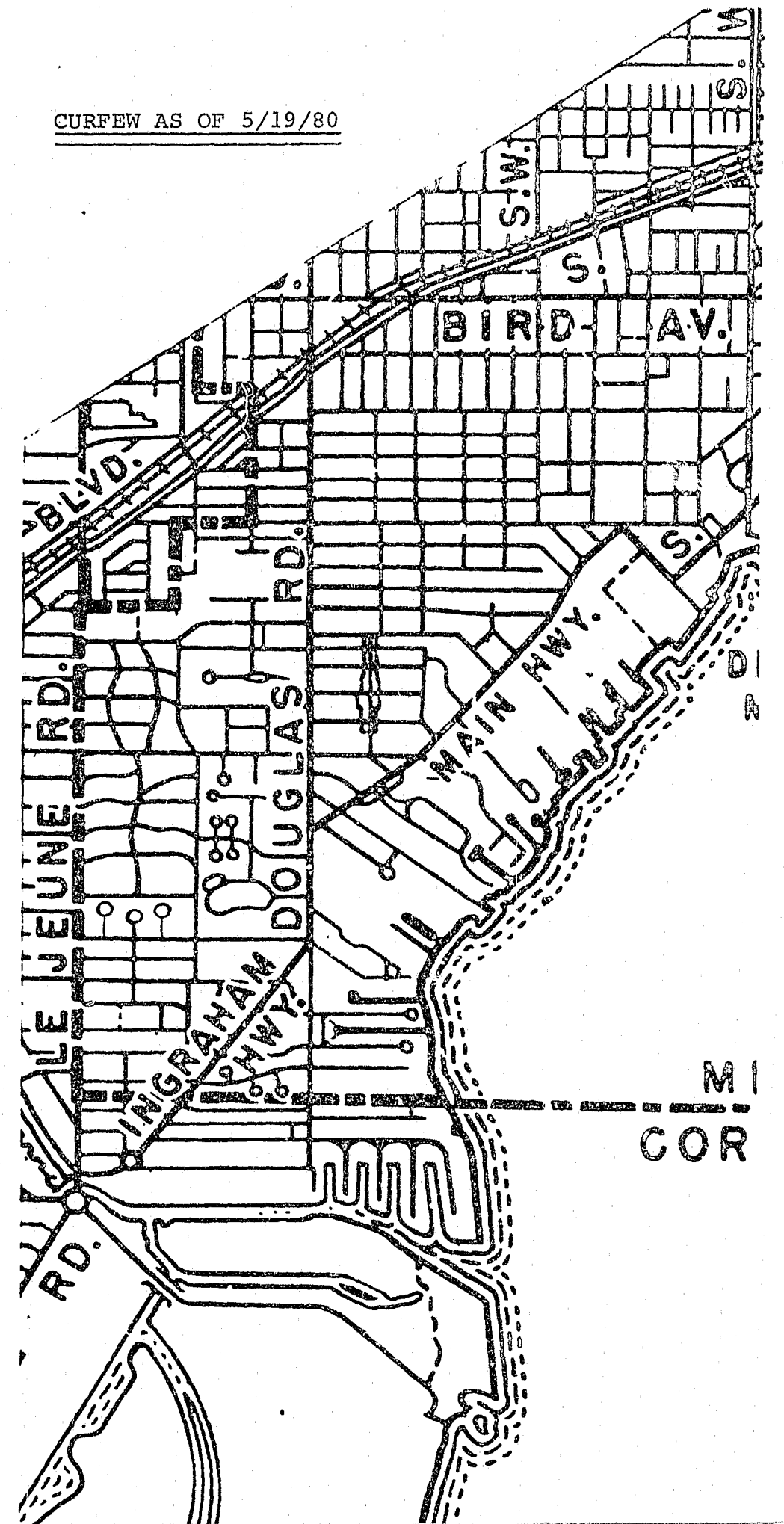
MIAMI CITY LIMITS  
CORAL GABLES CITY LIMITS

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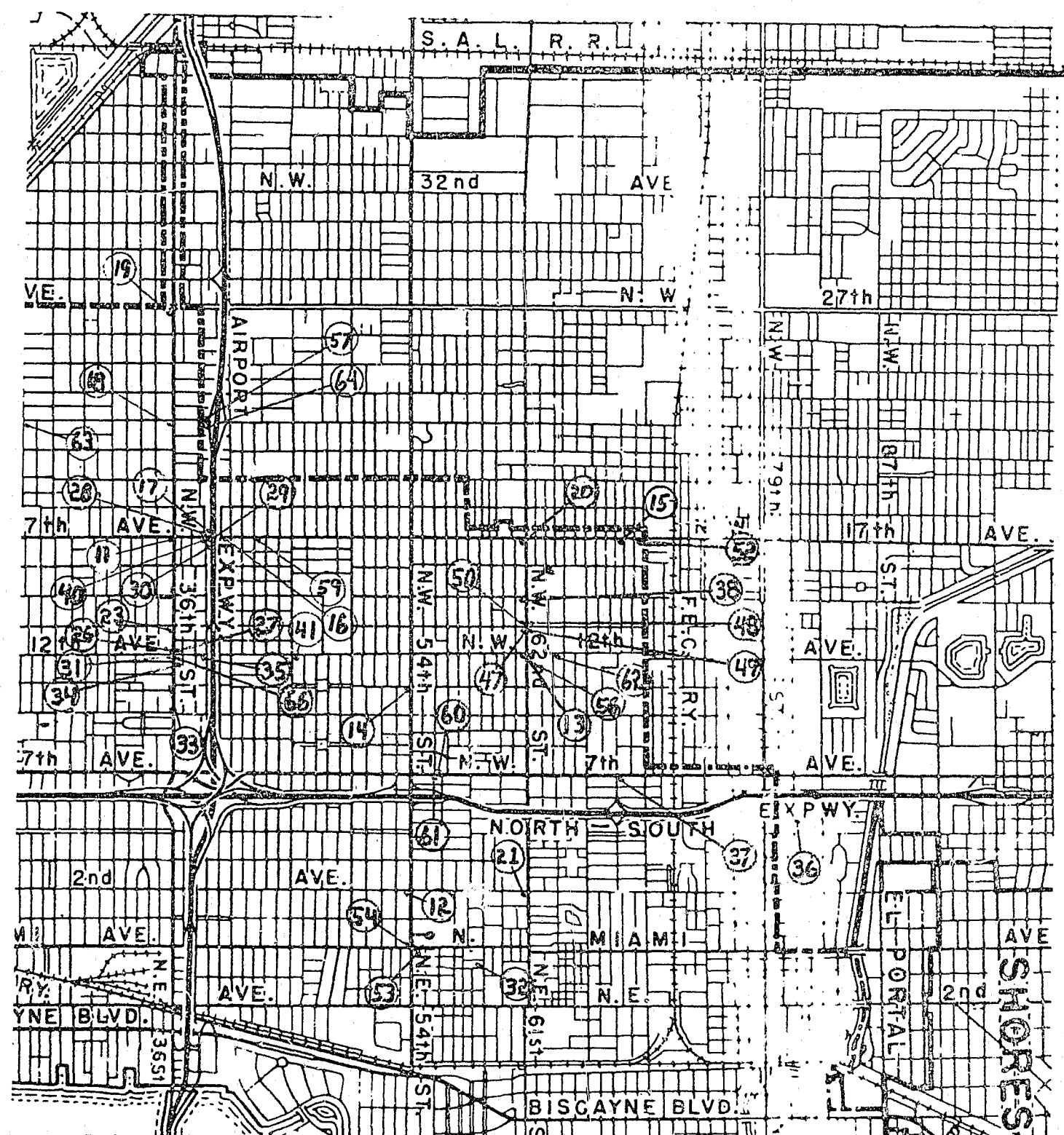


CURFEW AS OF 5/19/80





## LIBERTY CITY - ALLAPATTAH



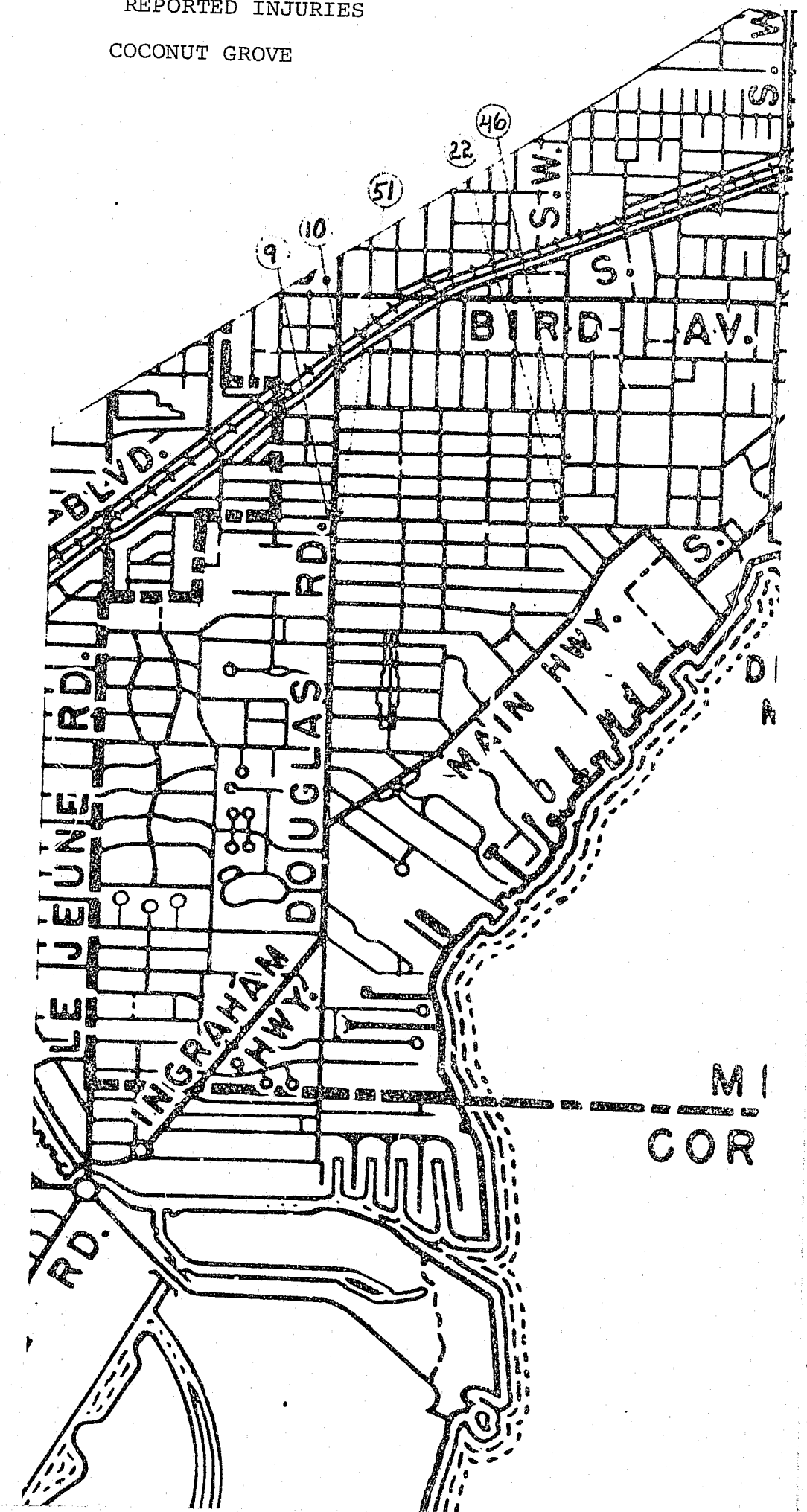
REPORTED INJURIES

CENTRAL





REPORTED INJURIES  
COCONUT GROVE





# HOMICIDES

## DISTURBANCE RELATED INJURIES AND FATALITIES

### I. Homicides

Case # 1413058E

DATE: 17 May 198 DAY: Saturday

TIME OF OCCURRENCE: 6:30 P.M.

Victim expired on 12 June 1980 at 11:11 P.M.

LOCATION OF OCCURRENCE: NW 12 Parkway & 62 Street

### VICTIM DATA:

NAME: JEFFERY Kulp RACE/SEX: White Male

DOB: January 1, 1954

NATIONALITY: American ADDRESS: 47 NE 52 Terrace

### OFFENDER DATA:

Frankie Lee James: n/m, DOB 3/3/60 - Address 1321 NW  
61 Street, #10

Bradley, Lonnie: n/m, DOB: 1/27/58 - ADDRESS 1405 NW  
61 St., #3

Williams, Samuel: n/m, DOB 3/14/48

McCullough, James: n/m, DOB 1/11/62 - Address 6231 NW 14 Ct.

All suspects charged with 1 count of 1st degree murder, 2  
counts of attempted 1st degree murder.

Additional non-fatal victims this incident.

KULP, Michael: w/m

GETMAN, Deborah: w/f

SYNOPSIS OF FACTS:

The Kulp brothers and Deborah Getman were riding in a white Dodge, eastbound on NW 62 Street at approximately 7:30 p.m. on 17 May 1980.

Unknown n/m's had pulled a dumpster out into NW 62 Street, at NW 12 Parkway, blocking the eastbound lanes. Motor oil was then poured on the westbound lanes, west of the dumpster. This was a planned ambush.

As the victims drove eastbound their vehicle was hit by rocks and bottles and shots were fired at the car. The vehicle swerved to go around the dumpster, drove into the oil slick and skidded out of control. The vehicle slid northwestwards, struck 2 pedestrians, Shanika Perry, n/f, age 11, and Albert Nelson n/m age 75, and crashed into the west wall of a house located on the northwest corner of 12 Parkway and NW 62 Street.

The offenders and other subjects pulled the victims from the vehicle and beat them with large rocks, boards, pipes, and axe, and other metal objects. The two male victims were also shot and stabbed. An unknown n/m drove up to the scene and took w/f Getman to JMH where she was treated for her injuries.

Jeffery Kulp had an ear cut off, part of his tongue severed, the other ear partially severed and a rose was placed in his mouth.

The two male victims were then methodically placed in the roadway and ran over with a car several times.

Victims sustained severe chest and head injuries. Jeffery Kulp died on 12 June 1980 without regaining consciousness. Michael Kulp is still hospitalized.

STATUS:

Homicide is looking for additional offenders.

CASE # 1392435E

DATE: 17 May 1980 DAY: Saturday

TIME OF OCCURRENCE: 9:30 PM

LOCATION OF OCCURRENCE: NW 13 Avenue & 62 Street

VICTIM DATA:

1. NAME: Higdon, Benny RACE: White Male DOB: March 21, 1959

NATIONALITY: American ADDRESS: 601 NW 90 St., #4

PHONE NUMBER: 757-8637 OCCUPATION: Baker - Royal Bakery - NW 7 Street & 5th Avenue

MARRITAL STATUS: Married CHILDREN: 3

ARREST: No past arrest record found

2. NAME: OWENS, Robert RACE: White Male AGE: 15  
DOB: Sept. 22, 1964

NATIONALITY: American ADDRESS: 601 NW 90 St., #1

PHONE NUMBER: 757-8637 OCCUPATION: Student

SCHOOL: McArthur High School

His sister Justine Higdon is married to victim #1 Benny Higdon, lives with parents Francis and Roy Owens same address. No past arrest record found.

3. NAME: BARRECA, Charles RACE: White Male AGE: 15

DOB: March 18, 1965

NATIONALITY: American ADDRESS: 901 NW 74 Way  
Hollywood, Fla.

PHONE NUMBER: 1-961-3153 OCCUPATION: Student  
MacArthur High School

Lived with parents Antonio and Jacqueline Barreca at  
same address. He had two brothers and a sister.

No past arrest record found.

SYNOPSIS OF FACTS:

Benny Higdon and his brother-in-law Robert Owens and  
a friend Charles Barreca were together in Higdon's auto  
driving Barreca home to Hollywood. Higdon was driving.

Somehow or other they ended up at NW 62 Street and  
13 Avenue. This was not on their route and it is unknown  
how or why they went that way. They left their home at  
approximately 9:15 PM according to their family.

Information received indicates victims were stoned  
and shot at. The car crashed into a building at NW 13  
Avenue and 62 Street. Evidence indicates victims were  
struck with large rocks and weapons while they were in  
the auto. They were then dragged out of the car and  
severely beaten with boards, large rocks and sticks.  
They possibly were struck with an auto head rest and a  
newspaper rack. There is an indication that they were  
run over with an auto.

At 1000 PM, May 17, 1980, Sgt. Wayne English and Ray  
Jaffie were patrolling nearby. They were directed to  
the bodies by a passerby.

One victim Higdon was still partially alive. He was  
sent to Mercy Hospital via MFD Rescue Squad. The other  
two were dead. The Sergeants had a paddy wagon take  
them to JMH and the Medical Examiner Morgue. The  
Sergeants were fired upon while doing so.

Higdon expired a few hours later at Mercy Hospital  
(12:30 AM 5-18-80).

All three died of massive head injuries. None were  
shot or stabbed. Barreca and Higdon had their wallets,  
and an unknown amount of money taken (possibly \$40.00  
or more).

They were initially identified from clothing description  
when their families called the Medical Examiners. They were  
later positively identified by friends.

Higdon's auto a 1969 Dodge was deliberately demolished.  
It was towed in for processing.

SUSPECTS ARRESTED:

Capers, Leonard: n/m, DOB 7-12-59, Address: 1281 NW 61  
St., #30

Capers, Lawrence: n/m, DOB 1/18/56, Address: 1281 NW 61  
St., #30

Lane, Nathaniel: n/m, 18 years old; Address: 1215 NW 60  
St., #8

Williams, Samuel: n/m, DOB 3/14/48

MOORE, Patrick: n/m DOB 1/22/64 (Juvenile, Do Not Release)

All subjects charged with 3 counts of 1st degree murder.

Status: Other offenders are being sought.

CASE # 1403452E

DATE: 19 May 1980 DAY: Monday

TIME OF OCCURRENCE: 1635 Hours

LOCATION OF OCCURRENCE: N.W. 7th Avenue & 54 Street

VICTIM DATA:

NAME: Allen Mills, b/m 33, DOB: 14 April 1947, brown eyes, black hair, 5'7", 160 lbs. Citizen of U.S.A. LKA: 1753 NW 49 Street, S.S. # 264-78-8928. Employed as maintenance worker.

SYNOPSIS OF FACTS:

On Monday, May 19, 1980, the victim was involved in a confrontation with Troopers at NW 22 Avenue and 42 Street. The victim pulled a knife out and waved it at the troopers and fled the scene. The officers have not given formal sworn statements to date.

The victim was again involved with City of Miami officers, Lt. Garfield, Sgt. Diaz and Officer Agras. The victim threw a piece of metal at a police unit and picked up a quart beer bottle and made a motion to throw it at their police vehicle, but did not.

The victim confronted Officer Jackson at NW 7 Avenue 54 Street in the presence of several National Guard personnel. Officer Jackson and the National Guard were harrassed by the victim until Officer Jackson pointed his shotgun at the victim threatening to shoot. The victim displayed a knife and after being ordered to leave at gunpoint fled on his bicycle. Officer Jackson advised the dispatcher to alert police units in the area of the victim's activities. Capt. Starks and Lt. Riggs personally contacted Officer Jackson and began searching the area for the victim but could not locate him.

Officer Palank relieved Officer Jackson at N. W. 7 Avenue and 54th Street at approximately 1545 hours. Officer Palank had a confrontation with the victim as he rode his bicycle through the Gulf Gas Station on the northwest corner of N. W. 7th Avenue and 54th Street manned by National Guard personnel and Officer Palank. The victim knocked over a wooden horse barricade and stopped on the northside of the street on 54th Street. Officer Palank was armed with his .38 caliber service revolver and a shotgun. Officer Palank attempted to speak with the victim, but the victim refused to talk unless the officer put down the shotgun. Officer Palank handed the shotgun to a National Guard Officer Ferrell. Officer Palank approached the victim who pulled a knife on the officer. The officer advised him that he was under arrest. The victim attempted to flee the scene by mounting his bicycle but somehow lost his balance and the bicycle fell in the middle of N. W. 54th Street. At this time, an unmarked police unit arrived occupied by Officer Fernandez, Officer Shepherd, Officer Racine and Officer McEwan. Officer Palank was attempting to talk the victim into surrendering but the victim refused to obey the officer's demands. While only 3 to 5 feet from Officer Palank he went to a fighting crouch stance and wielded the knife at Officer Palank several times. When Officer Palank was forced to yield - leaning backward, he fired one round from his service revolver. At the same time, when the victim lunged at Officer Palank, Officer Fernandez fired 3 rounds from a Ruger Mini-14, caliber .223 to prevent injury to Officer Palank. Officer Palank simultaneously fired three more rounds at the victim who was facing both officers. The victim was struck by seven of the seven bullets fired. All of the rounds were inflicted in the front or side of the victim. The victim turned and ran approximately 20 feet and fell face down onto the sidewalk on the south side of N.W. 54th Street.

CASE #1393467E

DATE: 18 May 1980 DAY: Sunday

TIME OF OCCURENCE: 0310 Hours

VICTIM DATA:

- NAME: (1) Sgt. Edward Westpy, w/m 35, Police Officer,  
City of Miami, 400 N. W. 2nd Avenue.  
Assigned to Narcotics & Vice, 579-6431.
- (2) Lt. William Fleming, w/m 35, Police Officer,  
City of Miami, 400 N. W. 2nd Avenue.  
Assigned to Narcotics & Vice, 579-6431.
- (3) Capt. Paul Oboz, w/m 47, Police Officer  
City of Miami, 400 N. W. 2nd Avenue.  
Commander of Special Investigations  
Section (S.I.S.), 579-6590.

All of the above are victims of an  
Attempted Murder.

OFFENDER DATA:

NAME: ABRAM PHILLIPS, b/m 21, DOB: January 19, 1959,  
of 18540 N. W. 38 Court, phone 625-9263.  
Subject has been positively identified by  
Mr. Benny Bell (father-in-law) of the same  
address. The above offender was shot and  
killed by Sgt. Westpy.

SYNOPSIS OF FACTS:

On 18 May 1980 at approximately 0310 hours, Sgt. Edward Westpy along with Capt. Oboz and Lt. Fleming were on Riot Duty in the north end of the City. A call for assistance went out from Unit 320 for units to assist him at NW 22d

Avenue and 75th Street in reference to a body in a burned car. Sgt. Westpy was responding to that general area. They were westbound on N.W. 72nd St. and stopped at the intersection of N.W. 22nd Avenue and 72 Street. As they began to turn north on 22nd Avenue, a single shot was heard. Sgt. Westpy then turned north and looked back down 22nd Avenue. He, as well as, Lt. Fleming observed a b/m in a crouched combat position fire a second shot at their vehicle. The subject then began to run north up 22nd Avenue towards their vehicle firing additional shots.

Sgt. Westpy who was driving, exited his vehicle and faced the subject. At that point, the subject who was now some 30' to 40' away from the car began to veer off towards the N.E. corner of N.W. 22nd Avenue and 75th Street. The subject continued to shoot at the police officers. Sgt. Westpy returned fire, shooting his weapon at least five times. At that point, the subject climbed over a chain link fence, fell to the ground, and then disappeared into a darkened yard.

Additional Units were requested and the body of a black male, later identified as Abram Phillips, was found lying next to a truck some 10' east of the fence. The subject was D.O.A., and was identified by both Sgt. Westpy and Lt. Fleming as the same subject who had fired the shots at them. The subject was shot twice. Once being a through and through gunshot wound to the left arm, and the second being a through and through gunshot of the left side exiting the chest at the midline. (NOTE: The trajectory of the left side wounds are consistent with the subject's movements as described by the witnesses). A Smith and Wesson Model 66, .357 Magnum was found about ten feet south of the body with six expended rounds. The gun was reported stolen from a North Miami Police Sergeant on 25 August 1979, reference N. Miami case #79-15174.

While the shooting was being investigated, Unit 552 located two young black males who had witnessed the shooting. They were taken to the station for statements.

SYNOPSIS OF STATEMENTS:

The two civilian witnesses gave statements which were absolutely consistent with the statements of the police officers. Both young men stated that the black man started firing first and that only then did Sgt. Westpy returned fire. The statements of the officers were also consistent and are the same as the "Synopsis of the Facts".

CASE # 1393606E

DATE: 18 May 1980 DAY: Sunday

TIME OF OCCURRENCE: 2040 Hours

VICTIM DATA:

NAME: (Offender) BIENAIME, LAFONTANT RACE: Black Male

NATIONALITY: Canadian AGE: 39 DOB: Dec. 13, 1940

OCCUPATION: Minister of the Church of the Redeemer -  
4314 NW 2 Avenue

ADDRESS: 1829 NW 111 Street

SYNOPSIS OF FACTS:

On 18 May 1980 at approximately 2030 hours, Officer Robins and several other units responded to 4200 NW 2 Avenue reference a Burglary in progress. When Robins arrived he observed approximately 100 people looting Furniture Distributors, 4200 NW 2 Avenue. As Robin was arriving, the people were scattering in all directions, some carrying large boxes. Officer Robins left his police vehicle on NW 2 Avenue and gave chase west-bound on 42 Street on foot. As he was stopping his pursuit, he observed car lights heading towards him from his right rear. He turned toward the vehicle and jumped backwards out of the path of the van. While jumping out of the way, he fired his city shotgun one time striking the driver in the head. The van continued west on 42 Street approximately 8-10 feet where it struck a parked, unattended vehicle in the street. The driver expired on the scene.

Also in the van was the victim's 13 year old son, Kensy Bienaime.

The van was sent to the pound for processing and AIU examination. The scene was processed and photographed by I.D. The shotgun used by Officer Robins was taken into custody and sent to the Lab.

SYNOPSIS OF STATEMENTS:

A) Officer Robins stated that as he arrived on the scene of the Burglary he observed people running in all directions carrying boxes. He stated that he parked his car in the middle of NW 2 Avenue at 42 Street and ran after suspects running West on 42 Street. He stated he ran a short distance West of 2 Avenue, decided it was a futile attempt and stopped in the middle of the street. As he stopped, he suddenly observed headlights of a vehicle coming straight toward him from behind. He said that as he turned toward the vehicle, he had to jump backward to avoid being run over. He stated that as he jumped out of the way, he fired his shotgun at the van as he was in fear of his life. He said the vehicle continued forward until it ran into the back of a parked car which was abandoned in the street.

B) Kensy Bienaime stated that he and his father (victim) had dropped off his mother and other family members at church, 4314 NW 2 Avenue. He stated his father took him to NW 2 Avenue and 42 Street, parked his van in front of Furniture Distirbutors on 42 Street and both walked into the warehouse which was already being looted. He said his father told him to pick up a box and carry it out to the van.

As they were approaching the van, they saw police cars arriving and his father told him to drop the box and get into the van. He got into the van through the back door and went to the front passenger seat and ducked down. He said his father got into the drivers seat when he heard a loud blast and saw his father fall backwards between the seats. He said he felt the van jerk backward then move slightly forward at the same time as his father was shot. He said after his father was shot, he reached over and turned off ignition.

The following is a summary of the criminal type injuries we have been able to identify and report. We are sure that there are more which people have not reported. In addition this does not include those types of incidents where people had their windows broken out but they were not injured.

1.	W/M - 21	Beaten	N.W. 62 St. & 13 Ave.	DOA
2.	W/M - 15	Beaten	N.W. 62 St. & 13 Ave.	DOA
3.	W/M - 15	Beaten	N.W. 62 St. & 13 Ave.	DOA
4.	N/M - 22	*GSW (MPD)	N.W. 22 Ave & 72 St.	DOA
5.	N/M - 33	*GSW (MPD)	N.W. 7 Ave. & 54 St.	DOA
6.	N/M - 39	*GSW (MPD)	N.W. 2 Ave. & 42 St.	DOA
7.	W/M - 26	Beaten	N.W. 62 St. & 12 Pkwy.	Died 6/12/80 of injuries recd.
8.	W/M - 37	Beaten	N.W. 12 Ave. & 20 St.	Stick & Pipe
9.	N/M - 29	*GSW	Grand & Douglas	Stray Bullet
10.	N/M - 29	*GSW	Grand & Dixie	Stray Bullet
11.	N/F - 18	Cut	N.W. 36 St. & 17 Ave.	Glass
12.	W/F - 25	Cut	N.W. 2 Ave. & 54 St.	Bottle
13.	N/F - 28	*GSW	N.W. 12 Ave. & 62 St.	Stray Bullet
14.	N/M - 17	Stabbed	N.W. 11 Ave. & 54 St.	Screw Driver
15.	N/M - 20	Cut	N.W. 17 Ave. & 69 St.	Glass
16.	W/M - 19	Cuts	N.W. 17 Ave. & 39 St.	Rocks
17.	W/M - 50	Beaten	N.W. 17 Ave. & 38 St.	Pipe, Rocks Bottles
18.	W/M - 24	Beaten	N.W. 22 Ave. & 36 St.	Rocks
19.	W/M - 50	Beaten	N.W. 27 Ave. & 36 St.	Hands
20.	W/M - 19	*GSW	N.W. 17 Ave. & 62 St.	
21.	N/M - 22	*GSW	N.W. 62 St. & 2 Ave.	
22.	W/M - 22	Beaten	Grand & McDonald	Cement Block
23.	W/F - 2	Cut	N.W. 13 Ave. & 36 St.	Glass
24.	W/M - 50	Beaten	N.W. 7 Ave. & 20 St.	
25.	W/M - 27	Cut	S.E. 1 Ave. & 21 St.	Knife
26.	W/M - 20	Cut	N.W. 12 Ave. & 36 St.	Glass
27.	W/F - 20	Cut	N.W. 12 Ave. & 36 St.	Glass
28.	W/M - 24	Cut	N.W. 38 St. & 17 Ave.	Rocks, Bottles
29.	W/F - 19	Cut	N.W. 38 St. & 17 Ave.	Rocks, Bottles
30.	W/M - 1	Cut	N.W. 38 St. & 17 Ave.	Rocks, Bottles

31.	W/M - 41	Beaten	N.W. 12 Ave. & 36 St.	Rocks
32.	W/M - 73	Beaten	N.E. 1 Ave. & 59 St.	Critical Con.
33.	W/M - 27	Cut	N.W. 11 Ave. & 36 St.	Rocks
34.	W/M - 24	*GSW	N.W. 12 Ave. & 36 St.	
35.	W/F - 20's	Cut	N.W. 12 Ave. & 38 St.	Cut by flying Glass
36.	B/M - 15	*GSW	N.W. 5 Ave. & 81 St.	Stray Bullet
37.	B/M - 25	Cut	N.W. 7 Ave. & 69 St.	Rocks
38.	B/M - 24	*GSW	N.W. 14 Ave. & 62 St.	
39.	B/F - 53	Cut	N.W. 1 Ct. & 16 St.	Bottles
40.	W/F - 27	Cut	N.W. 38 St. & 17 Ave.	Rocks
41.	B/M - 27	*GSW	N.W. 12 Ave. & 46 St.	
42.	B/F - 30	Broken Leg	S.E. 2 St. & 3 Ave.	Struck by car
43.	B/F - 25	Bruises	S.E. 2 St. & 3 Ave.	Struck by car
44.	W/F - 24	Beaten	N.W. 5 Ave. & 10 St.	
45.	W/F - 11	Beaten	N.W. 5 Ave. & 10 St.	
46.	W/M - 32	*GSW	3065 McDonald	
47.	W/M - 20	Beaten	N.W. 13 Ave. & 62 St.	Rocks, Bottles
48.	W/M - 19	Beaten	N.W. 13 Ave. & 62 St.	Rocks, Bottles
49.	N/M - 76	Struck by car	N.W. 13 Ave. & 62 St.	
50.	N/F - 9	Struck by car	N.W. 13 Ave. & 62 St.	
51.	W/F - 40	Cut	Grand & Douglas	Rocks
52.	W/M - 42	Cut	N.W. 17 Ave. & 71 St.	Rocks
53.	W/F - 25	*GSW	N. Miami & 54 St.	During Robbery
54.	W/M - 20's	*GSW	N. Miami & 54 St.	During Robbery
55.	W/F - 46	Cut	N.E. 2 Ave. & 20 St.	Glass
56.	W/M - 24	Cut	N.W. 12 Ave. & 62 St.	Rocks
57.	W/F - 28	Cut	N.W. 22 Ave. & 38 St.	Rocks, Bottles
58.	W/M - 29	Cut	S.W. 3 Ave. & 18 Terr.	Bottles
59.	W/M - 22	Cut	N.W. 17 Ave. & 43 St.	Rocks
60.	W/M - 35	*GSW	N.W. 7 Ave. & 56 St.	

61.	W/M - 30's	*GSW	N.W. 7 Ave. & 56 St.	
62.	N/F - 23	*GSW	N.W. 12 Ave. & 64 St.	
63.	W/F - 27	Cut	N.W. 22 Ave. & 27 St.	Bottles
64.	W/F - 7	Cut	N.W. 22 Ave. & 38 St.	Bottles, Rocks
65.	W/M - 25	*GSW	N.W. 12 Ave. & 14 St.	
66.	W/M - 25	Beaten	N.W. 12 36 St.	Rocks, Bottles

\*GSW: Gun Shot Wound

## FIRE DEPARTMENT RESPONSE



MIAMI FIRE DEPARTMENT RESPONSE TO  
THE CIVIL DISORDER OF MAY 17, 1980,  
TO MAY 20, 1980

The Miami Fire Department's plan of action for deployment and response during a riot-type situation is to actively engage all fires and minimize destruction. The Miami Fire Department's basic plan calls for the formation of Task Forces comprised of at least two trucks and a Fire Chief. The Police and Fire Departments coordinate activities so that whenever a Fire Task Force, or Fire Rescue Squad, is going to respond, Police Officers provide security to the Fire Units. This is usually accomplished by providing two police cars as escort. Our officers are instructed that the firemen will be protected at all times. The officers are not to leave the fire units unguarded. These policies have maintained an excellent rapport between the Fire and Police Department. It also explains why, even though the Miami Fire Department and the Dade County Fire Department have widely different philosophies in regard to fighting fires in a riot area, no Miami Firemen have been seriously injured by riot-related acts and the total amount of damage

done to the trucks and equipment during the disorders was \$9,400.00.

From 1800 hours Saturday, 17 May 1980, through 0600 hours Tuesday, 20 May 1980, the Miami Fire Department responded to a total of 263 alarms. A total of 672 pieces of equipment was dispatched and 129 fires were extinguished. In additions, the Fire Rescue Squad responded to 126 calls for service. Assistance was provided to the Dade County Fire Department on 27 occasions during the riot.

To put the above figures into perspective, during the same time period in a non-riot environment, the Fire Department responds to 193 alarms, extinguishes 8 fires, using 40 pieces of equipment.

Arson was committed on 68 buildings during the riot. Some of these buildings were set on fire as many as five times. There were 32 buildings which were totally destroyed; 10 buildings sustained damages in excess of 75%; 13 buildings received 20% to 40% damage and 13 buildings sustained 10% or less damage.

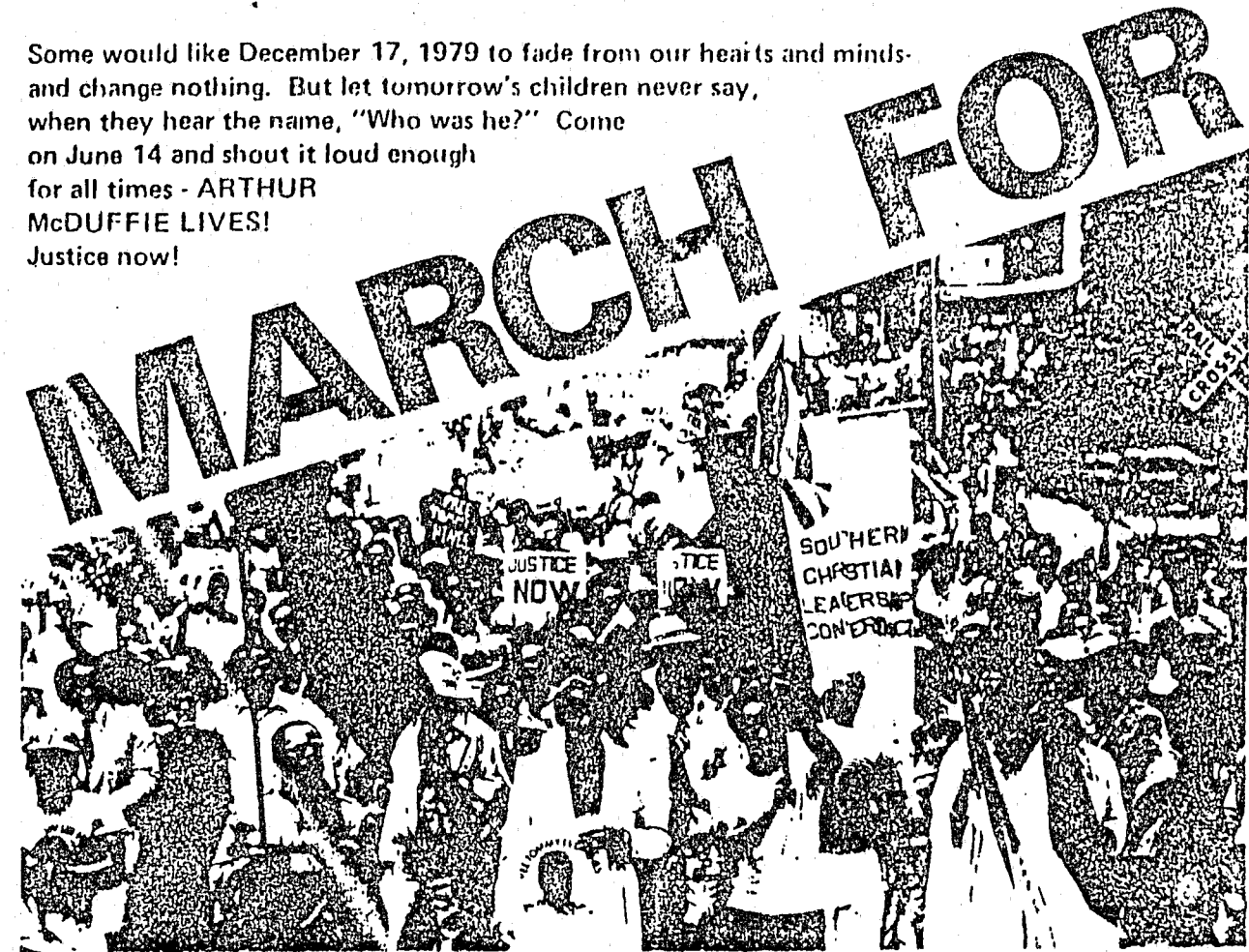
116 properties sustained loss during the riot. The preliminary estimate for fire, looting and inventory damages is \$27,012,500.00. The annual property tax loss for buildings irreversibly damaged is estimated at \$65,500.00. The businesses which were destroyed employed 843 persons. The payroll loss may approximate \$4,047,425.00 annually.

In summary the riot related physical damages amount to \$27,012,500; the annual payroll loss may approximate \$4,047,425 and fiscal revenues (property tax only) lost is estimated at \$65,500, bringing the total estimated explicit costs to \$31,125,425.

NOTE: These estimates do not take into consideration vehicles burned or damaged or any personal property not associated with the above properties. There are no figures available on the above two categories.

**LEAFLETS & NOTICES  
ON PUBLIC MEETINGS**

Some would like December 17, 1979 to fade from our hearts and minds-  
and change nothing. But let tomorrow's children never say,  
when they hear the name, "Who was he?" Come  
on June 14 and shout it loud enough  
for all times - ARTHUR  
McDUFFIE LIVES!  
Justice now!



**JUSTICE!**

**SATURDAY - JUNE 14**

**12 NOON**

Staging Area

**Mt. Zion Baptist Church**

**301 N.W. 9th Street**

Sponsoring organizations

**CITIZENS COALITION FOR RACIAL JUSTICE  
MIAMI - DADE MOVEMENT FOR JUSTICE**

Information: 665 0254

## ENEMY LICKS ITS WOUNDS

Two weeks have gone by since the rebellion that rocked the streets of Miami. Over 1,300 people have been arrested, 13 killed. The cops are still kicking in Black people's doors and dragging them off the streets for so-called crimes committed during the rebellion, and recently 3 Black youth have been dragged in and charged with first degree murder of 3 whites. All this has been since the violence that erupted in Miami 3 weeks ago. Ten Blacks have been killed, some of them by police and 3 by white vigilante reactionaries in their pick-up trucks taking pot-shots at Black people. In addition to the 10 Black people that were murdered, 5 white people were killed, and one pig died of a heart attack. Although some of the white people who were killed were innocent victims apparently just driving through the neighborhood and who became the target of tremendous rage unleashed during the rebellion; and although the Revolutionary Communist Party does not uphold indiscriminate violence - we uphold the overall righteousness of the Miami rebellion, the oppressed rising up in revolutionary violence against the violence of the oppressor.

It is obvious that the arrests of the 3 youths has nothing to do with any kind of justice. Those who have been the constant perpetrators of injustice against the people yesterday are not about to bring justice to any sections of the people today. As for those murders committed by the cops and other reactionaries, as of today no arrests have been made and no plans for arrests are seen in the foreseeable future. Miami Police Captain Marshall Frank of the Metro Police Department stated "unless we get a break or a new lead, we are not anticipating any new arrests."

Overall they are trying to intimidate those who rose up by railroading hundreds off to jail on trumped up charges. Even many of those arrested for looting or curfew violations are having their charges upped from misdemeanors to felonies. And the very clear meaning of all of this is that they are trying to teach people a lesson, part of a desperate attempt to try and snuff out the ever-growing resistance of Black people to the criminal rule of capitalism. It is one more attempt by these experts of worldwide plunder to say, "No matter how bad it gets, it's not worth standing up against us."

They've also made a big deal about the arrests of the 3 youths to try and say the target of the rebellion was not this dog-eat-dog system and the powers that be that have always thrived on national oppression and all the other insanities of the American way, but instead a riot between the Black and white masses - they are working hard to whip up chauvinism among those whites who haven't broken with the master.

At the same time the legal hit men for the system are stepping up their reprisals on the Black community, the federal government has already sent in their calvary, this time without guns in the form of the Federal Interagency Task Force speaking with forked tongue about rebuilding this destroyed area, funnelling federal money, promising jobs and youth programs, anything that will cool off the people's anger. U.S. Attorney General Benjamin Civiletti is promising an "investigation" into McDuffie's murder. It seems these Miami pigs have "violated his civil rights" and the feds are anxious to see justice done. But ask the Chicano people in Moody Park in Houston, Texas about capitalist justice and the federal trial for Joe Torres' civil rights. The swine found guilty of murdering Torres have yet to serve a day in jail.

The lies and piss poor promises of reforms of these federal flunkies and their local counterparts are pretty flimsy - held up beside their vicious reprisals, particularly with the arrest of the 3 on murder charges. We have got to face the fact that if this dog-eat-dog system could be reformed, even with some "angel" sitting on some cloud in the sky in Washington, D.C., this "miracle" would have taken place long ago. They piously talk of "healing the wounds" in Miami as they kick the doors and throw up their dragnets. THEY WANT TO HEAL THE WOUNDS ALL RIGHT - ~~THE~~ WOUNDS.

The rebellion shook this system to its foundations and sent shock waves and joy to millions of oppressed people in this country and around the world. From Iran where thousands of revolutionaries demonstrated in support of the Miami rebellion to Korea where rebels drove U.S.-backed troops out of one major city and rocked 16 others, sending the imperialist system reeling. The working class and oppressed people are rising up and resisting this criminal system inside the borders of the U.S. as well as out. The U.S. imperialists are trying desperately to put a lid on the people's struggle and get their shit together for world war with their Soviet counterparts. It is particularly stark that in Miami where they are pretending such concern for the Black youth, these same youth they are trying to dangle a pie-in-the-sky future in front of will soon be forced into uniforms and called on as cannon fodder for

# Community Solidarity Meeting

in support of the Black Community



Mrs. Eula McDuffie is comforted at a rally shortly after the murder of her son. Justice must be done in the McDuffie case and others like it!  
SUPPORT THE DEMAND FOR JUSTICE NOW!

**Saturday – May 24th, 1980**  
**1:00 p.m.**

**First United Methodist Church Of Miami**  
**400 Biscayne Blvd.**

(Parking Available)

Sponsored: Citizens Coalition for Racial Justice

# Sunday Rally

## 4 P.M.

# A CALL FOR JUSTICE!

*Come and Bring Your Friends*

**Mt. Zion Baptist Church**

**301 N.W. 9th Street**

**SUNDAY • JUNE 8**

— BRIEF PRESENTATIONS —

## FOLLOWING ORGANIZATIONS

### INVITED:

- Alpha Phi Alpha Fraternity
- Kappa Alpha Psi Fraternity
- Omega Psi Phi Fraternity
- Phi Beta Sigma Fraternity
- Alpha Kappa Alpha Sorority
- Delta Sigma Theta Sorority
- Zeta Phi Beta Sorority
- Sigma Gamma Rho Sorority
- Sigma Pi Phi Boule
- Southern Christian Leadership Conference (SCLC)
- Miami-Dade Chamber of Commerce
- Community Lawyers Association
- ESEA Title I Parents
- ESAA Parents
- Opportunities Industrialization Center (OIC)
- Haitian Refugee Center
- NAACP
- Community Action Agency of Dade County
- Greater Miami Urban League
- Belafonte — Tacolcy Center
- Citizen Coalition for Racial Justice
- Black Leadership Conference
- North Dade Home Owners Association
- Community Relations Board
- Brownsville Improvement Association
- Impact
- A. Phillip Randolph Institute
- Bahamian American Federation
- Florida East Coast District Association
- African Orthodox Church
- Dade Delegation — Florida Legislature
- Welfare Rights
- Tenants Education Association of Miami (Team)
- United Church of Christ — Commission for Racial Justice
- Metropolitan Board of County Commissioners
- City of Miami Commissioners
- Other Committee Organizations



the very system they rightfully rebelled against.

Yes, the Miami rebellion was a sharp conflict between the oppressed and the oppressor that terrified the government and the rulers of this country. Those who understand that this system is dead and dying and must be put into its grave cannot belittle its significance. For while it may seem that the government has won this round since the rebellion has ebbed, their "victory" is bitter fruit because it brings them one more step towards that grave. Millions in this country received an intense lesson in the basic vulnerability of this system, and while conditions have not yet ripened to the point where mass rebellions can go over into armed, mass proletarian revolution, this rebellion gave us another glimpse of the future and another glimpse of the possibility of revolution and can only compel the class conscious to intensify the all round preparation for that day.

And central to all this is the Revolutionary Worker. This paper will train a network of fighters spreading their grand conspiracy far and wide, a conspiracy of slaves to wipe out this hellish system of wage slavery that the capitalists dare to call "modern society". This paper is a weapon that will pass from hand to hand to an ever-growing number of people, spreading revolutionary ideas, popularizing key battles and fanning all the sparks of class struggle into a raging fire of revolution.

- REVOLUTIONARY COMMUNIST PARTY, U.S.A.

#### NEW PROGRAMME & CONSTITUTION OF THE RCP--

##### DRAFTS FOR DISCUSSION

"If there is to be a revolution," said Mao Tse-tung in 1948, "there must be a revolutionary party." Today in the U.S. there is such a party, a party based on Marxism-Leninism, Mao Tse-tung Thought - the Revolutionary Communist Party, U.S.A.

With the recent publication of draft documents of the New Programme and New Constitution of the Revolutionary Communist Party, the RCP has issued a declaration of war. These draft documents are a battle plan for destroying the old - rising in armed revolution and overthrowing the U.S. imperialist ruling class - and then building the new - the consolidation of the rule of the proletariat and the establishment and construction of socialism in this country.

These new documents are drafts. While they represent the most correct and highest concentration of the understanding of the RCP, broad discussion and struggle must take place to hone them into an even sharper weapon in the revolutionary struggle.

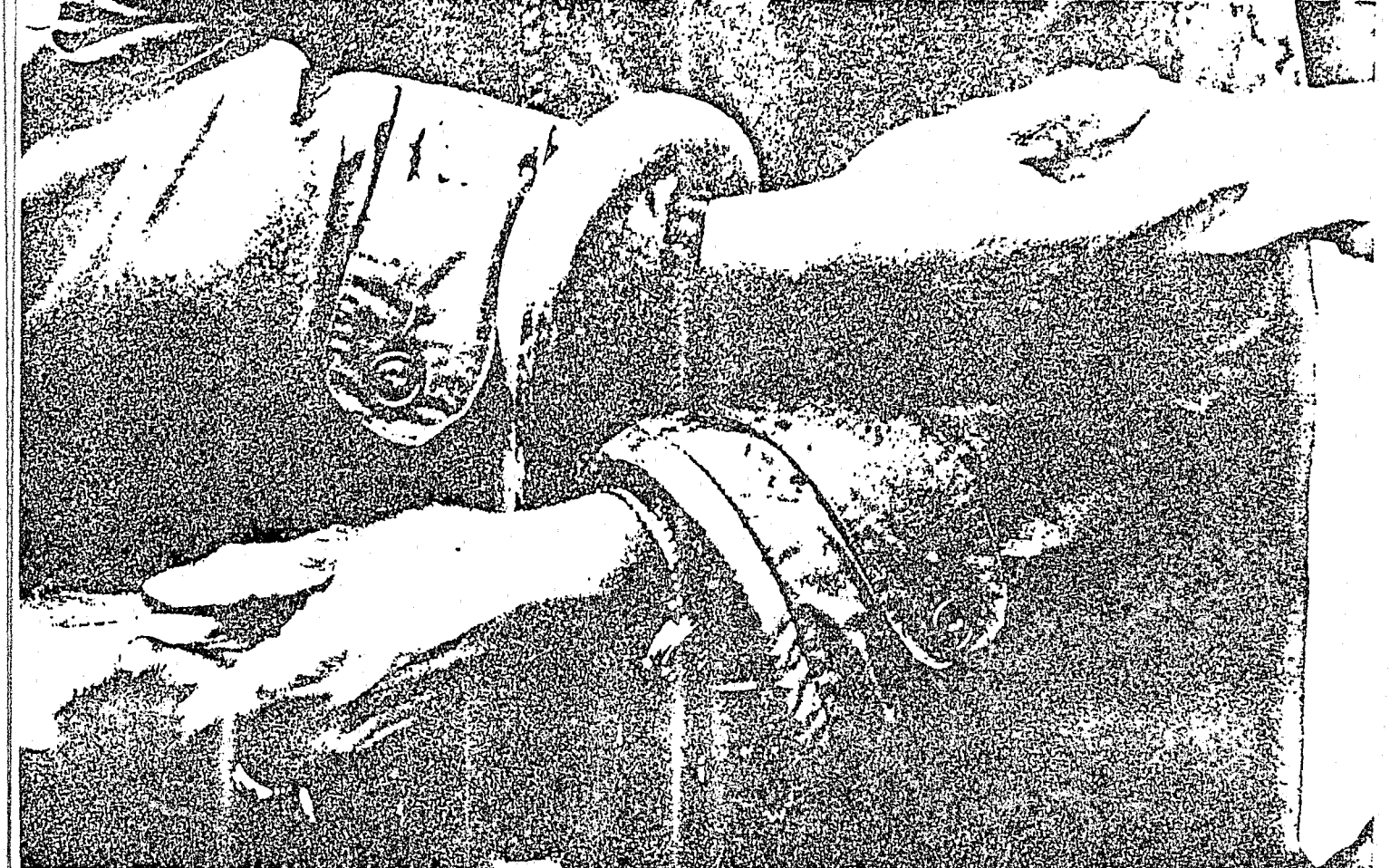
From 1980; A Year, A Decade of historic importance" by Bob Avakian, Chairman of the Central Committee, Revolutionary Communist Party, U.S.A.:

"As the decade opens, the future, the possibilities of war and revolution open before us. Now too does the press of immediate tasks in the present, which become all the more important, which reach their full significance when viewed in the light of the future and the long term goals we cherish. We see the outlines of the period before us - right before us and the stormy, tumultuous decade of the 1980s - and we see clearly that, as the Central Committee report of our Party put it, "The question is not whether heavy things are going to be happening, the question is whether they're going to be one-sided or two-sided in a basic sense."

"The critical question - that is, the thing we can effect and take freedom and initiative around - is the role of the Party and the advanced. We can seize this initiative in wielding the weapon of the Revolutionary Worker, in waging political battles, in influencing and activating, mobilizing around their real interests and the revolutionary stand of the international proletariat, the many who already are beginning to and increasingly will be drawn into political life; training class conscious forces among the ranks of the proletariat and others awakening to political life and struggle, developing them into (and as) revolutionary communists, armed with the science of Marxism-Leninism, Mao Tse-tung Thought and to the greatest degree at each point, through the upheavals of the period ahead and pointing always and clearly toward the final goal. And in so doing we will be laying the strongest possible basis to seize the time when the times do become ripe..."

THE REVOLUTIONARY WORKER  
BOX 3486, MERCHANDISE MART  
CHICAGO, ILLINOIS 60654

# COMMUNITY SOLIDARITY RALLY



IN SUPPORT OF BLACK COMMUNITY DEMANDS

**JUSTICE & JOBS!**

**Saturday - June 7th  
7:30 PM**

**Hibiscus Hall  
955 Alton Road  
Miami Beach**

Sponsored: Citizens Coalition for Racial Justice

# REBUILD THE BLACK COMMUNITY!



## RALLY

Tues - June 3  
12:00 Noon  
Dade County  
Courthouse  
76 W Flagler

TAX BIG REAL ESTATE ...

NOT POOR PEOPLE

SEND FEDERAL DISASTER AID

We demand the immediate passage by the State Legislature and County Commission of a Real Estate Transfer Tax to rebuild the Black Community. This tax would be levied on the difference between the assessed value of real estate and the sale price and would be set to generate \$100 million in annual tax revenues. Homes and condominiums selling for under \$100,000 would be exempt. At present, business property and the homes of the wealthy are under assessed and do not pay their fair share of property taxes. The "Gap Tax" would correct tax inequities while providing money to rebuild. This would be a one time tax which the buyer would pay.

Community Development Authorities (CDA's) democratically chosen by neighborhood residents should be set up for strict community control of the distribution of "Gap Tax" revenues. These CDA's could be empowered to: aid local small businessmen with low-interest, long term loans, construct homes for low income people to buy with low down payments and low monthly payments; and build community centers, parks and playgrounds, senior centers and child care centers. Local people should be employed in construction work and should be taught construction trade skills through union apprenticeship programs.

Telephone your State Legislators and County Commissioners immediately and tell them to support the "Gap Tax".

Sponsored: Citizens Coalition for Racial Justice

5620 N.E. 2nd Ave  
Miami, Florida 33127  
Tel. (305) 665-0254

## MARCH FOR JUSTICE SET FOR SATURDAY

IT WAS ANNOUNCED TODAY THAT A MASSIVE MARCH HAS BEEN SET FOR SATURDAY, AT NOON, TO THE JUSTICE BUILDING IN PROTEST OF INJUSTICES OF JANET RENO'S OFFICE AS IT - RELATES TO DADE COUNTY'S BLACK CITIZENS.

GOLDEN FRINKS, NATIONAL FIELD SECRETARY OF THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE, PROJECTS THAT THE MARCH WILL INVOLVE OVER 15,000 DADE CITIZENS OF ALL NATIONALITIES. FRINKS STATED IN AN INTERVIEW THAT "INJUSTICE ANYWHERE IS A THREAT TO JUSTICE EVERYWHERE" AND INDICATED THAT THE EYES OF THE WORLD ARE FOCUSED VERY SHARPLY ON MIAMI WHERE THOUSANDS OF BLACKS AND OTHER MINORITIES RESIDE.

IT WAS LEARNED TODAY THAT AN ADMIXTURE OF BLACKS, HISPANICS AND WHITES WILL MARCH DOWN 12TH AVENUE TO THE JUSTICE BUILDING FROM EIGHT KEY POINTS OF THE CITY, WITH GROUPS FINALLY CONVENING AT THE MAIN STAGING AREA OF MANOR PARK ON NORTHWEST 46TH STREET AND 12TH AVENUE TO CONTINUE THEIR TREK TO THE JUSTICE BUILDING ON NORTHWEST 12TH AVENUE. SUBSTATIONS FOR THE MARCH, WITH ALL ROADS LEADING TO NW 12TH AVENUE ARE AS FOLLOWS:

1 \* MIAMI NORTHWESTERN SENIOR HIGH SCHOOL  
NW 12TH AVENUE & 71ST STREET

2 \* GLADEVIEW ELEMENTARY SCHOOL  
NW 27TH AVENUE AND 62ND STREET

\* EDISON JUNIOR HIGH SCHOOL  
NW 2ND AVENUE AND 62ND STREET

\* CALEB CENTER  
NW 22nd AVENUE & 54TH STREET

\* **HAITIAN AMERICAN COALITION AGAINST DISCRIMINATION**  
\*NW 2ND AVENUE & 54TH STREET

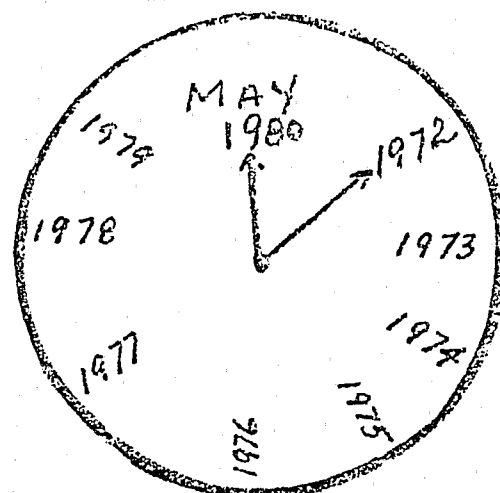
\* BROWNSVILLE IMPROVEMENT ASSOCIATION  
NW 27TH AVENUE & 49TH STREET

\* PEOPLE'S CHURCH 463  
NW 2ND AVENUE & 4TH STREET

\* MT. ZION BAPTIST CHURCH  
NW 3RD AVENUE & 9TH STREET

THE MARCH, REMINDING THE CRIMINAL JUSTICE SYSTEM OF DADE COUNTY OF RANDY HEATH, EARL CARROLL, NATHANIEL TANNY DEAN, NEAL ADAMS, Rev. Edward Graham, NATHANIEL LA FLEUR, ARTHUR MC DUFFIE, JOHNNY JONES & SOLOMON BARNES, IS TARGETED AT 11 year old girls - and numerous others -

March For Political Asylum & Justice  
Time is running out For...



## HAITIAN REFUGEES!!!

DOUBLE STANDARDS WILL NOT BE TOLERATED!

The Haitian Refugees are Americans "Black Boat People". They are the survivors of a harrowing flight from oppression. Most have risked their lives to voyage 800 miles of dangerous OCEAN IN FLimsY sailboats. Many of their family and friends have drowned. THESE Haitian refugees seek Political Asylum in the United States. Their pleas for refuge have not been heard. Many have languished in South Florida for 6 or 7 years. They are uncertain of their fate, and in great fear of forced return to Haiti.

-----THEREFORE-----

May 15, 1980 is very significant, after that date, the refugee ACT of 1980 terminates the President's Parole authority to grant Political Asylum to refugees on a group basis. This means the last opportunity that the 10,000 Haitians who are currently here and in proceedings have for a group-wide classification as political refugees. A case-by-case review will take 5-6 years and millions of dollars.

Date: Saturday, April 26th, 1980

Time: 11:00 A.M.

Place: Sabal Palm Shopping Center  
54 St. N.E 2nd Avenue

LET US MARCH TOGETHER FOR JUSTICE!

SPONSORED BY C.C.S.A. - HAITIAN REFUGEE CENTER - FOR MORE INFORMATION: CALL.....  
691-2095 or 691-2096

PAGE 2

JANET RENO, DADE'S STATE ATTORNEY AND THE METROPOLITAN & MUNICIPAL POLICEMEN WHOSE TREATMENT OF BLACKS HAVE BEEN UNEVEN-HANDED IN METING OUT JUSTICE.

FRINKS ISSUES A CALL FOR ALL CITIZENS, YOUNG AND OLD, RICH AND POOR, BLACK AND WHITE TO PARTICIPATE IN THIS MOVEMENT TO DEMONSTRATE THAT INEQUALITY AND INJUSTICE WILL NO LONGER ENDURE IN DADE COUNTY OR THIS COUNTRY.

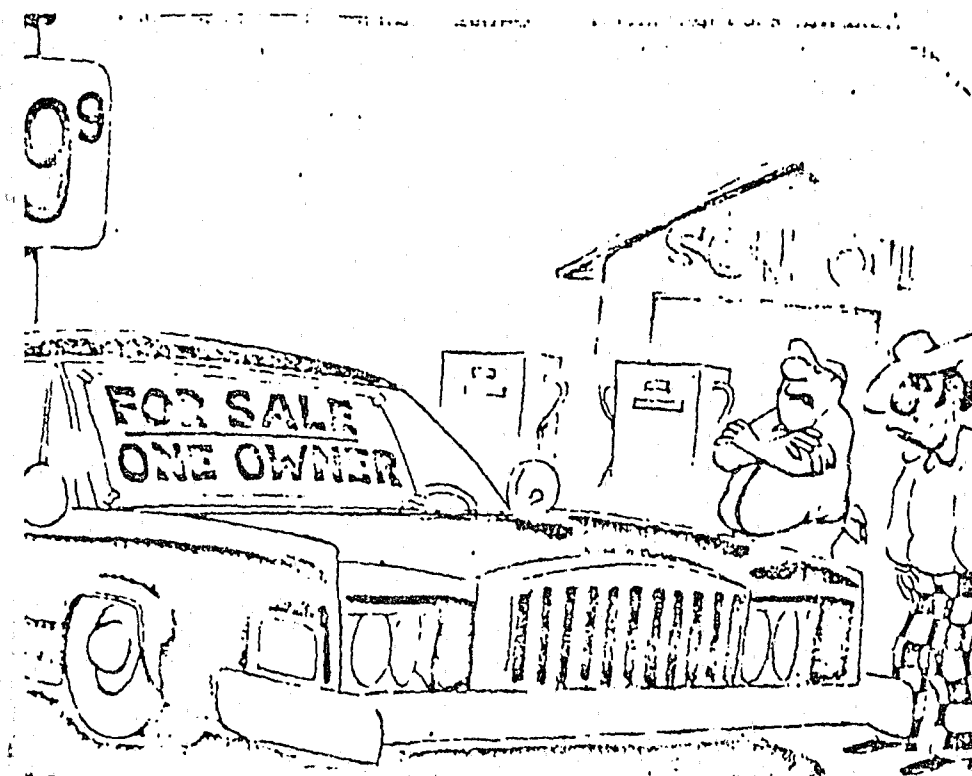
(NOTE: This is a xerox copy of announcement issued about the "March for Justice" that was held Saturday, June 14, 1980.)



Individually, we must do something about the way we spend and waste earnings, charity, welfare, etc. No matter how your earnings come to you, that's wealth that you can use to improve your life. We can't waste it, so we need to budget.

NOBODY CAN LEGISLATE YOU UP FROM POVERTY.

They can give you all the opportunities but if you don't know how to manage, to take advantage of the opportunity that you get and manage the wealth that you are able to attain, you will stay on the bottom forever.



THE PREVIOUS OWNER?.....HE STARVED TO DEATH."

AN APPEAL TO  
RESIDENT CONSCIOUSNESS (AWARENESS)  
Against Crime, Apathy, and Vandalism

SATURDAY  
MAY 17, 1980  
2:00 P.M. - 5:00 P.M.

AFRICAN SQUARE PARK

Supported by:

New Mt. Moriah Holy Cross Church  
Union Grove Missionary Church  
Fellowship Missionary Baptist Church  
Shailoh Baptist Church  
Mt. Calvary Baptist Church  
Mrs. Athalie Range  
Liberty Square Tennant Council  
Liberty City Sub-Council Crime Prevent  
Mr. Bill Kimbro  
Dade County Police Department  
City of Miami Police Department  
Masjid El-Ansar  
SCLC  
Carrie Meeks - State Representative

# PROGRAM SCHEDULE

Master of Ceremony  
Director

Otis Pitts

Speaker  
Range Funeral Home

Mrs. Athalie Range

Host Resident Imam  
Masjid Al-ANSAR

Imam Nasir Ahmad

Final Remarks/Closure  
Masjid El-Ansar

Richard El-Amin

Speaker  
State Representative

Carrie Meeks

Song  
Mt. Calvary Baptist Church

Speaker  
City of Miami Chief of Police

Kenneth Harms

Speaker  
Concerned Citizens

Deborah Nuriddin

Speaker  
President Liberty Square  
Tenant Council

Thelma Jackson

Song  
New Mt. Moriah Holy Cross Church

Speaker  
Director Dade County  
Safety Department

Bobbie Jones  
Guest Speaker

Introduction of Speaker  
Mt. Moriah Holy Cross Church

Rev. Lee Strange

Speaker  
Opa-Locka Police Chief

Robert Ingram

Speaker

Rev. Samuel Atchison

\*\*\*\*\*

## ANNOUNCEMENTS

Seminar On  
"RESPONSIBILITY OF MOTHERHOOD"

Saturday May 31, 1980  
African Square Park 6:00 p.m.

For further information call  
757-8741

THE SUPPORT COMMITTEE FOR DR. JOHNNY JONES AND SOLOMON BARNES

"UNITY RALLY AGAINST INJUSTICE"

DEAR KITH AND KIN:

THE SUPPORT COMMITTEE FOR DR. JOHNNY JONES AND SOLOMON BARNES IS  
SENDING OUT A CLARION CALL OF UNITY TO ALL BLACK ORGANIZATIONS AND  
INDIVIDUALS TO ATTEND A "UNITY RALLY AGAINST INJUSTICE".

NOW IS THE TIME FOR THE COMMUNITY TO UNITE AND FIGHT AGAINST A RACIST  
JUDICIARY SYSTEM. AN ATTACK ON JOHNNY JONES, SOLOMON BARNES,  
NATHANIEL LEFLEUR, RANDY HEATH, NEAL ADAMS, AND OTHERS IS AN ATTACK  
ON THE ENTIRE BLACK COMMUNITY. WE MUST REMAIN UNDAUNTED AND OUR  
CONFIDENCE UNSHAKEN IN OUR STRUGGLE AGAINST RACIST CONSPIRACIES IN-  
FLICTED ON AN UNOFFENDING PEOPLE. YOUR PRESENCE AND SUPPORT IS NEEDED,  
BECAUSE THE JOHNNY JONES CONVICTION WAS A MOCKERY AND MISCARRIAGE OF  
JUSTICE. WE MUST REMAIN CONFIDENT THAT JOHNNY JONES AND SOLOMON BARNES  
WILL BE EXONERATED OF ALL TRUMPED UP CHARGES. THE RECENT ACQUITTAL  
OF FOUR WHITE OFFICERS IN TAMPA, FLORIDA, INVOLVED IN THE MURDER OF  
ARTHUR MCDUFFY, DEMONSTRATES THAT RACISM IS VERY ALIVE AND ACTIVE IN  
AMERICA.

THE RALLY WILL BE HELD AT THE CHURCH OF THE  
INCARNATION, 1835 NW 54 ST.  
SUNDAY, MAY 25, 1980  
4:00 P.M.

RACIALLY YOURS:

DAVID KENYATTA, CHAIRMAN  
COMMITTEE OF UNITY RALLY

*David Kenyatta*

" U N I T Y   R A L L Y   "

AGAINST INJUSTICE

SUNDAY, MAY 25, 1980  
CHURCH OF THE INCARNATION  
1835 N W 54 ST.

4:00 P.M.

NOW IS THE TIME FOR BLACK PEOPLE TO UNITE FOR A WORTHY CAUSE: "FREEDOM  
IS THE GREATEST HERITAGE OF A PEOPLE AND UNITY IS IT'S GUARDIAN."

PITTS & LEE

RANDY HEATH

NATHANIEL LEFLEUR

11 YEAR OLD ELACK GIRL

NEAL ADAMS

ARTHUR MCDUFFY

JOHNNY JONES

SOLOMON BARNES

AND OTHERS

THE BLACK COMMUNITY IS INVITED TO ATTEND: "ALL OUT" -- "ALL OUT" "POWER  
IS AT THE BALLOT BOX, POWER IS GOVERNING OURSELVES, HAVING OUR OWN MUNI-  
CIPALITY AND CONTROLLING THE ECONOMIC LIFE OF OUR COMMUNITY."

"UNITY RALLY"

CHURCH OF THE INCARNATION

1835 N W 54 ST.

4:00 P.M.

SUNDAY, MAY 25, 1980

P R O G R A M

REV. J. H. TAYLOR, JR.

PRESIDING

PRELUDE

INVOCATION

MUSIC-----LIFT EVERY VOICE

PURPOSE-----J. TAYLOR

MUSIC -----GUEST CHOIR

INTRODUCTION OF SPEAKERS-----DAVID KENYATTA, CHAIRMAN  
COMMITTEE OF UNITY RALLY

KEYNOTE ADDRESS

MUSIC-----GUEST CHOIR

COLLECTION WITH MUSIC-----

REMARKS FROM VICTIMIZED BLACKS:

NATHANIEL LEFLEUR  
RANDY HEATH  
(HOMESTEAD GIRL)  
ARTHUR MCDUFFY  
PITTS & LEE  
NEAL ADAMS  
ERROL CAROL  
REV. GRAHAM  
SOLOMON BARNES  
JOHNNY JONES

NEW COMMITMENTS-----DAVID KENYATTA, CHAIRMAN  
COMMITTEE OF UNITY RALLY

SONG-----WE SHALL OVERCOME

BENEDICTION-----REV. KENNETH MAJOR

## OFFICIAL ANNOUNCEMENTS

S T A T E   O F   F L O R I D A

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 80-47

WHEREAS, a tumultuous disturbance of the peace has occurred in portions of Dade County, with violence, vandalism, arson, mayham, and wholesale property destruction endangering the public health, welfare, and safety, and

WHEREAS, the disturbance required the mounting of an immediate and comprehensive law enforcement and para-military response by municipality, county, and State personnel, and

WHEREAS, the State of Florida committed thousands of members of the Florida National Guard, officers of the Florida Highway Patrol, Game and Fresh Water Fish Commission, and Florida Marine Patrol in order to cope with the disturbance, and

WHEREAS, the Director of the Public Safety Department, Metropolitan Dade County, issued a Proclamation pursuant to Section 870.041, et seq., Florida Statutes (1970), and took several measures in accordance therewith in order to quell the disturbance, and

WHEREAS, continued vigilance and readiness is necessary in order to ensure the protection of the health, welfare, and safety,

NOW, THEREFORE, I, BOB GRAHAM, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1 (a), Florida Constitution (1968), Section 252.31, et seq.,

Florida Statutes (1974), Section 250.06, Florida Statutes, (1973), and all other applicable law, do hereby declare the existence of a disaster emergency and promulgate the following Executive Order effective immediately:

1. The Proclamation of the Director of Public Safety Department, Metropolitan Dade County, executed and filed on Sunday, May 18, 1980, pursuant to Section 870.041, et seq., Florida Statutes (1970), and amendments to said Proclamation are hereby ratified and given effect commencing at the moment of filing of said Proclamation and amendments thereto and ending at such time as it is determined by subsequent Executive Order.

2. The Director of the Public Safety Department, Metropolitan Dade County, is authorized to act as on-the-scene field commander of the forces of the Florida Highway Patrol, Florida National Guard, Florida Marine Patrol, Florida Game and Fresh Water Fish Commission, and any other State law enforcement personnel, empowered to utilize law enforcement personnel of each political subdivision in Dade County, and delegated the duty to take all the necessary action, pursuant to Section 252.36 (5) (c) - (1), Florida Statutes (1974), to protect the health, welfare, and safety in Dade County.

3. The Director of the Public Safety Department, Metropolitan Dade County, may cease to enforce any provision of his Proclamation and any amendment thereto.

4. The Adjutant General's activation of the Florida National Guard on May 17, 1980, pursuant to gubernatorial directive on said day is hereby ratified. All personnel of the Florida National Guard engaged in the support of civil authorities combating the disturbance in Dade County on or after May 17, 1980, shall be entitled compensation pursuant to applicable law.

5. All State agencies and all local government entities in Dade County having emergency capabilities or facilities shall render such assistance as may be requested by the Director Public Safety Department, Metropolitan Dade County.

6. Any State agency that incurred expenses in Dade County in connection with this disaster emergency shall submit reports of expenditures and damages to agency property to the Bureau of Disaster Preparedness, Department of Community Affairs.

(STATE SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 21st day of May, 1980

BOB GRAHAM (signature)

GOVERNOR

ATTEST:

GEORGE

SECRETARY OF STATE

ANNOUNCEMENTS

#1 - REFERENCE CURFEW - 7:50 p.m. - May 18, 1980

A curfew is in effect as of 8:00 p.m. Locations of the curfew will be passed on to the District Supervisors for application. Zone cars are to announce on their P.A. as to the curfew and announce that persons in violation will be subject to arrest. The curfew will be applied to persons identified as potential looters and other law violators. Discretion in arrests is important so we don't tie up too many men in arrest situations, Tactical directions will be forthcoming.

#2 - REFERENCE NATIONAL GUARD - 9:13 p.m. - May 18, 1980

The National Guard is expected to be deployed in force shortly to assist in traffic and security control. Strategic intersections throughout the City are being identified for initial on-site security assignments for the National Guard and the Miami Police Department, which will be methodically expanded to cover hot spots on a 24-hour basis until we have gained control over the situation. Additional tactical information will be forthcoming.

#3 - DEADLY FORCE POLICY - 9:50 p.m. - May 18, 1980

Officers of the Miami Police Department are not expected to expose their lives to unnecessary or unreasonable risks. Looters should not be pursued on an individual action basis. As 24-hour security posts are established between the National Guard and the Miami Police Department, effective control of our City will be obtained with minimal risks to our officers. The following Deadly Force Policy is now in effect: Deadly Force is authorized as a last resort.

- To prevent death, or great bodily harm to the officer or another person; or
- To apprehend a fleeing felon who is armed and dangerous; or
- To apprehend a fleeing felon who has just committed a felony resulting in death or great bodily harm.

If clarification is required on any aspect of this policy, your respective District Commander should be contacted.

#4 - AMENDED SUGGESTED TRAFFIC PATTERN FOR MONDAY  
A.M. - May 19, 1980

Persons normally utilizing U. S. 1 (South Dixie Highway) northbound should consider utilizing the Palmetto Expressway and S. R. 936. Northbound traffic will be diverted at LeJeune Road and U. S. 1. Alternate routes to downtown Miami would be LeJeune Road north to Coral Way, S. W. 8th Street, Flagler Street, N. W. 7th Street and then eastbound into City. Persons using 1-95 South should be advised that the N. W. 8th Street exist will be closed until further notice. Alternate would be next exit (S. W. 7th Street) and then loop back on 1-95 Northbound and exit at either Biscayne Boulevard or N. W. 3rd Street.

#5 - DOWNTOWN BUSINESS AREA - May 19, 1980 - 1500 hrs.

The City of Miami Police Department would like to dispel all rumours of the Downtown Business Area being unsafe. Currently, the Downtown Buesiness District is secure and safe to conduct normal activities. There are no planned rallies or demonstrations for this area. Downtown Miami is safe and secure.



#6 - REFERENCE AMENDED CURFEW BOUNDARIES

Curfew boundaries will be amended effective 2320

hours May 18, 1980, as follows:

- N.W. 57 Avenue from County Line south to NW 103 St.
- N.W. 103 Street from N.W. 57 Ave. east to NW 37 Ave.
- N.W. 37 Ave. from NW 103 St. south to Miami River
- The Miami River from 37 Avenue to Biscayne Bay
- Biscayne Bay from Miami River north to NE 79 St.
- NE 79 St. from Biscayne Bay west to I-95
- I-95 from 79 St. north to Cloverleaf Intersection  
with the Florida Turnpike north along the Florida  
Turnpike to the County Line.
- The County Line from the Florida Turnpike west to  
57 Avenue
- Vehicle travel on I-95 and S.R. 826 will not be  
restricted.

Check Point:

- 1 - NW 57 Avenue and S.R. 826
- 2 - NW 37 Avenue and N.W. 103 St.
- 3 - N.W. 37 Avenue and N.W. 54 St.
- 4 - Miami River and N.W. 17 Avenue
- 5 - N.W. 79 St. and N.W. 2 Avenue
- 6 - I-95 and N.W. 95 St.
- 7 - I-95 and N.W. 135 St.
- 8 - I-95 and N.W. 151 St.

COCONUT GROVE AREA

Starting at N. W. 27 Avenue and Bird Avenue west  
to U. S. I southwest to LeJeune Road, south to  
Hardee Road - east to Biscayne Bay - north to  
27th Avenue.

Check Point:

U. S. I and Bird Avenue.

#7 - ALCOHOLIC BEVERAGES - May 19, 1979

The sale of liquor within the City of Miami is  
prohibited during the continuance of the stated  
emergency. This applies to all areas of the City  
and is not limited to just the curfew areas.

#8 - RETURN TO NORMAL HOURS - May 20, 1980

The following schedule shall be effective immediately:

All personnel are to resume their normal work hours, according to the following schedule:

May 20, 1980:

Platoon B - 1500-0100

Platoon C - 1900-0700

May 21, 1980:

Platoon A - 0630-1630

Platoon B - 1500-0100

Platoon C - 2100-0700

SPU - 0630-1630

May 22, 1980:

Platoon A - 0630-1630

Platoon B - 1500-0100

Platoon C - 2100-0700

SPU - Regular Schedule

All other units shall return to their normal work hours effective May 21, 1980. All "E" days shall remain canceled until further notice.

Normal uniforms shall be required, unauthorized equipment shall not be carried.

Operational units shall schedule all personnel to two-man units except within 60 sector where one-man units are acceptable.

Any personnel in excess of any units requirements shall be assigned to assist C.I.S. in any investigative call back functions.

PRESS RELEASES ISSUED DURING DISTURBANCE

1. DATE: May 17, 1980 - 0700 hours

SUBJECT: Murder Victim - Unidentified

VICTIM: Unidentified N/N, 20's, approximately 5'10" 150 lbs., blue jeans - brown belt only

WHEN: 1150 p.m. - 5/16/80

WHERE: Vacant lot behind boarded up building rear of 467 N. W. 8 Street.

OFFENDERS: Unknown.

Victim found dead on ground after area residents heard shots in area. Witness saw car speeding away - no description. Victim shot in chest - also lacerations on head and face.

2. DATE: 18 May 1980

SUBJECT: Triple Beating Deaths - Occurred 17 May 80.

NARRATIVE:

Time: 9:30-10:00 p.m. - 17 May 1980

Place: N. W. 13th Avenue and 62nd Street

Victims: Benny Higdon, 21, 601 N. W. 90th Street; Charles Barreca, 15, 901 N. W. 74 Way, Hollywood; Robert Owens, 15, 601 N. W. 90th Street.

All three victims were driving through the area of N. W. 13th Avenue and 62nd Street when they were attacked by several persons. They were pulled from their vehicle and beaten by subjects with rocks and boards.

Victims Barreca and Owens expired at scene.  
Higdon expired later at Mercy Hospital.

3. DATE: 18 May 1980

SUBJECT: Shooting by Police Officer  
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NARRATIVE:

Time: 3:10 a.m.

Place: N. W. 22nd Avenue/72nd Street

Miami Police Sergeant E. Westby was enroute to the scene of a burning car containing a body when he and two other officers with him were fired upon by a subject leaning against a car at N. W. 22nd Avenue and 72nd Street. After the initial shot, the suspect ran towards the officer's car and fired four additional rounds. When the officers returned the fire, the suspect attempted to flee. The Sergeant fired 5 or 6 rounds, one of which hit the suspect, killing him. Next to the suspect's body was found a .357 Magnum with 6 expended rounds.

Identity of suspect unconfirmed at this time.

4. DATE: 18 May 1980

SUBJECT: SHOOTING OF MIAMI POLICE OFFICERS  
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NARRATIVE:

Time: Approximately 5:45 p.m. today

Victims: Capt. Larry Boemler, Lt. James Walton;

Sgt. Larry Bankert

Capt. Boemler and Lt. Walton were investigating

looting at N. W. 7th Avenue/57th Street when

they were hit by sniper fire. Capt. Boemler

was hit in the leg and arm and Lt. Walton in

the foot. Capt. Boemler was taken to Jackson

Memorial Hospital, where he underwent several

hours of surgery. Lt. Walton was taken to

Cedars of Lebanon Hospital. Both are in good

condition. At about the same time, Sgt. Larry

Bankert was investigating looting at N.W. 12 Avenue/

54th Street when he was accidentally shot in the

toe by another officer. Sgt. Bankert was taken

to Jackson Memorial Hospital, where he is in good

condition.

5. DATE: 18 May 1980

SUBJECT: Riot Situation - Aftermath McDuffie  
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NARRATIVE:

The disturbance began about 6 p.m. last night and

escalated into a large scale disorder by dark.

Numerous fires were reported throughout the night,

nine of which were major. Vehicle fires were

numerous including two Miami Police vehicles and

two Dade County vehicles. A total of 2,000-3,000

persons gathered at the Justice Building setting

fires and breaking windows with rocks and gunfire.

Eight to ten vehicles were damaged, some by fire.

Officers had to contend with several instances of sniper fire as well as numerous cases of looting. A total of ten persons were confirmed killed throughout Miami and Dade County. As far as we have been able to determine from hospitals in the area, 25 people were treated for gunshot wounds and 113 for injuries suffered as the result of beatings. Ten to twelve of those are in critical condition. As of this morning, the arrest figure stood at 140. Most of these were on looting-related charges. Looting and fires are continuing as of this time.

6. DATE: 18 May 1980

SUBJECT: Fatal heart attack suffered by Miami Police Lieutenant

NARRATIVE:

Time: approximately 1:00 p.m.

Victim: Lt. Edward McDermott

Lt. McDermott was escorting some National Guard troops down South Dixie Highway when he suffered a massive heart attack. Attempts to relieve the Lieutenant were unsuccessful and he died at Mercy Hospital. Lt. McDermott was a 48-year old, 21-year Miami Police veteran. His most recent department assignment was with the Criminal Investigation Section.

7. DATE: 18 May 1980

SUBJECT: Fatal Shooting by Police Officer

NARRATIVE:

Time: 9:00 p.m. today

Place: N. W. 2nd Avenue/44th Street

Offender: Lafontant Bienaime, 39, 1829 N.W. 111 Street

Miami Police Officer Karl Robbins was investigating

looting at a furniture store at the above location

when the offender tried to run the officer down

with his van. As the officer jumped from the path

of the vehicle, he fired his shotgun at the vehicle.

The blast hit the offender in the face, killing him.

8. DATE: 19 May 1980

SUBJECT: Damage to Vehicles

NARRATIVE:

On May 17th, at 10:00 p.m., the Miami Police Department encountered a large group of approximately 300 people looting the Zayre store at N. W. 12 Avenue/54 Street. As the police moved in, many of the looters attempted to flee in their personal vehicles. Several accidents occurred as the looters attempted to scatter. Several looters were apprehended within their vehicles but they refused to surrender and get out of their cars; police personnel broke some car windows to make arrests. Approximately 15 vehicles were temporarily

left on the scene by the looters and/or owners who fled.

Starting at 8:00 p.m. on May 18th, National Guard troops and Miami Police Officers were stationed at the Zayre store to prevent further looting.

During this period, some vandalism and car stripping occurred due to rioters in the area. This was observed by police and National Guardsmen.

Between 11:00 p.m. May 18th and 12:00 noon May 19th, additional vandalism occurred to 14 of these temporarily abandoned vehicles. This vandalism consisted of smashed windows, slashed tires and spray painting of the word "looter" on the

vehicles. Unconfirmed witness reports indicate Miami Police Officers were involved in the later vandalism. Preliminary investigation by the Miami Police Department tends to verify these allegations. The City of Miami is assuming responsibility for the vandalism damage to the vehicles at the N. W. 12th Avenue/54th Street Zayre location. The responsibility is being assumed because of several factors. These are:

1. The police caused these vehicles to be left at the scene when the crowd of looters were dispersed.
2. Some vehicles belonged to persons arrested.
3. The police and National Guard were on the scene to prevent additional theft and damage.

4. The possibility the police created additional damage.

An investigation is being conducted to determine the degree to which the police created the damage. Miami Police Department Internal Security investigators are attempting to locate owners of vehicles damaged at the Zayre lot. Please call 579-6461 to report damaged vehicles from this location.

9. DATE: 20 May 1980

SUBJECT: Beating/Riot Related

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NARRATIVE:

Time: 6 - 7 p.m.

Place: N. W. 12th Parkway/62nd Street

Victims: Jeffrey Kulp, 22; Michael Kulp, 18;  
Deborah Getman, 23; Shanika Perry, 11.

Victims were driving through the area of N. W. 12th Parkway and 62nd Street when their vehicle was stoned and shot at by a crowd of people. The vehicle went out of control, ran over an 11 year old girl, Shanika Perry, and struck a building. Earlier reports indicated that the 11 year old victim was also shot. This was proven false. Shanika is listed in critical condition.

The three occupants of the vehicle were pulled from their car and beaten severely by the crowd. Officers Manny Lopez and Arnold Gibbs went into the area under gun fire and removed the victims. According to JMH personnel, Jeffrey Kulp was in critical condition with one ear cut off and on partially cut off. A portion of his tongue was cut out and he was stabbed and possibly shot. Michael Kulp is listed in critical condition with a severe skull fracture and other injuries. Deborah Getman was escorted out of the area by an unidentified citizen. She sustained severe bruises and abrasions.

10. DATE: 22 May 1980

SUBJECT: Arrest of Attempted First Degree Murder Offender

NARRATIVE:

On May 17, 1980, Jeffrey and Michael Kulp, along with Deborah Getman, was severely beaten by a group of men on N. W. 62 Street and 12th Parkway during the recent riot (See previous press releases). As a result of information supplied to us by witnesses in the area, the first arrest of this case was made May 22, 1980, at 10:50 p.m.

Charged with three counts of Attempted First Degree Murder is:

B/M Frankie Lee James, DOB 3/3/60

Address: 1321 NW 61 Street, Apt. #10.

Investigation is continuing and we expect other arrests.

11. DATE: 22 May 1980

SUBJECT: Crime Reporting

NARRATIVE:

As a direct result of the civil disturbance in the City of Miami, the normal process of answering service calls and report calls was necessarily suspended. Police reports of crimes were not made, therefore, individual persons in the City of Miami who have a need for a police report can call the Communication Center at 579-6111. The City of Miami Police Department will return the calls and make a telephone report of each incident. The Police Department will expedite the process of report calling and recording, but please be patient as the back-log of calls for reports is in the thousands. The Police Department is between one and two weeks behind in the report process as a direct result of the civil disturbance.

12. DATE: 23 May 1980

SUBJECT: Civil Disorder Injuries

- - - - -

NARRATIVE:

The Miami Police Department is currently investigating all injury related incidents that occurred during the recent Civil Disorders.

Many of the injuries have gone without report to the Police Department. We encourage all those persons injured within the Miami City limits to contact the Homicide Detail at 579-6530.

A special team of investigators has been assigned to accomplish this task as expeditiously as possible.

13. DATE: 24 May 1980

SUBJECT: Additional Arrests on 62nd Street Beatings

- - - - -

NARRATIVE:

Investigation has continued and two more arrests have been made (See previous bulletins).

B/M James McCullough, DOB 1/11/62, 6231 N. W. 14 Court

B/M Samuel N. Williams, DOB 3/14/48, 1405 N.W. 61 Street #3

Charged with three counts of Attempted First Degree Murder.

14. DATE: 26 May 1980

SUBJECT: Arrests - Reference the murders of  
Benny Higdon, Robert Owens, Charles Barreca.

- - - - -

NARRATIVE:

SEE PREVIOUS PRESS RELEASES.

During the past few days, we conducted an investigation on the Kulp-Getman Attempted Murders.

We also conducted more neighborhood canvasses.

Our efforts resulted in the arrests of the three following offenders:

(1) Nathaniel Lane - B/M, 18, 1215 N.W. 60 Street #8

(2) Lawrence Capers - B/M, 24, DOB 1/18/56, 1281  
N. W. 61 Street, #30

(3) Leonard Capers - B/M, 21, DOB 7/12/59, 1281  
N. W. 61 Street, #30.

All three were identified by witnesses in the area.

All three were charged with three counts of First Degree Murder.



15. CONFRONTATION/SHOOTING - May 20, 1980, approximately 0100 hours.

Several concerns relevant a shooting incident at N. W. 7 Avenue and 54th Street involving a Miami Police Officer have created an alarm in the community. The Miami Police Department wishes to clarify the circumstances of this incident based upon our investigation as of 11:00 p.m. Monday, May 19th.

At approximately 4:30 p.m., a Miami Police Officer encountered Allen Mills, 33, of 1753 N. W. 49 Street, at the Gulf Station on the Northwest corner of N. W. 7 Avenue and 54th Street. Mr. Mills began to utter obscenities toward the officer who was assigned to the N. W. 7 Avenue/54 Street check point. As the officer approach Mr. Mills to determine the cause of his behavior, Mr. Mills rode away on his bicycle for about 100' west on 54th Street. The officer pursued Mr. Mills on foot. As he neared Mr. Mills, Mr. Mills produced a knife (total length 7"). The officer advised Mr. Mills he was under arrest. Mr. Mills fled on his bicycle towards the south side of 54th Street but lost control of the cycle in the middle of the street. The officer attempted to detain Mr. Mills by placing a hand on his shoulder.

A Miami Police Unit, which had been proceeding east on 54th Street and had observed the original confrontation, had by this time turned around and was arriving at the middle of the street. Mr. Mills at this time made a

wiping motion with the knife toward the officer who was 2½ feet away. The officer who had already drawn his service revolver, fired four rounds. One of the arriving officers simultaneously fired three rounds. The results of the autopsy performed by the Dade County Medical Examiner's Office have substantiated the officer's account as it was related prior to the autopsy examination. This would indicate that entrance and exit wounds rumoured to be indicative of back wounds were in fact side entry wounds caused by the spinning movements of the offender. Mr. Mills collapsed approximately 20 feet from the shooting location.

16. MAY 19, 1980 - 1515 hours

The City of Miami Police Department would like to dispel all rumors of the downtown business area being unsafe. Currently, the downtown business district is secure and safe to conduct normal activities. There are no planned rallies or demonstrations for this area. Downtown Miami is safe and secure.

17. DATE: May 31, 1980

SUBJECT: ARREST OF SAMUEL WILLIAMS - 3 COUNTS  
FIRST DEGREE MURDER

NARRATIVE:

On 30 May 80, B/M Samuel Williams, age 31, was charged with 3 counts of 1st degree murder. He had previously been charged with 3 counts of attempted murder (see previous press release). Samuel Williams is the first of all the subjects arrested with regard to the brutalities that occurred on 12 Avenue and 62 Street to be charged in connection with both sets of incidents.

18. DATE: 5 June 1980

SUBJECT: ADDITIONAL ARREST ON 62nd STREET BEATING

NARRATIVE:

On the 5th of June 1980, one more arrest was made concerning the beatings that occurred on the 17th of May 1980, at 62nd Street and 12 Parkway.

Black male, Lonnie Bradley, was arrested for three (3) counts of Attempted First Degree Murder. Investigation continuing. Note: Lonnie Bradley, age 23, 8150 N. W. 14 Ct.

19. DATE: 13 June 1980

SUBJECT: JEFFREY KULP DIES, CASE #1413058E

NARRATIVE:

At 2311 on 12 June 1980, Jeffrey Kulp died at JMH as a result of multiple injuries. He was pronounced dead by Dr. Allen McIntyre. Kulp was one of the victims who was beaten severely during the riot on NW 62 Street and 12 Parkway on 17 May 1980. His brother, Michael Kulp, is still being treated at JMH and is in serious condition. Four offenders previously arrested for three counts of Attempted Murder: 1) Frankie James N/M 20; 2) James McCullough N/M 18; 3) Lonnie Bradley N/M 20; 4) Samuel Williams N/M 32. One of the counts of Attempted Murder was changed to First Degree Murder on all four defendants, who are still in the Dade County Jail.

# RIOT CONTROL LAWS

## MIAMI CITY CODE

### CHAPTER 45A. PUBLIC DISORDER.

#### Sec. 45A-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Alcoholic beverage. All liquors, wines or beer containing more than three and two-tenths per cent of alcohol by weight and shall be deemed and held to be intoxicating liquors, wines or beer, and shall be subject to the provisions of this chapter.

Firearm. Any revolver, pistol, automatic loading pistol, shotgun or rifle, machine gun, submachine gun, machine pistol or any fully automatic weapon capable of firing more than one shot at each pull of the trigger.

#### Sec. 45A-2. Declaration of state of emergency by city manager.

Whenever the city manager determines that there has been an act of violence or a flagrant and substantial defiance of or resistance to a lawful exercise of public authority, and that, partly on account thereof, there is reason to believe that there exists a clear and present danger of a riot or other general public disorder, widespread disobedience of the law, and substantial injury to persons or to health, safety, welfare or protection of persons, or damage to property, all of which constitutes a threat to public peace or order and to the general welfare of the city or a part of parts thereof, he may declare that a state of emergency exists within the city or any part or parts thereof.

Sec. 45A-3. Emergency measures--Authority of city manager to declare.

Whenever the city manager declares that a state of emergency exists, the emergency measures provided in section 45A-4 shall thereupon be in effect during the period of such emergency and throughout the city, and the city manager may order and promulgate all or any of the emergency measures provided in section 45A-4, in whole or in part, and with such limitations and conditions as he may deem appropriate, and any such emergency measure so ordered and promulgated shall thereupon be in effect during the period of such emergency, and in the area or areas for which the emergency has been declared. Upon the declaration of an emergency by the city manager, as soon as practicable, the commission shall immediately convene for the purpose of determining whether or not an emergency does exist. Their finding in the matter shall be conclusive. Upon finding that no emergency does in fact exist, this chapter shall not be operative.

Sec. 45A-4. Same--Designated.

The following are designated as emergency measures:

(a) The sale or other transfer of possession, with or without consideration, offer to sell or so transfer, and the purchase of any ammunition or firearms of any size or description is prohibited.

(b) The displaying by or in any store or shop of any ammunition or firearms of any size or description is prohibited.

(c) The possession in a public place of a firearm by any person, except a duly authorized law enforcement official or person in military service acting in the official performance of his duty, is prohibited.

(d) The possession of any firearm in any place, public or private, by a nonresident who has not been issued a permit for the purchase and possession of firearms, is prohibited.

(e) The city manager shall establish curfews under such terms and conditions as he deems necessary for the preservation of peace, health, and safety for the citizenry including but not limited to the prohibition of or restrictions on pedestrian and vehicular movement, standing and parking, and any person violating the terms of the curfew as established by the city manager shall be subject to the penalty set out in section 1-6. The city manager may make such exceptions to this curfew as may be necessary for the provision of designated essential services such as fire, police and hospital

services, including the transportation of patients thereto, utility emergency repairs and emergency calls by physicians.

(f) The sale of any alcoholic beverage is prohibited.

(g) The possession on the person in a public place of any portable container containing any alcoholic beverage is prohibited.

(h) The City Manager may, in his discretion, close places of public assemblage with designated exceptions, and assemblage by any person or persons in such closed place is prohibited.

(i) The sale or other transfer of possession, with or without consideration, of gasoline or any other flammable or combustible liquid or gas except by delivery into a tank properly affixed to an operable motor driven vehicle, bike, scooter, boat or airplane and necessary for the propulsion thereof is prohibited.

(j) The possession in a public place of any portable container containing gasoline or any other flammable or combustible liquid or gas is prohibited.

Sec. 45A-5. Filing and publication of state of emergency measures.

Any state of emergency or emergency measure declared or ordered and promulgated by virtue of the terms of this chapter shall, as promptly as practicable, be filed in the office of the city clerk, and immediate notice thereof given to the chief of police, in writing. The city manager is authorized to give notice thereof to the appropriate news media for publication and radio and television stations. The city manager shall forthwith cause to be published in a daily newspaper a notice of the state of emergency.

Sec. 45A-6. Duration and termination of state of emergency.

A state of emergency established under this chapter shall commence upon the declaration thereof by the city manager as set forth in section 45A-5 and shall terminate at the end of a period of fifteen days thereafter, unless prior to the end of such fifteen day period the commission, shall, by resolution, terminate

such state of emergency or shall declare an additional period of time for which the state of emergency shall exist. In the event the commission fails to either terminate or extend the state of emergency declared herein, the city manager shall be authorized to extend the state of emergency for an additional fifteen day period, subject to the right of the commission to terminate such state of emergency as provided herein.

NOTE: Authority to Declare State of Emergency derives from F.S.870.042(2).

# FLORIDA STATE STATUTE

## 30.15 Powers, duties and obligations

Sheriffs, in their respective counties, in person or by deputy, shall:

(1) Execute all process of the supreme court, circuit courts, county courts, and boards of county commissioners of this state, to be executed in their counties;

(2) Execute such other writs, processes, warrants and other papers directed to them, as may come to their hands to be executed in their counties;

(3) Attend all terms of the circuit court and county court held in their counties;

(4) Attend all meetings, and execute all orders, of the boards of county commissioners of their counties; for which services they shall receive such compensation, out of the county treasury, as said boards may deem proper;

(5) Be conservators of the peace in their counties;

(6) Suppress tumults, riots and unlawful assemblies in their counties with force and strong hand when necessary;

(7) Apprehend, without warrant, any person disturbing the peace, and carry him before the proper judicial officer, that further proceedings may be had against him according to law;

(8) Have authority to raise the power of the county and command any person to assist them, when necessary, in the execution of the duties of their office; and, whoever, not being physically incompetent, refuses or neglects to render such assistance, shall be punished by imprisonment in jail not exceeding one year, or by fine not exceeding five hundred dollars;

(9) Be, ex officio, timber agents for their counties; and

(10) Perform such other duties as may be imposed upon them by law.

FLORIDA STATUTE

CHAPTER 870

AFFRAYS; RIOTS; ROUTS; UNLAWFUL ASSEMBLIES

870.01 Affrays and riots.--

(1) All persons guilty of an affray shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) All persons guilty of a riot, or of inciting or encouraging a riot, shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

870.02 Unlawful assemblies.--If three or more persons meet together to commit a breach of the peace, or to do any other unlawful act, each of them shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

870.03 Riots and routs.--If any persons unlawfully assembled demolish, pull down or destroy, or begin to demolish, pull down or destroy, any dwelling house or other building, or any ship or vessel, each of them shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

870.04 Magistrate to disperse riotous assembly.--If any number of persons, whether armed or not, are unlawfully, riotously or tumultuously assembled in any county, city or municipality, the sheriff or his deputies, or the mayor, or any commissioner, councilman, alderman or police officer of the said city or municipality or any officer or member of the Florida Highway Patrol, or any officer or agent of the Game and Fresh Water Fish Commission Department of Natural Resources, or beverage enforcement agent, any personnel or representatives of the Department of Law Enforcement or its successor, or any other peace officer, shall go among the persons so assembled, or as near to them as may be with safety, and shall in the name of the state command all the persons so assembled immediately and peaceably to disperse; and if such persons do not thereupon immediately and peaceably disperse, said officers shall command the assistance of all such persons in seizing, arresting and securing such persons in custody; and if any person present being so commanded to aid and assist in seizing and securing such rioter or persons so unlawfully assembled, or in suppressing such riot or unlawful assembly, refuses or neglects to obey such command, or, when required by such

officers to depart from the place, refuses and neglects to do so, he shall be deemed one of the rioters or persons unlawfully assembled, and may be prosecuted and punished accordingly.

870.041 Preservation of the public peace by local authority.--In the event of overt acts of violence, or the imminent threat of such violence, within a county or municipality and the Governor has not declared a state of emergency to exist, local officers shall be empowered to declare such a state of emergency exists in accordance with the provisions of ss. 870.041-870.048.

870.042 Designation of local authority.--

(1) The sheriff of each of the several counties of this state, or such other county official having the duties of a sheriff in counties operating under home rule charter, by whatever name known, shall be empowered to declare that a state of emergency exists within the unincorporated areas of the county and to exercise the emergency powers conferred in ss. 870.041-870.047.

(2) The governing body of any municipality within this state may designate by duly adopted ordinance a city official who shall be empowered to declare that a state of emergency exists within the boundaries of the municipality and to exercise the emergency powers conferred in ss. 870.041-870.047. The designated city official shall be either the mayor or chief of police or the person who performs the duties of a mayor or chief of police in such municipality. In the absence of a duly adopted ordinance so designating the official so to act, the chief of police of such municipality is designated as the city official to assume the duties and powers hereof.

870.043 Declaration of emergency.--Whenever the sheriff or designated city official determines that there has been an act of violence or a flagrant and substantial defiance of, or resistance to, a lawful exercise of public authority and that, on account thereof, there is reason to believe that there exists a clear and present danger of a riot or other general public disorder, widespread disobedience of the law, and substantial injury to persons or to property, all of which constitute an imminent threat to public peace or order and to the general welfare of the jurisdiction affected or a part or parts thereof, he may declare that a state of emergency exists within that jurisdiction or any part or parts thereof.



870.044 Automatic emergency measures.--Whenever the public official declares that a state of emergency exists, pursuant to s. 870.043, the following acts shall be prohibited during the period of said emergency throughout the jurisdiction:

(1) The sale of, or offer to sell, with or without consideration, any ammunition or gun or other firearm of any size or description.

(2) The intentional display, after the emergency is declared, by or in any store or shop of any ammunition or gun or other firearm of any size or description.

(3) The intentional possession in a public place of a firearm by any person, except a duly authorized law enforcement official or person in military service acting in the official performance of his duty.

870.045 Discretionary emergency measures.--Whenever the public official declares that a state of emergency exists, pursuant to s. 870.043, he may order and promulgate all or any of the following emergency measures, in whole or in part, with such limitations and conditions as he may deem appropriate:

(1) The establishment of curfews, including, but not limited to, the prohibition of or restrictions on pedestrian and vehicular movement, standing, and parking, except for the provision of designated essential services such as fire, police, and hospital services, including the transportation of patients thereto, utility emergency repairs, and emergency calls by physicians.

(2) The prohibition of the sale or distribution of any alcoholic beverage, with or without the payment or a consideration therefor.

(3) The prohibition of the possession on any person in a public place of any portable container containing any alcoholic beverage.

(4) The closing of places of public assemblage with designated exceptions.

(5) The prohibition of the sale or other transfer of possession, with or without consideration, of gasoline or any other flammable or combustible liquid altogether or except by delivery into a tank properly affixed to an operable motor-driven vehicle, bike, scooter, boat, or airplane and necessary for the propulsion thereof.

(6) The prohibition of the possession in a public place of any portable container containing gasoline or any other flammable or combustible liquid.

Any such emergency measure so ordered and promulgated shall be in effect during the period of said emergency in the area or areas for which the emergency has been declared.

870.046 Filing and publication.--Any state of emergency or emergency measure declared or ordered and promulgated by virtue of the terms of ss. 870.041-870.045 shall, as promptly as practicable, be filed in the office of the municipal clerk or Clerk of the Circuit Court and delivered to appropriate news media for publication and radio and television broadcast thereof. If practicable, such state of emergency declaration or emergency measure shall be published by other means such as by posting and loudspeakers.

870.047 Duration and termination of emergency.--A state of emergency established under ss. 870.041-870.046 shall commence upon the declaration thereof by the public official and shall terminate at the end of a period of 72 consecutive hours thereafter unless, prior to the end of such 72-hour period, the public official, the Governor, county commission, or city council shall have terminated such state of emergency. Any extension of the 72-hour time limit must be accomplished by request from the public official and the concurrence of the county commission or city council by duly enacted ordinance or resolution in regular or special session.

870.048 Violations.-- Any violation of a provision of ss. 870.047 or of any emergency measure established pursuant thereto shall be a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

870.05 When killing excused.--If, by reason of the efforts made by any of said officers or by their direction to disperse such assembly, or to seize and secure the persons composing the same, who have refused to disperse, any such person or other person present is killed or wounded, the said officers and all persons acting by their order or under their direction, shall be held guiltless and fully justified in law; and if any of said officers or any person acting under or by their direction is killed or wounded, all persons so assembled and all other persons present who when commanded refused to aid and assist said officer shall be held answerable therefor.



(2) It is further declared to be the purpose of this act and the policy of the state that all civil defense functions of the state be coordinated to the maximum extent with comparable functions of the Federal Government, including its various departments, agencies of other states and localities, and private agencies of every type, to the end that the most effective preparation and use may be made of the nation's manpower, resources, and facilities for dealing with any disaster or emergency that may occur.

252.33 Limitations.--Nothing in this act shall be construed to:

(1) Interfere with the course or conduct of a labor dispute, except that actions otherwise authorized by this act or other laws may be taken when necessary to forestall or mitigate imminent or existing danger to public health or safety.

(2) Interfere with dissemination of news or comment on public affairs; but any communications facility or organization, including, but not limited to, radio and television stations, wire services, and newspapers, may be required to transmit or print public service messages furnishing information or instructions in connection with a disaster emergency.

(3) Affect the jurisdiction or responsibilities of police forces, firefighting forces, units of the Armed Forces of the United States, or any personnel thereof, when on active duty; but state, local, and interjurisdictional disaster emergency plans shall place reliance upon the forces available for performance of functions related to disaster emergencies.

(4) Limit, modify, or abridge the authority of the Governor to proclaim martial law or exercise any other powers vested in him under the constitution, statutes, or common law of this state independent of, or in conjunction with, any provisions of this act.

252.34 Definitions.--As used in ss. 252.31-252.52:

(1) "Civil defense" means the preparation for and the carrying out of, all emergency responsibilities and functions other than those for which military forces or other federal agencies are primarily responsible, to prevent, minimize, and repair injury and damage resulting from the occurrence or imminent threat of widespread or severed damage, injury, or loss of life or property resulting from disasters. These responsibilities shall include, but not be limited to:

(a) Reduction of vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from natural or manmade catastrophes or hostile military or paramilitary action.

(b) Preparation for prompt and efficient rescue, care, and treatment of persons victimized or threatened by disasters.

(c) Provision of a setting conducive to the rapid and orderly start of restoration and rehabilitation of persons and property affected by disasters.

(d) Provision of a disaster management system embodying all aspects of predisaster preparedness and postdisaster response.

(e) Assistance in prevention of disasters caused or aggravated by inadequate planning for, and regulation of, public and private facilities and land use.

(2) "Political subdivision" means any county or municipality created pursuant to law.

(3) "Local organization for civil defense" means an organization created in accordance with the provisions of ss. 252.31-252.52 to discharge civil defense responsibilities and functions of a political subdivision.

(4) "Division" means the Division of Disaster Preparedness of the Department of Community Affairs, or the successor to said division.

(5) "Disaster" means occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause, including, but not limited to, enemy attack, sabotage or other hostile military or paramilitary action, fire, flood, earthquake, windstorm, wave action, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, or accident involving radiation by products.

252.35 Civil defense powers; Division of Public Safety Planning and Assistance. --

(1) The Division of Disaster Preparedness shall be responsible for carrying out the provisions of this act. In the event of a disaster or emergency beyond local control, the Governor or, in his absence, his successor as provided by law, may assume direct operational control over all or any part of the civil defense

functions within this state, and shall have the power through proper process of law to carry out the provisions of this section. The Governor is authorized to delegate such powers as he may deem prudent.

(2) In performing its duties under this act, the division is authorized and empowered:

(a) In accordance with the provisions of chapter 120, to make, amend, and rescind rules, regulations, programs, and plans to carry out the provisions of this act with due consideration for, and in cooperation with, the plans and programs of the Federal Government.

(b) To prepare a comprehensive plan and program for the civil defense of this state, such plan and program to be integrated into, and coordinated with, the survival plans and programs of the Federal Government.

(c) In accordance with such plan and program and program for the civil defense of this state, to ascertain the requirements of the state and its political subdivisions for equipment and supplies of all kinds in the event of emergency; to plan for and procure supplies, medicines, materials, and equipment; to use and employ from time to time any of the property, services, and resources within the state in accordance with this act; to institute training programs and public information programs; and to take all other preparatory steps, including the partial or full mobilization of civil defense forces and organizations in advance of actual disaster, to ensure the furnishing of adequately trained and equipped forces of civil defense personnel in time of need.

(d) To cooperate with the President, the heads of the Armed Forces, the Civil Defense Agency of the United States, and the officers and agencies of other states in matters pertaining to the civil defense of the state and the nation and incidents thereof and, in connection therewith, to take any measures which it may deem proper to carry into effect any request of the President and the appropriate federal officers and agencies for any civil defense action, including the direction or control of:

1. Civil defense drills, tests, or exercises of whatever nature.

2. Warnings and signals for drills, attacks, or other impending disasters or threats of disaster and the mechanical devices to be used in connection therewith.

(e) To make recommendations for zoning, building, and other land-use controls, safety measures for securing mobile homes or other nonpermanent or semi-permanent structures, and other prevention and preparedness measures designed to eliminate or reduce disasters or their impact.

(f) To render assistance to local officials in designing local emergency action plans.

(g) To prepare and distribute to appropriate state and local officials state catalogs of federal, state, and private assistance programs.

(h) To coordinate federal, state, and local disaster activities.

(i) To promulgate standards and requirements for local and interjurisdictional disaster plans.

(j) To review periodically local and interjurisdictional disaster plans.

(k) To make such surveys of industries, resources, and facilities within the state, both public and private, as are necessary to carry out the purposes of this act.

(l) To prepare, for issuance by the Governor, executive orders, proclamations, and regulations as necessary or appropriate in coping with disasters.

(m) To cooperate with the Federal Government and any public or private agency or entity in achieving any purpose of this act and in implementing programs for disaster prevention, preparation, response, and recovery.

(n) To delegate authority vested in it under ss. 252.31-252.52 and to provide for the subdelegation of such authority.

(o) To do other things necessary, incidental, or appropriate for the implementation of this act.

252.36 The Governor; disaster emergencies.--

(1) The Governor is responsible for meeting the dangers presented to this state and its people by disasters. The Governor may issue executive orders, proclamations, and regulations and amend or rescind

them. Executive orders, proclamations, and regulations shall have the force and effect of law.

(2) A disaster emergency shall be declared by executive order or proclamation of the Governor if he finds a disaster has occurred or that the occurrence or the threat thereof is imminent. The state of disaster emergency shall continue until the Governor finds that the threat or danger has been dealt with to the extent that the emergency conditions no longer exist and terminates the state of disaster emergency by executive order or proclamation, but no state of disaster emergency may continue for longer than 30 days unless renewed by the Governor. The Legislature by concurrent resolution may terminate a state of disaster emergency at any time. Thereupon, the Governor shall issue an executive order or proclamation ending the state of disaster emergency. All executive orders or proclamations issued under this section shall indicate the nature of the disaster, the area or areas threatened, and the conditions which have brought it about or which make possible termination of the state of disaster emergency. An executive order or proclamation shall be promptly disseminated by means calculated to bring its contents to the attention of the general public and, unless the circumstances attendant upon the disaster prevent or impede, promptly filed with the Department of State and in the offices of the county commissioners in the counties to which it applies.

(3) An executive order or proclamation of a state of disaster emergency shall activate the disaster response and recovery aspects of the state, local, and interjurisdictional disaster emergency plans applicable to the political subdivision or area in question and be authority for the deployment and use of any forces to which the plan or plans apply and for use or distribution of any supplies, equipment, and materials and facilities assembled, stockpiled, or arranged to be made available pursuant to this chapter or any other provision of law relating to disaster emergencies.

(4) During the continuance of a state of disaster emergency, the Governor is commander in chief of the organized and unorganized militia and of all other forces available for emergency duty. To the greatest extent practicable, the Governor shall delegate or assign command authority by prior arrangement embodied in appropriate executive orders or regulations, but nothing herein restricts his authority to do so by orders issued at the time of the disaster emergency.

(5) In addition to any other powers conferred upon the Governor by law, he may:

(a) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders, rules, and regulations of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency.

(b) Utilize all available resources of the state government and of each political subdivision of the state, as reasonably necessary to cope with the disaster emergency.

(c) Transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency services.

(d) Subject to any applicable requirements for compensation under s. 252.43, commandeer or utilize and private property if he finds this necessary to cope with the disaster emergency.

(e) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state if he deems this action necessary for the preservation of life or other disaster mitigation, response, or recovery.

(f) Prescribe routes, modes of transportation, and destinations in connection with evacuation.

(g) Control ingress and egress to and from a disaster area, the movement of persons within the area, and the occupancy of premises therein.

(h) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles.

(i) Make provision for the availability and use of temporary emergency housing.

(j) Take effective measures for limiting or suspending lighting devices and appliances, gas and water mains, electric power distribution, and all other utility services in the general public interest.

(k) Take measures concerning the conduct of civilians, the movement and cessation of movement of pedestrian and vehicular traffic prior to, during, and subsequent to drills and actual or threatened disasters, the calling of public meetings and gatherings, and the evacuation and

reception of civilian population, as provided in the civil defense plan of the state and political subdivisions thereof.

(1) Authorize the use of forces already mobilized as the result of an executive order, regulation, or proclamation to assist the private citizens of the state in clean-up and recovery operations during disaster emergencies when proper permission to enter onto or into private property has been obtained from the property owner. The provisions of s. 768.28(9) shall apply to this paragraph.

(6) The Governor shall take such action and give such direction to state and local law enforcement officers and agencies as may be reasonable and necessary for the purpose of securing compliance with the provisions of this act and with the orders, rules, and regulations made pursuant thereto.

(7) The Governor shall employ such measures and give such directions to the Department of Health and Rehabilitative Services or local boards of health as may be reasonably necessary for the purpose of securing compliance with the provisions of this act or with the findings or recommendations of such agency of health by reason of conditions arising from disasters or threats of disaster.

(8) The Governor shall delegate emergency responsibilities to the officers and agencies of the state and of the political subdivisions thereof prior to a disaster or threat of a disaster and shall utilize the services and facilities of existing officers and agencies of the state and of the political subdivisions thereof, including their personnel and other resources, as the primary civil defense forces of the state, and all such officers and agencies shall cooperate with and extend their services and facilities to the Division of Disaster Preparedness, as it may require.

(9) The Governor and the Division of Disaster Preparedness shall establish agencies and offices and appoint executive, professional, technical, clerical, and other personnel as may be necessary to carry out provisions of this act, including, with due consideration to the recommendations of local authorities, full-time state and area directors.

(10) The Governor shall formulate and execute plans and regulations for the control of traffic in order to provide for the rapid and safe movement or evacuation over public highways and streets of people, troops, or vehicles and materials for national defense or for use in any defense industry and may coordinate the activities of the departments or agencies of the state and the political subdivisions thereof concerned directly or indirectly with public highways and streets in a manner which will best effectuate such plans.

#### 252.39 Local services.--

(1) Whenever the employees of any political subdivision are rendering outside aid pursuant to the authority contained in s. 252.38, such employees shall have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the political subdivisions in which they are normally employed.

(2) The political subdivision in which any equipment is used pursuant to this section shall be liable for any loss or damage thereto and shall pay any expense incurred in the operation and maintenance thereof. No claim for such loss, damage, or expense shall be allowed unless, within 60 days after the same is sustained or incurred, an itemized notice of such claim under oath is served by mail or otherwise upon the chief fiscal officer of such political subdivision where the equipment was used. The political subdivision which is aided pursuant to this section shall also pay and reimburse the political subdivision furnishing such aid for compensation paid to employees furnished under this section during the time of the rendition of such aid and shall defray the actual traveling and maintenance expenses of such employees while they are rendering such aid. Such reimbursement shall include any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid. The term "employee" as used in this section shall mean, and the provisions of this section shall apply with equal effect to, paid, volunteer, and auxiliary employees and civil defense workers.

#### 252.40 Mutual-aid arrangements

(1) The governing body of each political subdivision of the state is authorized to develop and enter into, through the division, mutual-aid agreements with other public entities and private agencies within the state for reciprocal civil defense aid and assistance in case of disasters too great to be dealt with unassisted.

Such agreements shall be consistent with the state civil defense plan and program, and in time of emergency it shall be the duty of each local disaster preparedness agency to render assistance in accordance with the provisions of such mutual-aid agreements to the fullest possible extent.

(2) The Governor may enter into a compact with any state if he finds that joint action with that state is desirable in meeting common intergovernmental problems of emergency disaster planning, prevention, response, and recovery.

#### 252.41 Civil defense support forces.--

(1) The division is authorized to provide, within or without the state, support from available personnel, equipment, and other resources of state agencies and the political subdivisions of the state, as may be necessary to reinforce civil defense organizations in stricken areas. Such support shall be rendered with due consideration of the plans of the Federal Government, this state, the other states, and of the criticality of the existing situation. Civil defense support forces shall be called to duty upon orders of the division and shall perform functions in any part of the state or, upon the conditions specified in this section, in other states.

(2) Personnel of civil defense support forces while on duty, whether within or without the state, shall:

(a) If they are employees of the state, have the powers, duties, rights, privileges, and immunities, and receive the compensation, incidental to their employment.

(b) If they are employees of a political subdivision of the state, whether serving within or without such political subdivision, have the powers, duties, rights, privileges, and immunities, and receive the compensation, incidental to their employment.

(c) If they are not employees of the state or a political subdivision thereof, they shall be entitled to the same rights and immunities as are provided by law for the employees of this state and to such compensation as may be fixed by the division. All personnel of civil defense support forces shall, while on duty, be subject to the operational control of the authority in charge of civil defense activities in the area in which they are serving and shall be reimbursed for all actual and necessary travel and subsistence expenses to the extent of funds available.



252.42 Government equipment, services, and facilities.--In the event of any disaster, the division may make available any equipment, services, or facilities owned or organized by the state or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area affected or upon the request of any recognized and accredited relief agency through such duly constituted authority.

252.43 Compensation.--

(1) Compensation for services or for the taking or use of property shall be owed only to the extent that a claimant may not be deemed to have volunteered his services or property without compensation and only to the extent that such taking exceeds the legal responsibility of a claimant to render such services or make such property so available.

(2) Compensation owed for personal services shall be only such as may be fixed by the division.

(3) Compensation for property shall be owed only if the property was commandeered or otherwise used in coping with a disaster emergency and its use or destruction was ordered by the Governor or a member of the disaster emergency forces of this state.

(4) Any person claiming compensation for the use, damage, loss, or destruction of property under this act shall file a claim therefor with the division in the form and manner that the division provides.

(5) Unless the amount of compensation owed on account of property damaged, lost, or destroyed is agreed between the claimant and the division, the amount of compensation shall be calculated in the same manner as compensation due for a taking of property pursuant to the condemnation laws of this state.

(6) Nothing in this section applies to or authorizes compensation for the destruction or damaging of standing timber or other property in order to provide a firebreak or damage resulting from the release of waters or the breach of impoundments in order to reduce pressure or other danger from actual or threatened flood or applies to or authorizes compensation beyond the extent of funds available for such compensation.

252.45 Lease or loan of state property; transfer of state personnel. --Notwithstanding any inconsistent provision of law:

(1) Whenever the Governor deems it to be in the public interest, he may:

(a) Authorize any department or agency of the state to lease or lend, on such terms and conditions as it may deem necessary to promote the public welfare and protect the interests of the state, any real or personal property of the state government to the President, the heads of the Armed Forces, or the Civil Defense Agency of the United States.

(b) Enter into a contract on behalf of the state for the lease or loan to any political subdivision of the state, such terms and conditions as he may deem necessary to promote the public welfare and protect the interests of the state, of any real or personal property of the state government or the temporary transfer or employment of personnel of the state government to or by any political subdivision of the state.

(2) The governing body of each political subdivision of the state may:

(a) Enter into such contract or lease with the state, accept any such loan, or employ such personnel, and such political subdivision may equip, maintain, utilize, and operate any such property and employ necessary personnel therefor in accordance with the purposes for which such contract is executed.

(b) Do all things and perform any and all acts which it may deem necessary to effectuate the purpose for which such contract was entered into.

252.46 Orders, rules, and regulations.--

(1) In accordance with the provisions of chapter 120, the political subdivisions of the state and other agencies designated or appointed by the Governor are authorized and empowered to make, amend, and rescind such orders, rules, and regulations as may be necessary for civil defense purposes and to supplement the carrying out of the provisions of this act, but which are not inconsistent with any orders, rules, or regulations promulgated by the division or by any state agency exercising a power delegated to it by the Governor or the Division of Disaster Preparedness.

(2) All orders, rules, and regulations promulgated by the Division of Disaster Preparedness or any political subdivision or other agency authorized by this act to make orders, rules, and regulations shall have full force and effect of law after adoption in accordance with the provisions of chapter 120 in the event of issuance by the Division of Disaster Preparedness or any state agency, or, if promulgated by a political subdivision of the state or agency thereof, when filed in the office of the clerk or recorder of the political subdivision or agency promulgating the same. All existing laws, ordinances, rules, and regulations inconsistent with the provisions of this act, or any order, rule, or regulation issued under the authority of this act, shall be suspended during the period of time and to the extent that such conflict exists.

(3) In order to attain uniformity so far as practicable throughout the country in measures taken to aid civil defense, all action taken under this act and all orders, rules, and regulations made pursuant thereto shall be taken or made with due consideration of the orders, rules, regulations, actions, recommendations, and requests of federal authorities relevant thereto and, to the extent permitted by law, shall be consistent with such orders, rules, regulations, actions, recommendations, and requests.

252.47 Enforcement. -- The law enforcement authorities of the state and the political subdivisions thereof shall enforce the orders, rules, and regulations issued pursuant to this act.

252.50 Penalties.--Any person violating any provision of ss. 252.31-252.52 or any rule, order, or regulation made pursuant to ss. 252.31-252.52 is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

#### USE OF DEADLY FORCE POLICY

Use of deadly force will be permitted in the following instances:

- (1) To prevent death or great bodily harm to the officer or another person;
- (2) To apprehend a fleeing felon who was armed and dangerous;
- (3) To apprehend a fleeing felon who has just committed a felony resulting in death or great bodily harm.



## INTERNATIONAL SECURITY INVESTIGATIONS

### INTERNAL SECURITY RIOT RELATED INVESTIGATIONS

Listed below are all shootings and complaints handled by the Internal Security Office from Sunday, May 18, 1980, to June 4, 1980:

Sunday, May 18, 1980, at 0230 hours - I. S. Case 6591-R Discharge of Firearm. Two officers returned fire when shot at by a group of black males at N. W. 27th Avenue and 54th Street. City Car 319 hit two times.

Sunday, May 18, 1980, between 0130-0500 hours - I. S. Case 6588-R Fatal Shooting by officer at N. W. 22 Avenue and 72 Street. The officer was driving on N. W. 22 Avenue, offender shot at the officer who then returned the fire killing offender.

Sunday, May 18, 1980, between 1600-1630 hours - I. S. Case 6589-R Discharge of Firearm by Officer at N. W. 2 Avenue and 71 Street. Looter allegedly assaulted officer with a bat. Offender not hit and fled scene.

Sunday, May 18, 1980, between 1730-1800 hours - I. S. Case 6568-R Accidental Discharge. Officer wounded on foot by another officer at N. W. 12 Avenue and 54 Street.

Sunday, May 18, 1980, between 2130-2200 hours - I. S.

Case 6571-R Fatal Shooting. Officer shot looter who allegedly assaulted him with motor vehicle at 4200 N. W. 2 Avenue.

Monday, May 19, 1980, at 1645 hours - I. S. Case

6569-R Fatal Shooting by two officers at N. W. 7 Avenue and 54 Street. Offender allegedly assaulted officers with knife.

#### COMPLAINTS

I.S. Case 6582-R - Incident occurred at N.W. 6 Ct. & 64 Street. B/M Wesley Taylor against two officers 18 May 1980 at 1730 hours: 1 - Discourtesy; 2 - Missing Property. Alleged one officer put gun on his chest, took keys to his car and made him walk home. When he returned the next day someone had broken into his van and stole all his tools.

I.S. Case 6583-R - Incident occurred at 60 N. W. 54 Street. B/M John L. Lawson, 18 May 1980 at 2125 hours. Unknown officers. 1 - Damage Property. Lawson alleges that he was arrested for Looting, police officers were supposed to have secured car. When he returned he found tires slashed, windows smashed and battery dead.

I.S. Case 6581-R - Incident occurred at N. W. 17 Ave.

between 46 & 51 Street on May 19, 1980, at approximately 2100 hours. B/M Earl Garret against unknown White officers.

1 - Discourtesy; 2 - Harrassment. Garret alledges that he was stopped by two White MPD officers who put him in their police car and called him a nigger. Supposedly two police Lieutenants came by and made the officers release him. Feels rights were violated.

I.S. Case 6567-R - This case covers all thirty cars damaged during the riots at N. W. 12 Avenue and 54th Street.

I.S. Case 6573-R - Damaged Property and Abusive Treatment, complainant B/F Lena C. Toussant. She alledged that she was verbally abused by unknown M.P.D. officers and that they broke the windshield of her car.

I.S. Case 6574-R - Excessive Force, B/M John Smith complained that he was arrested at N. W. 17 Avenue and 69 Street by four White MPD officers and then was put in the back of a police car. From there, alledgedly, he was taken to N.W. 12 Avenue and 71 Street where he was beaten by one of the officers. Complainant cannot identify the officer but supposedly he might be able to identify the other officers present.

I.S. Case 6576-R - Complainants B/M's Melvin Stewart, Esixx Gordon, James Gray, M. Houston. They stated that two officers in a Burgundy Bonneville threw gas cannisters at them while they were standing in front of the Paradise Motel. B/M Stewart is holding one cannister and two baseball type grenades, all appeared used. Under attorney's advice, Stewart will not release them. Officers unknown.

I.S. Case 6577-R - Excessive Use of Force, Complainant B/M Edward Burroughs. Mr. Burroughs stated that he was boarding up his store window when two green fatigue-uniform officers in a white car approached him. Allegedly one hit him on his head with the butt of a rifle. Supposedly when the officers found out he owned the store, they left and did not arrest him. Officers unknown.

I.S. Case 6578-R - Missing Property and Abusive Treatment. Complainants Harry and Jerry Smith, B/M's, who alledge that they were beaten by MPD officers and a cigar box they were carrying with money in it, was taken by the officers. Officers unknown.

I.S. Case 6579-R - Excessive Force. Complainant Rosa Morey, B/F, who alledges that a B/M officer hit her two or three times with his nightstick on her head.

I.S. Case 6584-R - Damaged Property, Complainant Lonnie Scott, B/M, who stated that he saw three officers break out the headlights and windows of his father's van which was parked at N. W. 36th Street and 15th Avenue.

6/5/80

PROCLAMATION BY THE PUBLIC SAFETY  
DIRECTOR OF DADE COUNTY, FLORIDA

By virtue of the duties and powers vested in me as Public Safety Director and conservator of the peace of Dade County, Florida, I find that violence and rioting has broken out within this County, that it threatens injury to life and property, and that it cannot be quelled by ordinary means. I therefore do hereby proclaim that the following necessary measures be undertaken immediately to suppress the threat to the public peace which now exists in this County.

1. The power of the County is raised under my command.
2. A curfew from the hours of 8:00 P.M. to 6:00 A.M. is hereby declared in the curfew boundary area bounded by (see attachment).

All persons residing in this area are commanded to remain in their homes during the hours of curfew. Residents desiring to evacuate the area may be escorted out of the area upon their request. No person shall enter this area except through checkpoints established at the following locations: (see attachment).

3. No person shall, within the area designated as a curfew boundary area in this County, sell or deliver any alcoholic beverages, gasoline, kerosene,

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or other inflammable mixtures to any other person, by any means whatsoever.

All persons having such materials in their possession shall take all necessary steps to secure and safeguard such material.

4. No person within the County, exclusive of the curfew boundary area, shall sell or deliver any gasoline, kerosene, or other inflammable mixtures to any other person, except by delivering said materials directly into the fuel tank of a vehicle. All persons having such materials in their possession shall take all necessary steps to secure and safeguard such material.
5. No person within the County shall sell or deliver any weapons or firearms, ammunition or explosives to any other person within the County, except law enforcement personnel.
6. No person within the County, exclusive of that area east of the Intracoastal Waterway, shall sell or deliver any alcoholic beverages to any other person.

*B. L. Jones*  
B. L. JONES  
DIRECTOR

DADE COUNTY PUBLIC SAFETY DEPARTMENT

#### CURFEW BOUNDARY AREA

N.W. 95th Street from 37th Avenue east to I-95, I-95, from N.W. 95th Street south to the Miami River, the Miami River from I-95 west to N.W. 37th Avenue, N.W. 37th Avenue from the Miami River north to N.W. 95th Street. Coconut Grove area starting at 27th Avenue and Bird Avenue west to Dixie Highway, southwest to Lejune Road, south to Hardee Street, east to the Bay then north to 27th Avenue.

#### CHECKPOINT LOCATIONS

1. N.W. 95th Street and 27th Avenue
2. N.W. 95th Street and 17th Avenue
3. N.W. 95th Street and I-95
4. N.W. 37th Avenue and 79th Street
5. N.W. 37th Avenue and 71st Street
6. N.W. 37th Avenue and 54th Street
7. The Miami River at N.W. 27 Avenue
8. The Miami River at N.W. 17th Avenue
9. The Miami River at N.W. 12th Avenue
10. I-95 at N.W. 29th Street
11. I-95 at N.W. 79th Street
12. I-95 at N.W. 95th Street

Attachment May 18, 1980

STATISTICAL ANALYSIS

The following is a breakdown of arrests for Adults and Juveniles made during the period of 1800 hours on May 17, 1980, to 0600 hours on May 21, 1980, to show the types of arrests that are riot-related:

<u>ADULTS</u>	
<u>TYPE OF ARREST</u>	<u>NUMBER</u>
Murder*	9
Fire Bomb/Arson	2
Robbery	3
Battery or Obstructing a Police Officer	4
Assault/Aggravated Assault	6
CCF/CCW	16
Burglary	104
Larceny/Theft/Looting	91
Disorderly Conduct/Intoxication	77
Loitering & Prowling	15
Violation of Curfew	77
Other (Bench Warrants, Traffic, Narcotics, Liquor Laws, etc.)	20
TOTAL ADULT ARRESTS	421

\*The actual arrests for the riot homicides occurred outside the time frames noted above.

JUVENILE

(Saturday, May 17, 1980, through Tuesday, May 20, 1980)

	<u>TOTAL</u>
<u>May 18, 1980</u>	
Looting	28
B & E	15
S.A.R.	1
 <u>May 19, 1980</u>	
Looting	5
B & E	3
G.L.	2
Auto Theft	6
Battery	1
Disorderly Conduct	2
 <u>May 20, 1980</u>	
B & E	5
Disorderly Conduct	3
Loitering & Prowling	2
Armed Robbery	1
 GRAND TOTAL OF APPREHENSIONS	 74

6/16/80

RIOT RELATED COSTS

MIAMI POLICE DEPARTMENT

Salary Costs:	
Overtime	\$ 349,416.22
Regular Duty	<u>307,105.47</u>
TOTAL SALARY COST	\$ 656,521.69
 Equipment Costs:	
(includes \$13,000 for damage)	\$ 48,205.13
Box lunches	<u>6,025.50</u>
TOTAL EQUIPMENT COST	\$ 710,752.32

MIAMI FIRE DEPARTMENT

Salary Costs:	
Overtime	\$ 41,000.00
Regular Duty	<u>90,000.00</u>
TOTAL SALARY COST	\$ 131,000.00
 Damaged Equipment and Supplies:	
Apparatus	\$ 9,000.00
Equipment	400.00
Support for National Guard	300.00
Personal Vehicles Damaged	750.00
Photos	<u>91.00</u>
TOTAL DAMAGED EQUIPMENT COST:	\$ 10,541.00
 <u>TOTAL RIOT RELATED COST</u>	 <u>\$ 141,541.00</u>



BUSINESS COMMUNITY

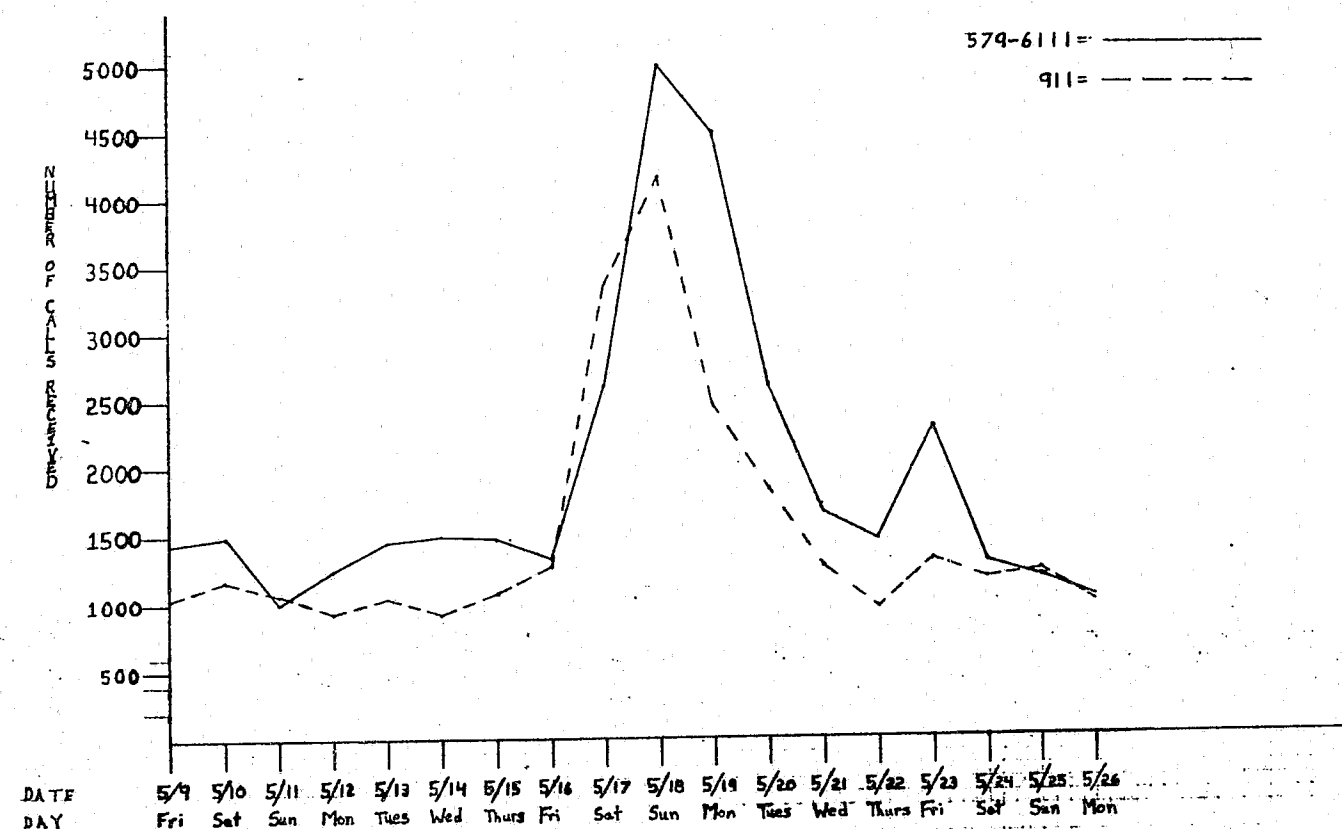
Losses from looting, fire and inventory damaged	\$ 27,012,500.00
Employee jobs lost	843
Estimate of payroll loss (yearly)	\$ 4,047,425.00
Estimated City tax loss for buildings damaged 75% or more	\$ 69,141.00
TOTAL	\$ 31,129,066.00

Total properties sustaining loss 116



After Action Report  
Total Call Volume By Day  
Communications Unit Activity

W.F. NO. \_\_\_\_\_  
ANALYST HARR  
DATE 6/20/60

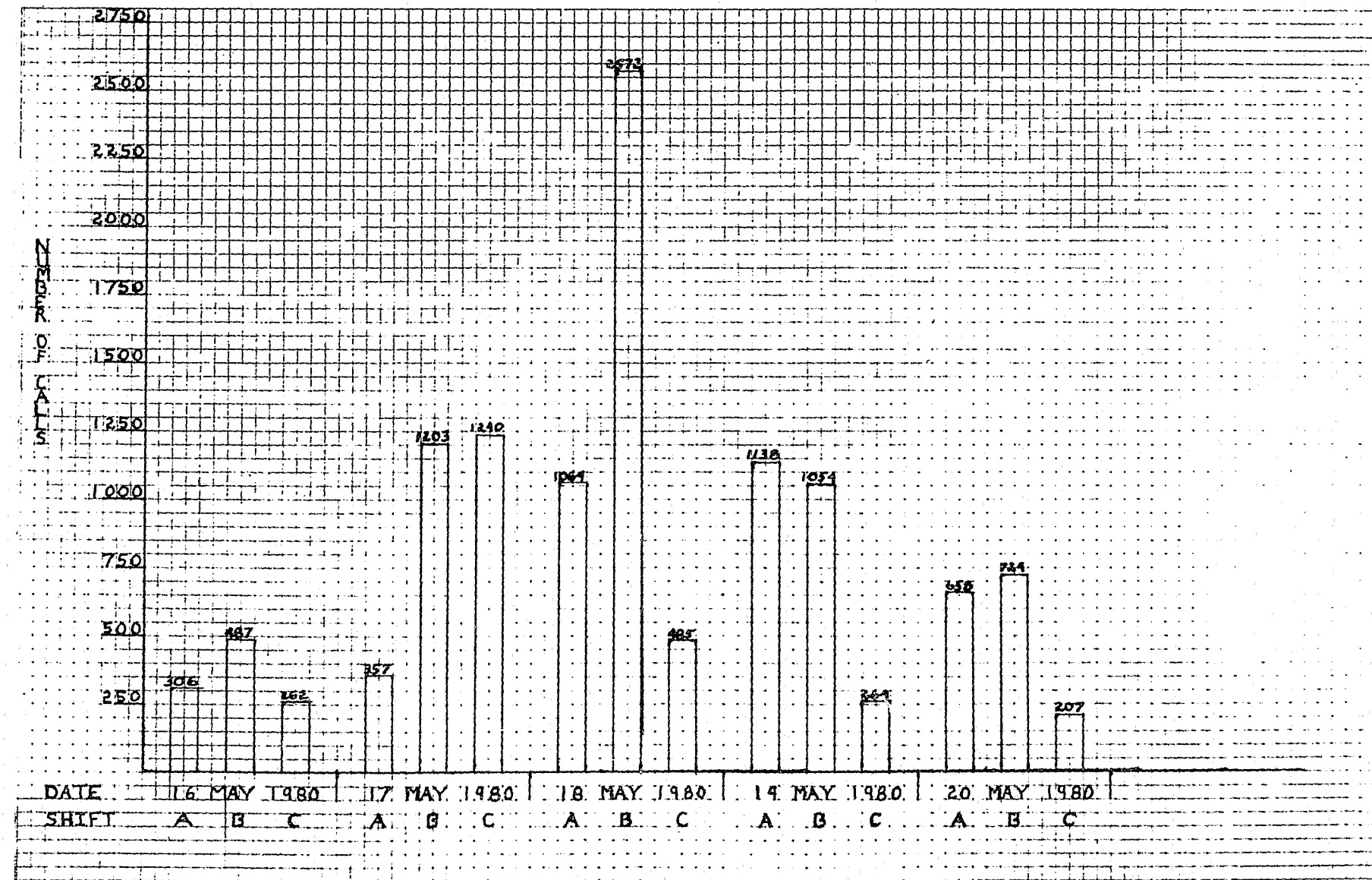


EVALUATION OF INTERNAL CONTROL AS FLOWCHARTED ABOVE: ADEQUATE / INADEQUATE /



**AFTER ACTION REPORT**  
**TELEPHONE CALLS RECEIVED ON 911**  
**COMMUNICATIONS UNIT**

TYPE NO. \_\_\_\_\_  
ANALYST HARR  
DATE 6/20/80



EVALUATION OF INTERNAL CONTROL AS FLOWCHARTED ABOVE: ADEQUATE ( ) INADEQUATE ( )

PAGE \_\_\_\_ OF \_\_\_\_

IRREVERSIBLY DAMAGED COMMERCIAL STRUCTURES

ADDRESS	NAME	ASSESSMENT OF DAMAGES								
		Bldg. Damage %	Fire	Loose	\$ Bldg.	\$ Inventory	\$ Total	Est. of Pay-roll Lost	Total Payroll	Property Tax
5411 NW 2nd Avenue	Marnem Furniture Store	100	x	x	211,640	50,000	261,640	8	91,104	6.44
58 NE 73rd Street	Plating Co.	100	x	x	194,080	35,750	229,830	5	69,000	6.01
155 NE 73rd Street	Hines Plating Co.	100	x	x	1,099,640	6,542	1,106,182	3	29,000	6.15
169-171 NE 73rd Street	General Contractor	100	x	x	1,103,760	16,374	1,120,134	27	62,600	7.50
7225 NW 7th Avenue	Farrey's Hardware	100	x	x	1,141,480	1,420,000	2,561,480	30	87,600	4.26
7409 NW 7th Avenue	Florida Auto Supply	100	x	x	166,500	13,600	180,100	2	19,200	5.31
7027 NW 7th Avenue	E&J Liquor	100	x	x	53,200	36,700	89,900	4	37,440	1.45
6222 NW 7th Avenue	Edison Furniture	100	x	x	620,200	127,100	747,300	8	91,104	5.51
5005 NW 7th Avenue	Miami Service Rental	100	x	x	2,500,000	20,125	2,514,125	40	30,700	15.20
5410 NW 14th Avenue	Auto Body Shop	100	x	x	47,200	24,000	71,200	4	42,200	2.81
6709 NW 7th Avenue	Spolter Electric Supply	100	x	x	806,000	436,000	1,242,000	25	17,100	3.53
6301 NW 7th Avenue	Eagle Discount Store	100	x	x	350,600	100,000	450,600	21	22,300	1.84
1400 NW 5th Street	Central Tile	100	x	x	319,000	203,000	522,000	12	30,000	1.36
1525 NW 5th Street	Jay's Drug Store	100	x	x	230,000	29,000	259,000	6	46,800	2.08
6101 NW 17th Avenue	Meat Market	100	x	x	86,000	21,000	107,000	3	38,400	1.13
5140 NW 7th Avenue	OBC-1 Liquor Store	100	x	x	20,000	20,000	40,000	2	18,512	1.11
4296 NW 17th Avenue	Dade Pipe & Plumbing Store	100	x		346,700	81,000	427,700	12	24,800	3.22
829 NW 2nd Avenue	Bar	100	x	x	330,000	14,250	344,250	9	18,300	1.71

IRREVERSIBLY DAMAGED COMMERCIAL STRUCTURES

ADDRESS	NAME	ASSESSMENT OF DAMAGES								Property Tax
		Bldg. Damage %	Fire	Loot	\$ Bldg.	\$ In-ventory	\$ Total	Est. of Pay-roll Lost	Total Payroll	
720 W 2nd Avenue	Rexall Drugs	100	x	x	108,000	40,000	148,000	8	83,400	1,170
736-740 NW 2nd Avenue	Office Building	100	x	x	182,520	23,000	205,520	10	109,400	1,170
5775 NW 2nd Avenue	Mama Mia Products	100	x	x	394,000	64,000	458,000	5	52,000	1,170
5421 NW 2nd Avenue	Kagan Furniture	100	x	x	75,000	15,000	90,000	8	91,104	720
5155 NW 17th Avenue	Family Meat Market	100	x	x	85,700	22,000	107,700	2	12,000	1,170
2021 NW 2nd Avenue	Dade Welding	100	x	x	91,200	8,500	997,000	2	26,000	1,170
2121 NW 2nd Avenue	Dade Radiation & Glass	100	x	x	59,900	2,000	61,900	2	20,000	1,170
139 NW 14th Street	Residence & Grocery	100	x		175,000	10,000	185,000	2	15,000	1,170
941 NW 2nd Avenue	Apartment & Retail	100	x		195,080	10,500	205,580	3	29,000	1,170
1001 NW 2nd Avenue	Apartment & Grocery	100	x	x	361,360	4,000	365,360	3	24,000	1,170
1401-1403 NW 1st Court	Apartment & Office	100	x	x	147,720	18,000	169,720	2	22,000	1,170
261 NW 71st Street	Furniture Warehouse	80	x	x	247,296	120,000	367,296	7	79,000	1,170
6087 NW 17th Avenue	Slim's Auto Parts & Body Shop	90	x	x	190,000	25,500	215,500	15	152,000	1,170
2031 NW 2nd Avenue	Business Machines Sales	90	x	x	83,000	25,000	108,000	5	65,000	1,170
2640 Grand Avenue	Drug Store	80	x	x	60,000	39,500	99,500	5	32,000	1,170
102 NW 8th Street	Warehouse	80	x	x	397,000	100,000	497,000	8	83,000	1,170
				RESIDENCES						
32 NW 27th Street	Residence	100	x		29,500	5,000	34,500	N/A	N/A	
974 NW 1st Ave	Residence	100	x	x	16,900	500	17,400	N/A	N/A	

## COMMERCIAL STRUCTURES WITH EXTENSIVE DAMAGE

[illegible]

### COMMERCIAL STRUCTURES WITH MODERATE DAMAGE

[illegible]



## COMMERCIAL STRUCTURES WITH MINOR DAMAGES

[illegible]

COMMERCIAL STRUCTURES WITH MINOR DAMAGES

ADDRESS	NAME	ASSESSMENT OF DAMAGES							Total Payroll	Total Loss
		Bldg. Damage %	Fire	Loot	\$ Bldg.	\$ Inventory	\$ Total	Est. of Payroll Lost		
5401 N.W. 17 Avenue	Dairy Queen	10		X	2000	1000	3000	4	600	157
1397 N.W. 36 Street	Family Grocery	10		X	2000	9000	11000	10	1250	254
1220 N.W. 54 Street	Liquor Store	5		X	4750	14700	19450	4	712	325
1211 N.W. 54 Street	Auto Garage	10		X	37500	20000	57500	13	3195	1714
1250 N.W. 54 Street	Lawn Mower Shop	10		X	3000	10000	13,000	3	430	87
5226 N.W. 17 Avenue	Old Hickory Bar and Liquor Store	5		X	2500	25000	27,500	3	334	180
4923 N.W. 17 Avenue	Dade Pipe and Plumbing Supply	10		X	17000	85000	102,000	6	1200	511
4601 N.W. 17 Avenue	Gas Station	10		X	2000	12,000	24,000	3	485	380
4810 N.W. 2nd Avenue	American Supermarket	10		X	13000	19,000	32,000	4	722	111
4220 N.W. 2nd Avenue	CRAWFORD'S A/C Sales and Service	40	X	X	98000	77,000	175,000	5	4511	111
N.E. 47 St. and 2 Avenue	Retail Store	5		X	10000	25,000	35,000	3	448	152
1190 N.W. 36 Street	U-TOTEM	10		X	10000	20,000	30,000	4	650	110
1198 N.W. 36 Street	Mary Carter Paints	5		X	5000	25,000	30,000	9	1800	170
1201 N.W. 36 Street	Allen Parker Small Loans	10		X	5000	5,000	10,000	3	750	117
1500 N.W. 36 Street	Del Rio Hardware	10		X	34000	80,700	114,700	12	2410	1011
1560 N.W. 36 Street	Lundy's Clothes	10		X	10000	10,000	20,000	3	450	1737
1664-1668 N.W. 36 Street	New York Furniture	10		X	12600	15,000	27,600	5	1023	207
3408 N.W. 17 Avenue	ENA Retail	10		X	20500	74,000	94,500	8	1300	120
N.W. 18 Ave & 35 Street	Winn Dixie	5		X	10600	20,000	30,600	38	8200	1478

RECONNAISSANCE SURVEY OF PROPERTIES AFFECTED BY CIVIL DISOBEDIENCE  
COMMERCIAL STRUCTURES WITH MINOR DAMAGE

ADDRESS	NAME	ASSESSMENT OF DAMAGES								Property Tax
		Bldg. Damage %	Fire	Loot	\$ Bldg.	\$ Inventory	\$ Total	Est. of Payroll Lost	Total Payroll	
2041 N.W. 12th Avenue	Cantor's Grocery	10	X		10,000	10,000	20,000	10	1,800	1,500
3547 Grand Avenue	Grocery	5	X	X	4,750	15,000	19,750	2	400	1,200
N.W. 5th Avenue and 8th Street	Merlin's Liquor Store	10		X	10,000	15,000	25,000	2	350	1,000
645 N.W. 62nd Street	Pantry Pride	10		X	277,000	600,000	877,000	30	6,650	17,350
178 N.W. 5th Street	Drape Mfr.	10	X	X	35,900	150,000	185,900	3	700	2,527
5400 N.W. 2nd Avenue	Roofing Company	5		X	15,000	15,000	30,000	2	400	1,750
5226 N.W. 17th Avenue	Liquor Store	20	X	X	10,000	25,000	35,000	3	1,070	1,000
7790 N.W. 7th Avenue	Electric Company	10	X	X	20,000	38,500	58,500	7	1,750	710
211 N.W. 21st Avenue	Troy Desk	10	X	X	107,900	21,000	128,900	15	3,600	900
4151 N.W. 2nd Avenue	Office	5	X	X	13,000	52,000	65,000	10	2,150	2,527
5800 N.W. 7th Avenue	Dade Savings	10		X	4,000	2,000	6,000	N/A	N/A	N/A
190 N.E. 46th Street	Furniture Store	5		X	12,000	100,000	112,000	7	1,535	2,000
Plaza & Grand Avenue	Office	10		X	5,372	10,000	15,372	2	400	100
3672 Grand Avenue	Leonards Men's Shop	5		X	5,000	20,000	25,000	2	400	400
3677 Grand Avenue	Bar	10		X	10,000	25,000	35,000	3	535	1,410
3682 Grand Avenue	Furniture Store	10		X	7,000	15,000	22,000	5	1,025	1,173
3700 Grand Avenue	Bar	10		X	10,000	15,000	25,000	3	535	1,100
3600 Douglas Drive	St. Hugh's Parochial	5	X		5,000	0	5,000	0	N/A	N/A

RECONNAISSANCE SURVEY OF PROPERTIES BY CIVIL DISTURBANCES  
RESIDENTIAL STRUCTURES WITH MINOR DAMAGE[illegible]

## DADE COUNTY REPORT

### MEMORANDUM

107.07-17A

TO Honorable Mayor and Members  
Board of County Commissioners

FROM M. R. Steinhilber  
County Manager

DATE May 30, 1980

SUBJECT Immediate and Ongoing Need  
Assessment

#### INTRODUCTION

Over the last few months, Metropolitan Dade County has been seized by a wave of unique and extraordinary problems. As a community of first asylum for Caribbean Refugees, we have received over 30,000 Haitians, largely unemployed and living in overcrowded, marginal housing. Over 35,000 Cuban Refugees came and settled here in a 30-day period, adding to the strain on housing, overcrowding, labor market competition, and other service strains. Seven thousand people out of work raises the unemployment rate in Dade by one percent. As each day goes by the influx of refugees continues.

Over a longer period, in viewing the area in economic terms, we first had a major recession and business slump (1974), then catastrophic inflation with the most expensive housing market in history, coupled with a phenomenally low vacancy rate. At the same time, much needed human services were being severely cut back.

For many years the State's health, human service, employment, and criminal justice programs in Dade County have not had their share of State support. Historically, the legislature has established Dade as a donor County tax-wise for the State. This has drained local tax dollars from needed services and produced State services of degraded quality. The current Grand Jury report virtually indicts the State's juvenile justice system as a contributor to the problems it is intended to correct.

(2)

This has had a negative impact on our Black community. In addition, tension in the Black community, because of the negative perception of the criminal justice system, was brought to a head by the acquittal of the police officers charged with causing the death of Mr. Arthur McDuffie. These and other factors precipitated a major civil disturbance.

Clearly, poverty, desperation, despair, and anger, peaking at the McDuffie decision, led to violence and destruction.

#### THE IMPACT

There is no way to measure the personal impacts and human suffering caused by this civil disturbance upon persons throughout the community. In addition the residents of the affected areas also suffered unprecedented human and property loss. Businesses in the area suffered, in many instances, total economic loss. Government services such as police, fire, hospital and medical, and community relations services were stretched far beyond reasonable limits. Unbudgeted expenditures, property losses, and other non-budgeted expenses for Dade County exceeded \$2,000,000.00.

It must be pointed out that many of the following projects have been considered and grant applications filed in the past by the Commission. While there are some new programs outlined in this report, most are projects and programs which are pending now, grant applications have been filed, pending or denied.

Other programs include acceleration of already funded projects such as certain housing projects, rapid transit construction, and parks development. The federal government should expedite consideration of existing proposals to construct bus facilities, and "Urban Initiative" and transit proposal for economic development around minority area transit stations. The federal government should also expedite consideration of proposals which have been in the development stages for the Shell City Site development and Economic

(3)

Development Project in the Model City area.

#### PURPOSE OF THIS REPORT

The purpose of this report is to provide a comprehensive view, and an immediate mechanism, to address the human and economic needs resulting from the civil disturbance. The report sets forth both immediate and continuing needs, and the actions that are required, in our opinion, to address these needs. While significant funding and operational roles are set forth for local, state and federal governments, major involvement of the private sector is imperative.

This report must stress that, although the entire community is involved and affected by what has happened, the involvement of the Black community must be at the heart of the solutions. Critical to the accomplishment of any significant change through the following recommendations is the recognition that the Black community must be intrinsically involved at all levels.

#### DAMAGE AND QUICK RESPONSE

The data is not all in. But, the riot damaged at least 238 established businesses, destroying 71 completely. Sixteen homes were destroyed. Total property damages are close to \$100 million.

At least 36 minority owned businesses were damaged. Of 238 businesses surveyed, 63 reported that 585 employees are now out of work as a result of the damage. There is yet no unemployment data from 175 businesses but at least 60 of them are believed to employ up to 100 persons each. Based on this, and secondary impacts from the absence of normal business activity, we estimate conservatively the unemployment impact to be the equivalent of 3,000 regular jobs. This is a loss of personal income of about \$2.5 million, annualized, or an economic loss in total community wealth of some \$10 million.

(4)

These are some of the pieces of the community that have to be picked up and put back together. New jobs should be opened quickly. Business recovery will take longer.

The cleanup has started. Public streets and facilities are almost back to normal. Dangerous walls and structures have been leveled. The cleanup of private properties will take longer. Some private contractors have been used to get the work done quickly and share the work with the community.

The estimate of 3,000 jobs lost means that mortgages will not be paid, groceries will not be purchased, rents will be overdue, light bills, phone bills, water bills, car payments must be postponed, and on and on. These pieces have to be put back together quickly. The economic multiplier is already at work.

The jobs that were lost cannot be replaced on a one for one basis. But, equivalent jobs in the impacted areas, and made available to the residents of those areas, should do much to restore the neighborhood economy. To accomplish this, the Governor's staff has proposed that 500 jobs immediately be made available, and the County should designate 150 jobs to be filled. The County is ready to start seven public works projects that are already funded at \$3,000,000 and will make 125 openings. These seven projects are in Buccaneer Park, Model City Bike Path, Poinciana Park Track, Amelia Earhart Park, Martin Luther King Boulevard (2 projects) and at several locations in parks countywide.

(5)

#### THE BLACK ROLE

Integration of black and white continues to be an idea, and a legal concept, rather than a practical reality. Economic success for blacks depends upon penetrating a predominantly white market place. Their alternative is to limit themselves to a black market place. This presents a bleak prospect.

The development of Black businesses and professional support must be the highest long range priority for the well being of the black community. Black economic success should assure the strength blacks need to be real partners in the growth and development of our overall community. This would assure all blacks an access to economic power, the absence of which is a source of unremitting uncertainty, anxiety and subdued anger in the black community.

In the short range the renewal of employment, business enterprise, and public improvements in the riot damaged community should be done utilizing the expertise of black managers, professionals and their organizations, and white volunteers to revitalize the black market place.

In the long range, many improvements and programs must be developed in response to this situation. These must involve and respect the black viewpoint; must acknowledge the need for new approaches which were too radical to be accepted a decade ago; and must be designed to achieve some fundamental changes with regard to the professional and human resources emerging in the black community.



(6)

The economic interest of the total community is at stake in this issue, and the total community must respond to it. It is time for a unified coalition of many efforts to create a surrogate economic base for the black community.

The role of government in this coalition effort can take the form of loan guarantees, contributions to investment capital, special subsidy or underwriting of bonding and insurance services, waiver privileges, stricter enforcement of the affirmative action and the civil rights compliance provisions in government funded contracts, contribution to loans of working capital through special non-profit quasi-commercial banking agencies, low interest lending, subsidized interest rates, nation-wide risk sharing to underwrite business insurance programs, tax incentives to large corporations to provide mentoring service to small business and black entrepreneurs, including tax incentives for corporate assistance to business activities indigenous to the black community.

(7)

#### COOPERATIVE MANAGEMENT

Clearly, there is a need for cooperation, coordination, and commitment. to make responses to the needs of the black community successful. A variety of sponsors each seeking a different path with numerous justifications can only serve to disillusion the community and disperse limited funds in wide directions leaving the causes of the recent disturbance untouched. Therefore, cooperation can no longer be haphazard but now must become formalized.

It is recommended in order to alleviate this situation that a board be appointed by the Governor and the President composed of members from the:

- State of Florida
- School Board
- Metropolitan Dade County
- Organized Labor
- City of Miami and other municipalities
- Federal Regional Council
- Residents of the impacted community
- Private sector

This board with County staffing would be responsible for assessing and prioritizing the needs of the area, identifying the necessary financial assistance, identifying appropriate sponsors for the programs whether government, private, or community based organizations, facilitating an effective and coordinated response to both the Federal government and the community.

It is imperative that a coordinated effort of this type be established as soon as possible and that its participating members be given the recognition needed to be effective.

(8)

#### STATE AND FEDERAL AGENDA

In order to develop and implement an effective, viable, and creative response to the needs of the black community, a coordinated approach is needed which utilizes all resources available at the Federal, State, and local levels of government. Only a team effort and strong commitment which facilitates information sharing and program development between the three levels of government and the community will create a successful response.

To provide a starting point it is necessary to examine what is currently being done at the State and Federal level, and specifically the possibilities available to the local community which have yet to be addressed.

#### FEDERAL GOVERNMENT

In assessing the Federal response to this crisis it is difficult to report anything tangible and concrete with regard to a commitment. In fact, a White House Interagency team has been in the area for the past several days, the Justice Department is presenting its case to the Federal Grand Jury and will increase its staff in the Metropolitan area, and the Governor has requested the President to make "whatever Federal resources available" to this community. However, at this point in time it is necessary to secure some immediate and guaranteed commitments from the Federal Government.

Without a Presidentially declared disaster or emergency, this area is not eligible for the following:

1. Internal Revenue Service accelerated breakdown for businesses.
2. Federal Emergency Management Administration (FEMA) direct \$5,000 emergency grants to individuals in need.
3. FEMA reimbursement to State and local government for extraordinary cost incurred.
4. U. S. Department of Commerce, Economic Development Administration Sudden and Severe Economic Dislocation Grants (Title IX).

(9)

Therefore, immediate waivers must be set in motion for eligibility in the affected areas for at least numbers one and four of the above.

Immediate action must be taken by the Administration to secure a supplemental appropriation or group of supplemental appropriations which will provide funding specifically targeted to the Miami/Dade County area. The agencies which should be funded are: HUD (Secretary's Discretionary), EDA, SBA, CETA.

- A. On May 21, 1980, the House/Senate Budget Conferees approved a FY 80 Supplemental Budget which made room for \$500 million in Function 450: Community and Regional Development. At the urging to Senator Lawton Chiles it was agreed that at least \$100 million would be available for riot-torn Miami. However, the Budget Resolution is only a recommendation and requires a supplemental appropriations request from the administration; i.e. OMB, or at least administration support for such a supplemental as well as action by the appropriations committees in the House and Senate. Senator Chiles is on the Senate Appropriations Committee and Congressman William Lehman is on the House Appropriations Committee.

There must be a guaranteed commitment on the part of the administration and the Federal agencies to provide for expeditious approval of grant applications submitted to address the needs of the affected areas.

Waivers of administrative regulations which may hamper the success of or withhold funding from projects in the affected areas must be considered a viable possibility.

#### STATE GOVERNMENT

The ongoing resource assessment being developed by State agencies must be completed as soon as possible. It should include:

(10)

- a) listing of current State vacancies
- b) vacancies or positions which can be filled in a meaningful way if funds were transferred to agencies' budgets
- c) identification of specific programs that can be utilized in the area
- d) development of a system of employment delivery
- e) an inventory of State programs with any funds left in their respective budgets
- f) an analysis of what specific State regulations which may require waivers

-an assessment of the Department of Health and Rehabilitative Services District XI's funding and staffing in the area of Juvenile Justice and dependency

-a redirection of funds to HRS District XI to more effectively impact the Juvenile Justice System

The Legislature should develop appropriate legislation which will provide local governments with sufficient flexibility to address the issues faced by the local community. Currently under consideration:

- a) The Community Revitalization Act which conveys broad powers and authority to an appointed board to address housing, clearance insurance subsidies, turnkey developments, condemnation of property and enhancement of the infrastructure.
- b) Providing the County Commission with the authority to impose a one cent sales tax to fund the programs outlined in the Community Revitalization Act.
- c) Special appropriation to the Dade County area for employment and immediate cash assistance purposes.

The State Insurance Commissioner should assess continually any increases in insurance rates in the affected areas and discourage such increases as disincentives to investments and economic development whenever possible.

(11)

The State Department of Commerce in conjunction with the private sector, the community and local governments in the Dade County area should develop a viable program which will enhance Black Entrepreneurship in the Metropolitan areas.

The State should encourage joint ventures specifically with Black contractors, when bidding or contracting for work in the Metropolitan area.

EMPLOYMENT AND TRAINING

The rate of unemployment in the black community is 3 to 4 times the rate for the community as a whole. The unemployment rate for black youth is 48%, and reaches as high as 85% in some areas. This was made worse by the recent civil disturbance. Specific action that can be accomplished immediately is needed. Ongoing steps to relieve the situation over several upcoming months must be considered. The needed actions below are directed towards the level of government which can most effectively implement them.

Federal

-Those agencies located in the Miami area should immediately inventory existing vacancies which can be used to employ individuals from the affected area and wherever possible waiving any administrative procedures or regulations which may hamper the hiring process.

-Divert additional summer youth employment slots to the South Florida Employment and Training Consortium targetted specifically to address black youth unemployment.

-Provide funding for a second Job Corps center placed in central Miami.

-Funds should be made available to the Private Industry Council under Title VII of the CETA program to work in these areas:

- a) construction industry and development of black apprenticeship programs
- b) transportation training program geared specifically to vehicle maintenance and operation
- c) comprehensive remedial education focusing on reading and comprehensive skills, math and work ethics.

- d) training programs which develop marketable skills in tourism, government trades, merchandising, and business ownership and development

-Provide funding for Neighborhood Rehabilitation Programs which would employ black youths from 16-19 years of age living in designated impact areas who face handicaps in obtaining employment i.e. lacking a high school diploma or its equivalent or who are high school drop outs. Youths will be employed for a 12 month period and be assisted in earning their diplomas.

-Make a special grant to the Governor to employ individuals who are economically disadvantaged, unemployed, underemployed, or in school, to be used for the maintenance of public facilities, in youth street-worker programs, and programs of police/community relations.

-Waive the 15 week unemployment criterion and the income critereon for participation in CETA Public Service Jobs, for individuals unemployed as a result of the disturbance. Also, the private sector should be allowed to hire CETA participants in industry directed training programs.

-Remove the administrative freeze on CETA Title VI dollars.

-Waive or remove the average wage ceiling for PSE positions as that ceiling serves effectively to exclude black males; currently 4 out of 5 CETA slots are filled by women.

State

-The State must more effectively utilize contracting to employ minority contractors or specifically target jobs created to individuals in the affected community.

-The State should inventory all available positions as well as evaluate the creation of new positions to be targetted to individuals in the affected areas.

Dade County

- Metro Dade County must assess the number of positions that can be filled and direct those positions to individuals in the affected areas.
- The County must implement as soon as possible those capital improvement projects already on line and target those contracts and jobs to individuals in the affected areas.
- Re-examine all grants currently received by the County to determine what areas and individuals are being served and what employment opportunities may be available and re-direct wherever possible to those individuals in the affected areas.
- The local government must work closely with the private sectors to obtain specific employment commitments for the individuals in the affected areas.

COMMUNITY AND ECONOMIC DEVELOPMENT

It has been commonly agreed that the greatest problem facing Miami/Dade's black community is economic development - both interims of unemployment and lack of a viable economic business base. In the aftermath of the May riots, several prescriptions are available assuming the lack of a Presidential declaration of emergency or disaster.

Rebuilding

Restoring the riot-damaged businesses is a joint effort of Dade County, the City of Miami, the community and the private sector. The policy should be to provide every incentive possible under Federal, State and local law for all riot-affected business enterprises to return quickly to full or expanded capacity. They should also be encouraged to employ local residents, build

more attractive structures, add more to the local tax base, and be insured against potential loss. Businesses that will not rebuild in the community, should sell their land to a comprehensive land assembly program. This land assembly will present new opportunities for employment generating commercial/industrial use.

To accomplish this the City and County should reprogram Federal Commercial Development Block Grant funds for - June, July, August 1980, and seek funds from the Housing and Urban Development Secretary's Discretionary Funds to continue the program September 1, 1980 through August 31, 1981. During this period City and County staff would meet with each affected property owner and obtain a detailed accounting of each property owners/merchants/lessees needs.

An ongoing Community Development project, "Contractors Training and Development," provides bonding for minority businesses and contractors. This program should be expanded, using Housing and Urban Development Secretary's Discretionary Funds.

In addition to County and City staff working on these efforts, two organizations would be contracted to assist: in the City of Miami, the Miami Capital Development Corporation, and in Dade County, the South Florida Coalition for Economic Development.

The two organizations would:

- (a) meet one-on-one with merchants, property owners, lessees, etc., affected by the riots to prepare an individual financial package for each property. Existing resources would be:

(16)

SBA loans (teams are already here)  
Section 312 HUD Commercial Loans (a supplemental appropriation is needed)  
EDA Loan Guarantees (a supplemental appropriation is needed)  
Industrial Revenue Bonds  
Minority Enterprise Small Business Investment Company (MESBIC)  
(A grant of \$400,000 to capitalize a MESBIC is scheduled to come before the County Commission in June)  
Section 108  
Urban Development Action Grants (UDAG)  
Private Lenders  
The Housing and Urban Development Secretary's Discretionary Funds

- (b) administer a special revolving account utilizing Housing and Urban Development Secretary's Discretionary Funds for flexible loans and/or grants to cover uninsured losses, loan guarantees for high risks, interest writedown subsidies, etc. The purpose would be to encourage businesses to remain or expand in the area, hire more area residents, increase minority or worker ownership in area businesses, participate in CETA programs, utilize minority sub-contractors and vendors, and agree to urban design guidelines.
- (c) encourage joint ventures between (a) minority entrepreneurs/residents and business owners affected by the riots, (b) local minority entrepreneurs and minority entrepreneurs from other parts of the country.
- (d) be empowered to buy property from owners not electing to take advantage of the aforementioned incentives if opportunities for land assembly of larger areas is possible, through acquisition or land trading, so that the assembled site can be sold as a whole for new employment generating business utilizing Industrial Development Authority bonds.
- (e) the State Insurance Commissioner should address the problem of insurance for businesses willing to return to the affected area by making insurance available while increasing minority ownership and business opportunity. Such actions could include:
  - (1) The establishment of a black owned fire and casualty insurance company. Part of the capitalization for such a company could come from the MESBIC mentioned earlier.

(17)

- (2) Major insurers should also be encouraged to form joint ventures with the black owned fire and casualty insurance company mentioned above.
- (3) The County or a designated Community Based Organization should organize a consortium of major insurers. The purpose of the consortium will be to spread the insurance risk among several insurers as opposed to a few. The aim of this effort is to provide lower premiums when insurance is purchased through the consortium. The consortium will be encouraged to use minority insurance agents for the sale of insurance to property owners.
- (f) hire urban designers, architects and landscape architects to develop a flexible urban design manual to be utilized by architects hired by property owners/merchants/lessees in rebuilding private properties so that the replacement buildings will be of coordinated design, property screened, and upgraded from previous ones.

The organization we recommend in the County to administer this project is the South Florida Coalition for Economic Development with close monitoring by the County's Department of Community and Economic Development. This organization has received State funds, EDA funds, and has a track record for the administration of government funds. Its Board of Directors is made up of local black business leaders. The Administration of such flexible subsidies to business-persons can only be accomplished through a non-profit organization, which enjoys considerably more flexibility than the County under both local laws and Community Development Block Grant regulations.

Long Term Economic Development

The City of Miami will develop strategies for its portion of Liberty City, Coconut Grove and Overtown through its Citywide Economic Development Agency. In the unincorporated Model City area, the potential for long-term economic development is in two areas:

(a) The Model City Rapid Transit Corridor

There are four station locations in unincorporated Dade County, and riot damage was extensive along the whole rapid transit corridor. The corridor is 27th Avenue and the stations are Earlington Heights, Brownsville, Martin Luther King Plaza, and Northside.

The Office of Community and Economic Development and the Office of Transportation Administration have been holding community meetings to identify a community based corporation to prepare, with the County, a major application to the Department of Housing and Urban Development for an Urban Development Action Grant (UDAG) for joint development at all four stations. Economic feasibility consultants are being selected by the community and Dade County to prepare major plans for private sector re-investment in the area. These efforts should be accelerated.

(b) Martin Luther King Boulevard/18th Avenue Commercial Areas

The 18th Avenue Merchants Association has just completed a redevelopment plan and an application for an Urban Development Action Grant is underway.

Also, Opa Locka and Homestead/Florida City are designated by HUD as "pockets of poverty." These two areas are also eligible for UDAG and an application is being prepared for each area.

HUMAN SERVICES

The riot impact area is home to about 133,000 people. Children, up to age 14, are almost one third of the population. Half of the families have one parent at home. Over half of the adult population 25 and older have not completed a high school education. Unemployment overall is three to four times the community-wide rate. Among people under 25, the rate is nine times the official community-wide rate. The death rate among middle aged Blacks is so much higher than the community as a whole that the total need for services to the elderly is significantly less than in other parts of the community. On the positive side, the percentage of young adults (20-24) with high school education is twice as good as among older adults.

This community profile argues for highest priority for Head Start to continue through the summer and an expansion of the Summer Meals Program; for nutritional programs that keep people well at home, and for day care for the children of people who are employed.

The following table shows nine priority programs that the County should provide. These programs would provide 249 more jobs to residents of the area. The cost is based on a two month projection of expenditures.



(20)

<u>Service</u>	<u>Number Served</u>	<u>Persons Hired</u>	<u>60 Day Costs</u>
Meals for homebound and handicapped	240	3	\$ 36,800
Head Start for 12 weeks	1,160	80	502,665
Day Care	2,000	10	1,116,000
Adult Day Care	240	42	54,000
Homemakers for Impaired Elderly	915	69	202,500
Outreach, Information & Referral, Case Advocacy, Counseling, Tutorials	5,600	34	176,000
Dependent Person Transportation	11,000	5	13,000
Emergency Cash Assistance	3,000	4	1,800,000
Emergency Family Shelter	280	2	21,000
<b>TOTALS</b>	<b>24,435</b>	<b>249</b>	<b>\$3,921,965</b>

(21)

CRIMINAL JUSTICE

The Law Enforcement Assistance Administration has tentatively offered from \$2.5 to \$5 million dollars to expand existing programs that should offer an additional 150 to 300 jobs. Seven programs can be expanded immediately that will address some of the problems that contributed to the present tensions:

1. Domestic Family Violence Intervention
2. Crime Prevention by Residents
3. Juvenile Diversion by Human Service Agencies
4. Ex-offender Employment
5. New Careers in Law Enforcement
6. Community Service Aides
7. Safe Streets Police Activities

This will revitalize crime control programs that have proven most effective in this and other urban communities.

The State of Florida has a major responsibility in this area. The recent Grand Jury Report clearly indicated major areas of neglect in the Criminal Justice system. There is still time in the current legislative session to address these needs.

A high priority should be given to community anti-crime programs so residents of the most damaged communities will have increased opportunities to participate in the prevention of crime and in the early intervention in crimes being committed

A major problem in our community is the juvenile justice system. It is important to expand the use of supportive professional and diversionary services by community human service agencies to juveniles when they first begin having contacts with police in ways that justify arrest or questioning. This has proven to get youth square with themselves, their families, schools and employers.

Another high priority is to get tough-minded, rigorous instruction to adults already in correctional institutions or programs. They need additional intensive learning opportunities including remedial, basic communications skills and marketable vocational skills.

Of equal importance, but a longer range concern, is the need to improve both the accountability and performance of the criminal justice system. This community should be willing to tackle these knotty problems in cooperation with the Law Enforcement Assistance Administration:

First, a program of police-community relations that will enable police honestly to identify with the community they serve. It should also enable the community they serve to recognize that police work is entirely in their community of interest.

At the same time, a Police Services Assessment Center should be established. It would emphasize a police personnel improvement program aimed at recruiting the exceptionally talented sworn officer into intensive leadership development in directing police activities against crime and the causes of crime.

A major part of the alienation between criminal justice and the Black community is the historic affirmative action obstacles. These should be corrected and new strategies should be used. Among them should be financial and organizational incentives so powerful that they assure a willing new tradition of affirmative action in all aspects of each segment of the criminal justice system: police, prosecution, courts and juries, public defense, corrections, and rehabilitation and diversion.

The Bar in this community has always been in the forefront of judicial reform. With the support of the Law Enforcement Assistance Administration, the leading thinkers and lawyers of this community should prepare and bring to the U.S. Congress proposals to establish new forms of political accountability for the third branch of government, the state and federal court systems.

## HOUSING

There is a major crisis in housing in the Dade County area. An already limited rental vacancy rate and a continued lack of standard housing have been exacerbated by the massive influx of refugees and the recent civil disturbance. The situation in Dade County makes alternative housing virtually unthinkable for most renters.

The above are compounded by a waiting list in the tens of thousands for public housing and in the thousands for rental assistance. Section 8 New Construction and Rehabilitation dollars, which are sorely needed in the black community, have been grossly inadequate.

The following is a list of the needs for Federal assistance for housing development:

1. By June 26, we will submit to H.U.D., applications to completely modernize Scott homes for \$7,000,000 and the Carol City project for \$2,500,000. These applications will be part of a national competition under H.U.D.'s Comprehensive Modernization Program. We hope they will be approved.
2. At H.U.D.'s request, we have prepared a three-year modernization program in the amount of \$18,000,000. From this budget we have identified \$2,000,000 worth of work that could be handled by minority contractors. We need a special modernization allocation to finance this work.
3. We should push the development of the Shell City site. This will go before the County Commission on June 17 if the neighborhood approves the marketing program prior to that time. The Federal Government should allocate 150 units of Section 8 senior citizen housing to help make the Shell City development possible. In addition, we need an additional allocation of Community Development funds to buy the present Christian Hospital. This will only permit new housing to be constructed on the present site of Christian Hospital.

4. 2,000 units of public housing and/or Section 8 housing. These should be new construction and/or substantial rehabilitation.
5. \$5,000,000 Urban Development action grant to build and help finance sales housing. The housing can either be new construction or rehabilitation of abandoned buildings for condominium use. These funds would finance 250 homes.
6. An additional \$1,000,000 for residential rehabilitation. These funds could be either Community Development or Section 312.
7. \$5,000,000 for Urban Homesteading to finance the acquisition and rehabilitation of 250 homes.

TRANSPORTATION

The construction of the rapid rail system and enhancement of the bus system in Metropolitan Dade County will provide hundreds of jobs and increase opportunities for mobility within the community. It has been stated that the problems of unemployment in this community are great; but also a concern is the lack of an adequate and reliable transportation system which can move people swiftly and safely to their jobs as well as to stores, and for recreational purposes.

Also, transportation improvements must be viewed as methods in redeveloping and revitalizing this community, and more specifically the areas most hard hit by the recent civil disturbance. The community must be made a partner in this development to the extent that all proposals submitted to the County, City, State, and Federal governments contain specific and enforceable provisions for Black participation whether that be through specific contracts, joint ventures, or employment.

In order to quicken the pace of development in this area, the Federal Government should look to these requests with a sense of urgency:

- The Federal Urban Mass Transportation Administration should expedite approval and funding for the construction of the North Dade Bus Facility located at 59th St. and 27th Ave. After the release of funds, construction can be started employing 400 individuals.

- The Urban Mass Transportation Administration should expedite approval and funding for two Urban Initiative Grants which will provide for development around transit stations located in the Black community.

## CLOSING

This report will be distributed widely and given to the following:

Congressional Delegation  
Federal Task Force  
Governor Bob Graham  
Secretary Joan Hagen  
Dade Delegation  
State Agency Task Force  
City of Miami and other municipalities  
All Interested Parties,  
Public and Private

It is our intention to follow up with the individuals to whom this report is distributed in order to facilitate a coordinated approach in implementing its contents. We have already begun working closely with City of Miami officials and we are considering a variety of techniques to further enhance this cooperative effort. We would like to thank the City of Miami staff for their input into this report, specifically as it relates to Community and Economic Development.

This report presents a comprehensive picture of the current situation, the stated needs, and methods of addressing those needs. Although there is much more to be said and done, this is a starting point. It is certainly clear to anyone who reads this analysis that a great deal can and should be done as quickly as possible. Clearly, this community has a real job to do.

## 1968 RIOT VERSUS 1980 RIOT

### 1968 RIOT CHRONOLOGY

#### WEDNESDAY, August 7, 1968

1300 hours - Mass rally at 1675 N. W. 62 Street.

1700 hours - Rocks and bottles thrown at N. W. 62 Street motorist.

1800 hours - Police reroute traffic off N. W. 62 Street.

1900 hours - Traffic flow returned to normal and police depart from that area.

1905 hours - Vehicle stoned and disabled. Vehicle set on fire and driver beaten but escapes further injury when aided by Black citizens.

1910 hours - Traffic again rerouted off N. W. 62 Street.

1930 to 2000 hours - Looting occurs on N. W. 62 Street, 12th to 17th Avenues.

2015 hours - Return to normalcy.

2015 hours - Miami Mayor Clark arrives and addressed growing crowd.

2030 hours - Mayor Clark departs.

2030 hours - Tear gas used for crowd control.

2100 hours - Dade Mayor Hall arrives.

2130 hours - Governor Kirk and Ralph Abernathy arrive, address crowd and schedule meeting for 1100 hours tomorrow. Remainder of night relatively calm.

#### THURSDAY, AUGUST 8, 1968

0800 hours - Rocks and bottles thrown at N. W. 62 Street motorist.

1000 hours - Police reroute traffic off N. W. 62 Street.

1100 hours - Scheduled meeting postponed to 1400 hours  
as only one low ranking representative of  
the Governor appears.

1200 hours - Partially as a result of the large use of  
police personnel during the previous night,  
Miami Police Department experiences a  
shortage of personnel to cope with growing  
problem and requests assistance from other  
agencies.

1400 hours - Rescheduled meeting cancelled as no  
representatives appear.

1415 hours - Tear gas again used to disperse rioting  
crowd.

1600 hours - National Guard is mobilized; curfew of  
1800 hours to 0600 hours is established.

1630 hours - Two rioters are fatally wounded.

1630 hours - Rioting and looting spread to Coconut Grove  
and Overtown.

2135 hours - One rioter fatally injured, three wounded  
at 310 N. W. 24th Street.

By midnight, City was relatively secure. The situation  
continued to de-escalate to Tuesday, August 13th, as  
the last troops are withdrawn.

## DIFFERENCE IN 1968 RIOT VERSUS 1980 RIOT

### 1 - SPREAD OF DEVELOPMENT

The 1968 riot began and developed slowly as  
compared to 1980 riot. The 1968 riot began with a  
mass demonstration on the 7th of August at 1300 hours.  
Rocks and bottles were thrown at 1700 hours. Not  
until 1900 hours was a motorist beaten and car  
burned. Although looting was underway, the Guard  
was not activated until 1000 hours the following day,  
August 8th. The first riot related fatality occurred  
at 1630 hours, 27½ hours after the beginning of the  
disturbance.

The recent riot began with rock and bottle  
throwing on May 17, 1980, at 1800 hours. The first  
fatality occurred at 1815 hours. The Justice Building  
was attacked with resulting damage at 2030 hours. And  
by that time, widespread looting and extensive arson  
was underway.

### 2 - REASONS FOR RIOTS

The perceived failure of the Judicial System in  
dealing fairly with the Black community was a primary  
casual factor in the 1980 riot. This was never put  
forth as a cause of the 1968 riot.

In the 1968 riot, general frustration in the Black community due to the lack of economic opportunities was cited as a primary cause. This was accentuated by unfulfilled commitments made by White politicians who came to the area of the disturbances on the evening of the first day of rioting.

### 3 - DEGREE OF VIOLENCE

The degree of violence experienced in the recent riot was far greater than the 1968 riot. In the 1968 riot, vehicles were stoned and the occupants were beaten, primarily with bare hands. In the recent riot, the victims were beaten with cinder blocks, large rocks, and newspaper stands. They were also stabbed, shot and mutilated. Furthermore, rioters drove vehicles over these victims. Additional examples of the increased violence may be seen in the acts towards property. In 1968, looting was experienced but arson was not a large scale occurrence. However, in the current riot widespread arson accompanied the looting.

### 4 - SCOPE OF RIOTING

In the 1968 riot the violence began on N. W. 62 Street between 12th and 17th Avenue and spent the majority of its fury in that area. Although on the second day it did expand to a certain degree to Black neighborhoods in Central and South Miami.

In the current riot, disorder began almost concurrently on N. W. 62d Street between 12th and 17th Avenues and at the Justice Building. The mass demonstration and destruction at the Justice Building, outside existing Black neighborhoods, was unprecedented in Miami.

### 5 - RESTRAINT

The philosophy of the police approach to the two riots was markedly different. In December 1967, Chief Walter Headley, Miami Police Department, called a press conference in response to an increase in violent crime in Black areas of Miami. At that time, he announced his widely reported "Get Tough" policy. He stated henceforth the Black Community would receive concentrated treatment with double patrols and with shotguns and dogs. As to rioting, he stated "When the looting starts, the shooting starts." It was under this philosophy that the Miami Police Department entered the riot of 1968.

This is contrasted by the current riot during which Chief Harms issued a more restrictive policy on the use of deadly force. This primarily was intended to prohibit the escalation of the situation.



## PROBLEMS AND RECOMMENDATIONS

1. PROBLEM. A lack of immediate direction in response to the rioting was observed. The absence of defined roles in Operations' responsibilities resulted in confusion in staffing and assignment decisions.

Recommendation. The establishment and maintenance of a complete disaster management plan is essential. Pre-arranged command responsibilities would not only minimize confusion in the chain of command but would allow individuals to address their respective responsibilities before the crisis was underway. Furthermore, it is essential that a person be designated to update all plans on an ongoing basis.

2. PROBLEM. As a result of department-wide sworn personnel being at a ten-year low, the lack of adequate manpower for immediate deployment into the affected area was experienced.

Recommendation. Increasing the number of sworn personnel to former levels would begin to address this problem. Maintaining complete and current emergency mobilization lists with the authority for a Call-up given to the Staff Duty Officer is also suggested. Furthermore, it is suggested that all officers working off-duty jobs be required to have and monitor a police radio. This would make more fully available an immediate supplement to on-duty personnel.

3. PROBLEM. Poor lines of communication between City, County, National Guard and other agencies were experienced.

Recommendation. The immediate exchange of liaison officers between each E.O.C. would help alleviate this problem. Also it is suggested that we assign a liaison officer at the individual National Guard bases.

4. PROBLEM. Roll Call disorder was experienced.

Recommendation. Pre-printed assignment sheets with personnel and assignments to be filled in at time of mobilization for all Operational personnel. These assignment sheets would be expanded to include all personnel assigned to the affected areas.

5. PROBLEM. With full mobilization, there were not enough parking spaces in the Police Parking Lot.

Recommendation. Have vehicles of personnel parked to south of the Station with P.S.A. and recruits assigned to guard them.

6. PROBLEM. A sufficient number of barricades were not immediately available to block access to affected areas.

Recommendation. Include in the Disaster Management Plan immediate access to sufficient number of barricades.

7. PROBLEM. An inability was experienced to contact Directors of various City Departments.

Recommendation. The Emergency Mobilization List should include Directors and Assistant Directors of all City Departments in addition to Directors of outside agencies.

8. PROBLEM. A significant problem was experienced in the transportation and processing of prisoners in a mass arrest situation.

Recommendation. The use of M.T.A. busses appears to be the best solution to the problem. Coordinating with Dade County Jail personnel the necessary procedures for expediting the arrest procedure should continue in an ongoing manner. Several teams of Identification Technicians utilizing polaroid pictures and videotaping the arresting officer with the arrestee at the respective command posts offers the most expeditious procedure presently. In that polaroid film has a relatively short shelf life, access to this film should be included in the Disaster Management Plan.

9. PROBLEM. The dissemination of accurate information including curfew times and boundaries, and the ban on sale of alcoholic beverages, gasoline and firearms needs to be improved.

Recommendation. As people call the Police Department for this information, they should be given the number of our pre-taped information system (A.I.M.). This system would be updated regularly to include all relevant information.

10. PROBLEM. Department members reported to work in a variety of uniforms and various pieces of equipment.

Recommendation. Riot kits should be prepared which include coveralls, riot batons, helmet and any other equipment deemed proper. This could then be issued in a crisis situation or in expectation of a potential crowd control situation.

11. PROBLEM. The consistency of content in the riot after-action reports from the individual commanders was lacking.

Recommendation. A format should be developed that will assure consistency in the type of information that is to be included. These pre-printed forms would be issued at the onset of a crisis and completed as the crisis evolved.

12. PROBLEM. The maximum amount of supervision of police officers on the riot scene was not realized.

Recommendation. Instead of manning a police car with four officers, it is suggested that it be manned with one supervisor and three officers. If this poses a staffing problem, one Sergeant could be assigned to every two cars which then would be used as a team. Additionally, if any significant number of personnel are assigned to a fixed post they also should have direct supervision.

13. PROBLEM. Having K-9 units operate in riot areas with only the handler and the dog places exceptional pressure on the police officers.

Recommendation. If a K-9 unit is to be assigned to the affected area, an additional officer should be assigned, making it a two-man unit. Alternately, the K-9 unit could be assigned to patrol the unaffected area.

14. PROBLEM. The questions of the legality of the curfew arose. Although Director Jones of D.P.S. and Miami Chief Harms jointly conferred, Director Jones made the announcement of the curfew.

Recommendation. The Chief of Miami Police Department could issue a parallel curfew announcement to satisfy all questions of legality. Alternately, the City Manager could issue the curfew announcement.

15. PROBLEM. The National Guard's original mission only allowed them to hold secured posts on the perimeter of the riot area. Pursuant to additional communications, with Governor Graham, their orders were modified to hold sites that had been looted but secured. This freed Miami Police Department personnel to proceed to troubled areas in greater strength.

Recommendation. Ongoing liaison with the Governor's Office and the National Guard could produce an agreement of understanding as to their utilization in any future instances of widespread rioting.

16. PROBLEM. Informality of mutual aid agreement with other local police agencies compromises central control and maximum utilization. Instances occurred in which other police departments had personnel operating in the City of Miami unknown to Miami Police authorities.

Recommendation. Establishment of a written mutual aid agreement would give the control of forces vital to response to widespread rioting. Additionally, this would document areas of responsibilities.

17. PROBLEM. The equipment necessary for a prolonged mobilization was found to be inadequate. Additionally, batteriees are required for the portable radios as sufficient recharge time was not available. Shortages were also noted in firearms and gas.

Recommendation. The equipment should be secured to maintain a strong and prolonged mobilization. If sufficient numbers of shotguns and semi-automatic rifles are not available, consideration should be given to authorizing the use of approved personal weapons. Furthermore, the responsibility for maintaining equipment and plans for the distribution of that equipment should be centralized on one individual.