

# City of Miami



CARLOS A. MIGOYA  
City Manager

December 29, 2010

The Honorable Tomas P. Regalado  
Mayor  
City of Miami  
3500 Pan American Drive  
Miami, FL 33133

Dear Mayor Regalado:

The undersigned Chief of the City of Miami Police directed a written communication to you, Mayor Regalado, on December 27, 2010. The contents of said letter were of significant importance. Time was of the essence. To date, you the Mayor have failed to address the related issues.

The past five years prior to my appointment as Chief of Police, this writer was the commanding officer of the Miami Police Department's Compliance Task Force. This task force directed an initiative to address this city's illegal gambling. This resulted in the arrest of several individuals. These arrests led to well known Organized Crime figures and initiated many more sensitive investigations.

This task force, in conjunction with the State Attorney's Office, was highly successful in prosecuting these-criminals. The task force obtained Court sanctioned confiscations and the subsequent destruction of said contraband.

The Task Force and its investigators were able to formulate a legal nexus between Organized Crime and the proliferation of these illegal gambling machines. The investigation led to several organized crime groups, including but not limited to, the well known Jose Battle crime syndicate. Battle's organization has been linked to murders and firebombing of businesses. When Organized Crime has access to a community as ours, other groups immediately follow and proliferate. This was the circumstance in our City.

On October 25, 2010, the Miami Police Department conducted an enforcement operation and confiscated several hundred illegal gambling machines. This occurred shortly after the City of Miami ordinance that you championed for "legal" amusement machines.

Through the Mayor's office there was a concerted effort to interfere with the gambling enforcement operation. You, as the Mayor have gone beyond the legal bounds of your office and more specifically conducted yourself in a manner that must be addressed.

At the City Commission meeting of October 28, 2010, immediately subsequent to your overt and self serving acts, the undersigned made a presentation highlighting on-going enforcement actions as to the illegal activity described hereinabove. These efforts were publicly praised by the members of the City



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The Honorable Tomas P. Regalado

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Commission, yet you chose to publicly and abruptly scurry from the proceedings during this presentation.

Your unsuccessful attempt to halt the enforcement operation against these elements of organized crime was abominable and the consequences odious to those you govern.

Immediately after you were advised you did not have the authority to stop law enforcement in its endeavor and duty to root out illegal activity, you took the offensive. You have publicly questioned the leadership of the police department that refused your improperly motivated initiatives.

Noteworthy here, is that individuals contributing to your recent Mayoral campaign are positioned to profit from illegal gambling machines. Those parties are likewise displeased with law enforcement activities and/or my leadership of the Miami Police Department.

In the interest of officer safety during future organized crime related law enforcement operations, including several other law enforcement agencies, I asked for a meeting with you in order to clarify my requirements as the Chief of Police. Your reluctance to meet and thereby support law enforcement in combating Organized Crime is disturbing to say the least. You as the Mavor of Miami have distanced yourself from your platform speeches on "law and order" and thereby embraced political support from the most dubious sources.

Your direct and/or indirect interference with legally required law enforcement operations is not acceptable and is a great cause of concern.

This communication shall serve as notice to you of my unwavering intent to continue to track down and seek the prosecution of Organized Crime. The illegal gambling machines have been the subject of numerous public complaints and that of City Commissioners. You and/or your representatives have been hindering my department's ability to fulfill our legal obligations.

I reiterate, you are to cease and desist your efforts to hinder, disrupt or otherwise interfere with legal law enforcement initiatives.

Sincerely,



Miguel A. Exposito  
Chief of Police

MAE:ar

c: Tony E. Crapp, Jr., City Manager  
Julie O. Bru, City Attorney  
Wifredo A. Ferrer, United States Attorney for the Southern District of Florida  
John V. Gillies, Special Agent in Charge, Federal Bureau of Investigation  
Katherine Fernandez Rundle, Miami-Dade State Attorney

Honorable Tomas Regalado  
Mayor of the City of Miami  
3500 Pan American Drive  
Miami, Fl. 33133

December 27, 2010

Mr. Mayor:

Recent events have required this writer, as the chief law enforcement officer of the City of Miami, to memorialize efforts to contravene the sworn duty of the Chief of Police and his subordinates. It is the goal of this communication to foster understanding and good faith efforts to educate and find common ground.

Respect for the individual and the office of the Mayor, compels this writer to clarify apparent misapprehensions you have manifested in your recent actions.

We can move forward to accomplish your stated goals of developing new sources of City revenue, while the police department continues its unfettered legal mandate to rid the City of criminals and in this instance Organized Crime.

Coin operated machines recently confiscated by the police department have been used for illegal gambling. These machines clearly are within the purview of Florida State Statutes, as the prosecution of the violations have indicated.

The Mayor's office has championed an ordinance, for the purpose of increasing City revenue, on machines utilized for legal purposes outside the scope of the criminal statute. The two types of machines described hereinabove are mutually exclusive, yet there seems to be misunderstanding emanating from the Mayor's Office.

It would appear your goal in the introduction of the ordinance relating to these legal amusement machines, is to balance the budget, without burdening the populace. The enforcement requirements of the police department originate in our sworn duty to combat organized crime. The confiscation of illegal gambling machines is such a requirement. This enforcement operation was a direct result of complaints from citizens and City commissioners.

Officer safety and operational integrity is this writer's principal concern when conducting enforcement against organized crime. Any attempt to disrupt or interfere with these law enforcement initiatives are a cause of great concern. No further interference can be tolerated without recourse. The well being of our officers and that of the local and federal agencies working in conjunction are material to these operations. The consequences of these overt acts may not be apparent to you, but are damaging notwithstanding.


The gravity of these issues mandates the police department's ongoing endeavor to rid the City of organized crime. It is imperative we meet and explore those common goals of "transparency and law enforcement" that was paramount in your campaign for Mayor.

We can move forward with a cohesive plan of action to accomplish the City of Miami's goals. We can ensure clear and concise understanding through mutual effort. It is vital that I meet with you prior to December 29, 2010.

Those prior attempts to intercede in the law enforcement requirements have hindered and continue to hinder my ability to accomplish that which I have been sworn to fulfill. I urge you to embrace this opportunity to meet and resolve these issues.

Should you be unable or unwilling to meet, you will be provided with a comprehensive letter detailing the aforementioned.

Sincerely,

  
Miguel A. Exposito