

# City of Philadelphia



Council of the City of Philadelphia  
Office of the Chief Clerk  
Room 402, City Hall  
Philadelphia

(Resolution No. 040195)

## RESOLUTION

Authorizing Council's Committee on Public Safety to hold public hearings to investigate how the City conducted its investigation into the December 15, 1997 fire at the house of Luz Aida Cuevas and the presumed death in that fire of Delimar Vera, recently discovered to be living as Aliyah Hernandez, now six years old, who was in fact kidnapped from her home before the fire was set.

WHEREAS, On December 15, 1997, a fire broke out in the home of Luz Aida Cuevas in Philadelphia. Mrs. Cuevas was forced out of the house before she could find her ten day old daughter, Delimar Vera; and

WHEREAS, Firefighters believed they had found the remains of Delimar Vera in the house, but when it was determined that they had found building materials and not human remains, fire officials presumed that the remains of Delimar Vera had been wholly consumed by the fire. Fire officials ruled the fire to have been an accident; and

WHEREAS, The past January, Mrs. Cuevas attended a party and saw a six year old girl, Aliyah Hernandez, who Mrs. Cuevas instinctively knew was her daughter, Delimar Vera. With the assistance of State Representative Angel Cruz, an investigation was undertaken, and it was determined through DNA testing that the girl is in fact Delimar Vera. Investigators have charged a woman with kidnapping the girl and setting the fire in Mrs. Cuevas' house to conceal the crime; and

WHEREAS, While this story brings joy at the discovery of a little girl long since thought perished in a fire, and hopes for the successful reuniting of a family, the story also raised troubling questions concerning the City's investigation into the December 15, 1997 fire. Most troubling is the fact that investigators did not continue to investigate after they determined that what they first thought were human remains were in fact building materials; now therefore

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*RESOLUTION NO. 040195 continued*

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Committee on Public Safety is hereby authorized to hold public hearings to investigate how the City conducted its investigation into the December 15, 1997 fire at the house of Luz Aida Cuevas, and in particular, the decision to end that investigation after it was concluded that ten day old Delimar Vera had died in the fire notwithstanding the absence of human remains.

FURTHER RESOLVED, That in furtherance of said investigation, the Chair of Council's Committee on Public Safety is hereby authorized to issue subpoenas or institute any other process necessary or appropriate to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter.

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*RESOLUTION NO. 040195 continued*

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*RESOLUTION NO. 040195 continued*

CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the fourth of March, 2004.

Anna C. Verna  
PRESIDENT OF THE COUNCIL

Patricia Rafferty  
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Ramos, Mariano and DiCicco

Sponsored by: Councilmembers Ramos, Mariano, DiCicco, Miller, Goode, Reynolds Brown, O'Neill, Krajewski, Clarke, Tasco, Blackwell, Kelly and Rizzo