

R9 K DISCUSS THE MANNER AND MECHANISM IN WHICH THE CITY'S RESIDENTS CAN OBTAIN UPDATED INFORMATION REGARDING THE PENDING STATUS OF CRIMINAL OFFENSES PROSECUTED BY THE STATE ATTORNEY'S OFFICE.

Applicable Area:



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Manager Eric Carpenter

DATE: November 20, 2024

TITLE: DISCUSS THE MANNER AND MECHANISM IN WHICH THE CITY'S RESIDENTS CAN OBTAIN UPDATED INFORMATION REGARDING THE PENDING STATUS OF CRIMINAL OFFENSES PROSECUTED BY THE STATE ATTORNEY'S OFFICE.

RECOMMENDATION

The Administration recommends the Mayor and City Commission discuss the item and provide a policy recommendation.

BACKGROUND/HISTORY

At the October 13, 2021 City Commission Meeting, at the request of Commissioner Mark Samuelian, the Mayor and City Commission approved a referral (C4 E) to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC" - then known as the Neighborhood and Quality of Life Committee) to discuss the ability of the City's residents to obtain up-to-date information regarding all pending criminal cases being prosecuted by the State Attorney's Office. The intent was to have an opportunity to have a constructive conversation and secure recommendations that would permit such information to be provided to residents.

A Commission Memorandum was prepared by the City Attorney's Office, dated October 31, 2021 highlighting the significant undertaking to accomplish the initiative. A discussion was held at the March 7, 2022 Neighborhood and Quality of Life Committee meeting. The item was slated to return in June 2022 after discussion among Communications, the Police Department and Commissioner Samuelian on highlighting important cases. The item lost its sponsor and was picked up by Mayor Meiner (then Commissioner Meiner).

The item was heard at the April 17, 2024 PSNQLC and moved to the full commission for further discussion with the item's sponsor regarding the intent and vision of the item.

ANALYSIS

In response to parallel conversations since 2021, the Miami Beach Police Department ("MBPD") added a section to the Department website with links to the Miami-Dade Clerk of Court, which is the repository of all information on statuses, dispositions, and dockets for all cases, defendants, and courtrooms. Additional statistical reporting and transparency information initiatives are being undertaken as part of open commission items.

The direct links on the Department website can be accessed by visiting <https://www.miamibeachfl.gov/yourmbpd/services/> under the services tab. The expanded menu is depicted below:

Observing Criminal Court Hearings on Zoom

This resource is provided by the City for interested residents to follow the progress of criminal cases charged through the courts.

Here are the instructions to get court hearing and other information about prosecutions of Miami Beach crimes.

First, look up the individual defendant, his or her criminal case number, and judicial section assigned to the case on the Miami-Dade County Clerk of Courts website. You can locate the individual defendant's case information at this link:

[Miami-Dade County Clerk Criminal Justice \(miami-dadeclerk.com\)](https://miami-dadeclerk.com).

At this link, click on "Case Search" and locate the case by entering the defendant's name and/or case number in the appropriate field(s). Please note that if you search by defendant name, you may draw several results if the defendant has prior arrests in Miami-Dade County. If you do draw multiple cases, you will need to review each result to find the particular case you are interested in.

After you have found the correct case, make a note of the judicial section that the defendant is assigned to. That section will stay the same throughout the defendant's prosecution, though the judge assigned to each section may rotate one or more times during the case. You will also be able to view the docket for the case, which will inform you of a timeline of events in the case that have already occurred and/or are scheduled to occur in the future, including court hearing dates, trials, and sentencings.

Once you know the defendant's name, judicial section, docket, and court dates, you can view scheduled court hearings by clicking on the Zoom link for the judicial section hearing the case. Each judicial section has a unique Zoom link that stays the same for all hearings in that judicial section. [Click the link titled Virtual Courtroom Directory \(flcourts.org\)](https://flcourts.org). This directory will provide a Zoom link for each judicial section where you will be able to view court proceedings. Please keep in mind that multiple defendants are usually scheduled for hearings at the same time, so you may have to wait an extended period for a particular defendant to be called.

FISCAL IMPACT STATEMENT

N/A

CONCLUSION

Due to the substantial effort to build and maintain a secondary database, the Administration does not recommend building a platform to provide the same information provided by the Clerk of Courts. Since the City of Miami Beach is not the repository for the original data and, without a mechanism for automation, the Police Department would only be able to provide delayed information obtained and directly copied from the Clerk of Courts.

Applicable Area

Citywide

**Is this a “Residents Right to Know” item,
pursuant to City Code Section 2-17?**

No

**Is this item related to a G.O. Bond
Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481,
includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

Department

Police

Sponsor(s)

Mayor Steven Meiner

Co-sponsor(s)

MIAMI BEACH


OFFICE OF THE CITY ATTORNEY

RAFAEL PAZ, ACTING CITY ATTORNEY

COMMISSION MEMORANDUM

TO: Mayor Dan Gelber
Members of the City Commission
Alina T. Hudak, City Manager

FROM: Rafael A. Paz, Acting City Attorney



DATE: October 13, 2021

SUBJECT: REFERRAL TO THE NEIGHBORHOOD AND QUALITY OF LIFE COMMITTEE OF A DISCUSSION ITEM CONCERNING THE MANNER AND MECHANISM IN WHICH THE CITY'S RESIDENTS CAN OBTAIN UPDATED INFORMATION REGARDING THE PENDING STATUS OF CRIMINAL OFFENSES PROSECUTED BY THE STATE ATTORNEY'S OFFICE.

At the request of Commissioner Samuelian, sponsor of this referral item, Commissioner Samuelian has asked that the Neighborhood and Quality of Life Committee (NQLC) discuss the ability of the City's residents to obtain up-to-date information regarding all pending criminal cases being prosecuted by the State Attorney's Office.

The intent of this referral item is to provide the opportunity for a constructive conversation, and secure recommendations as to what manner and mechanism may be utilized that would permit such case information to be provided to the residents. Specifically, residents have identified the following objectives and concerns:

- Obtaining information that would cover all cases relating to the entire range of criminal offenses.
- Obtaining information about each stage of criminal proceedings, from arrest to final disposition.
- Obtaining information that would include historical information, as well as a framework for obtaining information prospectively.
- Obtaining historical information over an identifiable period of time, in order to identify patterns that could be used for analysis and advocacy.
- Disclosing the progress of each case in order to permit residents to be aware of the pending status of the proceeding(s), and determine whether their presence is essential to ensure the prosecution of the defendant.
- Understanding why the criminal and misdemeanor activity in the city has reached such intolerable levels.
- Understanding why the Miami-Dade County judiciary and the State Attorney's Office frequently dismiss valid charges and return criminals to the City's streets.

The vast majority of the information pertaining to the criminal prosecution of persons arrested in the City of Miami Beach (and throughout Miami-Dade County) is publicly available and accessible on the Miami-Dade Clerk of Courts website (the "Clerk's Website"). The implementation of the proposed database, which would be located on the City's website, would be a massive undertaking, and would require the Police Department to identify and allocate the necessary personnel/resources to accomplish this initiative. Specifically, it is anticipated that the database will require a significant amount of manual updating on a daily basis, to update the City's database with the current status of all pending criminal cases from the Clerk's Website involving Miami Beach, and include new information concerning all individuals arrested on the previous day, etc.

Should there be an interest in moving forward with the proposed concept, the Administration input will be required, specifically as it relates to the resources which will be required to create and maintain the proposed database.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact Deputy City Attorney, Aleksandr Boksner or First Assistant City Attorney, Mark Fishman.

RAP/AB/ym