

R9 AH DISCUSS/TAKE ACTION REGARDING UNAUTHORIZED DISSEMINATION OR
DISTRIBUTION OF MBPD INVESTIGATIVE INFORMATION.
Applicable Area:



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Mayor Steven Meiner
DATE: September 11, 2024
TITLE: DISCUSS/TAKE ACTION REGARDING UNAUTHORIZED DISSEMINATION OR DISTRIBUTION OF MBPD INVESTIGATIVE INFORMATION.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

I would like to discuss and take all appropriate action regarding the unauthorized recording and/or dissemination of MBPD investigative information by City employees. It is my understanding that there have been incidents in which sensitive police investigative information has been released to the media/public without prior authorization or approval.

Unless expressly authorized to do so by the Chief of Police or designee, it is absolutely critical that MBPD investigative information not be disseminated or distributed in order to ensure the integrity of criminal investigations. Moreover, any unauthorized disclosure can easily compromise ongoing investigations, police operations, alert suspects, and can lead to the destruction of evidence. The unauthorized dissemination of investigative information can also taint witness testimony and potentially influence public perception, which may impact jury selection and the outcome of the case at trial or during plea negotiations. Additionally, maintaining the protected status of MBPD investigative information upholds the public trust in law enforcement processes and ensures justice is served without undue interference. And, perhaps most importantly, maintaining the integrity of investigative information protects the privacy and safety of victims and witnesses, prevents potential retaliation or intimidation against them, and avoids possible violations of Marsy's Law as set forth in the Florida Constitution.

Accordingly, I would like an update from the City Administration as to the policies and procedures in place to prevent, mitigate, and sanction any person(s) involved in the unauthorized dissemination of police investigative information. I would then like to discuss with my colleagues any actions including, but not limited to, investigating any unauthorized dissemination by conducting an Internal Affairs investigation, reviewing such action for violation of the MBPD Standard Operating Procedures, issuing investigative subpoenas, referral to the Miami-Dade State Attorney's Office for potential prosecution, and possible referral to the Miami-Dade County Commission on Ethics and Public Trust and/or the City's Inspector General.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate?
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on .
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

CONCLUSION

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

Office of Mayor Steven Meiner

Sponsor(s)

Mayor Steven Meiner

Co-sponsor(s)

Condensed Title

Discuss/Action, Unauthorized Dissemination of Investigative Information. (Meiner)