

R7 D A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE POLICE DEPARTMENT TO COMMENCE THE DISTRIBUTION OF A DAILY ARREST REPORT, TO THE EXTENT PERMITTED BY LAW, SETTING FORTH ALL ARRESTS MADE, TO INCLUDE THE PRIMARY CRIME CHARGED AND AREA OF THE CITY (AREA 1, AREA 2, AREA 3, OR AREA 4) ASSOCIATED WITH EACH ARREST.

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: June 26, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE POLICE DEPARTMENT TO COMMENCE THE DISTRIBUTION OF A DAILY ARREST REPORT, TO THE EXTENT PERMITTED BY LAW, SETTING FORTH ALL ARRESTS MADE, TO INCLUDE THE PRIMARY CRIME CHARGED AND AREA OF THE CITY (AREA 1, AREA 2, AREA 3, OR AREA 4) ASSOCIATED WITH EACH ARREST.

ANALYSIS

The proposed Resolution was prepared at the request of the sponsor, Mayor Steven Meiner, and co-sponsor, Commissioner Alex Fernandez.

FISCAL IMPACT STATEMENT

N/A

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

City Attorney

Sponsor(s)

Mayor Steven Meiner

Co-sponsor(s)

Commissioner Alex Fernandez
Commissioner David Suarez
Commissioner Joseph Magazine

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE POLICE DEPARTMENT TO COMMENCE THE DISTRIBUTION OF A DAILY ARREST REPORT, TO THE EXTENT PERMITTED BY LAW, SETTING FORTH ALL ARRESTS MADE, TO INCLUDE THE PRIMARY CRIME CHARGED AND AREA OF THE CITY (AREA 1, AREA 2, AREA 3 OR AREA 4) ASSOCIATED WITH EACH ARREST.

WHEREAS, the City of Miami Beach ("City") is committed to reducing crime (including misdemeanor and quality of life offenses) and repeat offenses, and bringing social services to those in need; and

WHEREAS, each year the City's Police Department arrests thousands of defendants for various felony, misdemeanor, and municipal and county criminal offenses; and

WHEREAS, unless otherwise lawfully released, defendants must appear before a Judge within 24 hours of their arrest (although such first appearance/bond hearing usually occurs well in advance of the expiration of the 24 hour period); and

WHEREAS, accordingly, defendants' cases begin travelling through the Miami-Dade County criminal justice system very quickly after arrest; and

WHEREAS, at first appearance/bond hearing, defendants' cases can be resolved (by way of a plea agreement or a nolle prosequi), custody status may change (by way of a reduction in bond or an ROR), and conditions of release (stay away orders, no contact orders, etc.) may be discussed and imposed; and

WHEREAS, oftentimes the City's elected officials first learn about defendants' arrests and first appearances/bond hearings from either a news media outlet or upon receiving a phone call, e-mail or other communication from a City resident; and

WHEREAS, the receipt of a daily arrest report from the Police Department will provide the City's elected officials with the ability to be more up-to-date, prepared and responsive to issues and concerns brought forth by residents and businesses pertaining to criminal defendants' activity and public safety; and

WHEREAS, it is also the duty and responsibility of the City's elected officials to set policy regarding all matters involving and affecting the City and its residents; and

WHEREAS, a daily arrest report may, over time, assist the Mayor and City Commission in identifying any tools, policies and/or procedures which may be implemented and/or utilized to aid in the future apprehension and/or prosecution of criminal offenders; and

WHEREAS, a daily arrest report may also help guide the City's elected officials in appropriately allocating and directing future funding or other resources in order to further protect the health, safety, and welfare of the City's residents and visitors; and

WHEREAS, the Mayor and City Commission recognize that, in certain circumstances, the Police Department may not be able to legally provide certain information in the daily arrest report; and

WHEREAS, the Mayor and City Commission believe that the distribution of a daily arrest report will be of benefit to themselves and, consequently, the City and its residents, visitors and businesses.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and the City Commission hereby direct the Police Department to commence the distribution of a daily arrest report, to the extent permitted by law, setting forth all arrests made, to include the primary crime charged and area of the City (Area 1, Area 2, Area 3 or Area 4) associated with each arrest.

PASSED AND ADOPTED this ____ day of _____, 2023.

Mayor Steven Meiner

ATTEST:

Rafael E. Granado, City Clerk

(Sponsored by Mayor Steven Meiner and Co-Sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *MAF* 11-29-23
Date