

RESOLUTION NO. 2021- \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION AND CITY ATTORNEY'S OFFICE TO EXPLORE POTENTIAL OPTIONS, BASED UPON THE NEEDS OF THE MIAMI-DADE STATE ATTORNEY'S OFFICE, TO MORE READILY AND EFFECTIVELY SECURE THE SWORN TESTIMONY OF MIAMI BEACH CRIME VICTIMS WHO RESIDE OUT-OF-TOWN, IN ORDER TO FURTHER AID IN THE PROSECUTION OF OFFENDERS COMMITTING CRIMES IN THE CITY OF MIAMI BEACH.**

**WHEREAS**, the City continues to experience an increasingly large number of visitors, tourists and other individuals entering the City throughout the year; and

**WHEREAS**, an unacceptably large number of those individuals entering the City commit criminal offenses while within the City; and

**WHEREAS**, on September 25, 2017, the Mayor and City Commission adopted Resolution No. 2017-30023, which authorized the City Attorney's Office to commence the in-house prosecution, by and through a City municipal prosecution team, of persons exclusively charged with violating the City's criminal ordinances; and

**WHEREAS**, the Miami-Dade State Attorney's Office (the "Miami-Dade SAO") continues to be the prosecutorial entity responsible for the prosecution of those offenders arrested for the commission of all felony, misdemeanor, and/or County ordinance violations (which also includes City ordinance violations if committed in conjunction with any felony, misdemeanor or County ordinance violation); and

**WHEREAS**, primarily due to the City's heavy influx of tourists and visitors from around the world, many of the victims of crime taking place within the City (and the witnesses thereto) reside out-of-town; and

**WHEREAS**, obtaining the sworn statements and testimony of crime victims (and witnesses) who do not live within the county, state or even the country, has sometimes proven challenging for the Miami-Dade SAO; and

**WHEREAS**, the City Administration desires to support the efforts of the Miami-Dade SAO in its prosecution of those offenders committing crimes within the City of Miami Beach; and

**WHEREAS**, assisting the Miami-Dade SAO in securing the sworn statements and testimony of out-of-town crime victims (and witnesses) would aid the Miami-Dade SAO's prosecutorial efforts and further serve to increase accountability amongst those persons committing crimes within the City.

**NOW THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, hereby direct the City Administration and City Attorney's Office to explore potential options, based upon the needs of the Miami-Dade State Attorney's Office, to more readily and effectively secure the sworn

testimony of Miami Beach crime victims who reside out-of-town, in order to further aid in the prosecution of offenders committing crimes in the City of Miami Beach.

**PASSED and ADOPTED** this \_\_\_\_\_ day of December, 2021.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

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Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

Stuart Rubin      12/06/21  
for City Attorney      MAF      Date