

City of Coral Gables City Commission Meeting
Agenda Item F-3
August 25, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason
Commissioner Pat Keon
Commissioner Vince Lago
Vice Mayor Frank Quesada
Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Deputy City Attorney, Miriam Ramos
Police Chief Ed Hudak

Public Speaker(s)

George Volsky, Coral Gables Resident

Agenda Item F-3 [2:01:09 p.m.]

A Resolution of the City Commission of Coral Gables, Florida providing for a trial expansion of the currently existing victim assistance program to include victims of home and car burglaries, to offer reimbursement of per diem expenses, mileage, and parking incurred by the victim when attending court hearings or meetings at the State Attorney's Office and to further provide transportation for victims to attend court hearings and/or meetings at the State Attorney's Office (Sponsored by Mayor Jim Cason)

Mayor Cason: Let's move to F-3. Craig you want to...F-3.

City Attorney Leen: Yes sir. Item F-3 and I'll read it because it's important to know this one because it ties into the prior one. Its a Resolution of the City Commission of Coral Gables, Florida providing for a trial expansion of the currently existing victim assistance program to include victims of home and car burglaries, to offer reimbursement of per diem expenses, mileage, and parking incurred by the victim when attending court hearings or meetings at the State Attorney's Office and to further provide transportation for victims to attend court hearings and/or meetings at the State Attorney's Office. This also is sponsored by Mayor Jim Cason. This is a resolution so it can be decided on today. I'm going to turn it over again to our two presenters, but before I do, I just want to say on behalf of the Mayor who is the sponsor of this item, just my own view of this item. What this says is that Coral Gables works with the victims, that we care about the victims and that we are with them through the whole process. We already have the Victim Assistance Program; you are going to hear about it, this is expanding the Victim Assistance Program, not just to apply to certain crimes, but to a broader array of crimes. So it's a positive step because it's making this wonderful program available to people who are also subject to burglaries and things like that. The other thing I wanted to say about it, its expanding the program as well, so that now they'll be more efforts to drive people to court, to provide per diem expenses for individuals to show that there is a heroic quality to someone who has been harmed and doesn't need to participate in the program any more, doesn't need to go to court, but does it because of their care for their neighbors. So this shows that the City is with them every step of the way and with that I'll turn it over.

Deputy City Attorney Ramos: So the idea was to look at an expansion of this program for a trial period to see if it helps in raising convictions, conviction levels. This morning the Victim Advocate was here and she has since left, but she could have maybe answered some of our questions. The current program is a very good one and a very expansive one, one of the better ones I've seen. It currently includes victims of violent crimes, such as domestic violence, sexual assault, of course elderly abuse, child abuse, homicide, robbery, home invasion and stalking. It also includes elderly property loss victims, because they are a particular group that is often victimized and doesn't have the resources to help themselves after being the victim of a crime. Our current program provides emergency financial assistance and victim compensation; it also

provides transportation to court hearings in some very limited cases. It provides status updates to the victim about where the criminal justice process is at. It helps the victim with safety planning going forward, so that they can feel comfortable in their own homes or in our streets again. It provides crisis intervention for victims who have been personally assaulted. Also helps in notifying family members. It helps domestic violence victims to relocate. It also helps in referrals for services; many people need therapeutic services after being assaulted and being victims of violent crimes, and it also assists victims in obtaining restraining orders, which in many of these cases are very, very important. The expanded program is going to target victims of home and car burglaries, specifically aside from all of the other victims that we currently help, and it's going to add a couple of programs to the ones that I've already listed. One is reimbursement for per diem expenses, so they have to go to court and sit there for eight hours, whatever their expenses and reimbursement for lunch could be reimbursable. Also, mileage – there are victims in the City that have trouble getting down there, may not have a car or do have a car, but really can't afford the gas to get down there on that particular day, so we would reimbursement for that as well as parking. And in some cases we would drive them if they felt that they needed that to the court hearing or to the State Attorney's Office. We are also rolling out some other programs that the Chief alluded to earlier, of having affidavits and things submitted beforehand so that they don't have to make that extra trip, so the idea is to try this program. Initially it was drafted as 90 days, I believe there is a desire by the Mayor, who is the sponsor, to make it 120 day trial period.

City Attorney Leen: He said 180, six months.

Deputy City Attorney Ramos: I'm sorry, 180 days, six months, in order to have a better, in order to have a big amount of time to really roll it out because our concern is that in three months we won't be able to get it out to people so they know that its available and then use it. I'll turn it over to the Chief.

Mayor Cason: Chief, one of the things we found is that, you'll probably talk to this is that on these cases, particularly car break-ins, you'll catch the people, go to court, nobody shows up because they say, well it was my sun glasses, I got them back, and then they are back on the

street the next day. So we addressed it with the first ordinance, but this is another – and a lot of these people are in areas of the Gables, they don't have much money. We have a significant percentage of the residents that are relatively low income and they have day jobs with hourly wages and they can't afford to take off, so I think this addresses that particular demographic group and gives us another tool.

Chief Hudak: You are correct. I think Mayor what this gives us is direction as far as taking those individuals who've been victimized and it may be just one set of sun glasses, but as we continue to look at the car-hoppers it may be six or seven cars that got hit that night, and we need everybody's participation. This gives the Victim Advocate Unit additional resources to get that done apart from everything else. I think we do a very good job, Katia Castellanos, our Victim Advocate; we are truly blessed to have her. She was recently recognized as a Hispanic Woman of Distinction because of the work she has done. She has really pioneered in victim advocate advocacy roles. This gives her some more tools and it helps us also prosecute to make sure we have that done. We were working with the State Attorney's Office as the Deputy City Attorney said, to try and streamline the filing of these cases, but if it were to actually come down to trial and to gamble, as we call it, in court as rolling the dice to see if anybody shows up and to see if a jury will convict, if we know that we can get four or five of these people here and give them the authority to pay for mileage or things like that, which is outside of our scope right now. I think that's going to help us to continue to send the message that just because somebody doesn't show up you are going to walk away, if you committed burglary, a residential burglary. If somebody breaks into one house, as you heard this morning, or somebody is hiding in the backyard of another house, those people no harm no foul, you caught them, great job – we still need to continue the prosecute the individuals for doing that. So, I believe this is going to be a great tool in our tool box at the direction of the Commission.

Mayor Cason: Craig, do we have an outside group that is willing to work with us in terms of the funding?

City Attorney Leen: Yes. We had contacted, I believe it was John Allen at the time, yes the Community Foundation, we've been in discussions with them, we'll continue to follow-up on that to try to get funding.

Mayor Cason: I think they indicated several months ago that would be willing to contribute to this so there won't be much of a monetary impact hopefully on us.

City Attorney Leen: Yes. But my understanding is the City is supporting this, based on the Commission's direction, and we'll look into that additional funding.

Deputy City Attorney: Ramos: And we'll also work with Michelle, PR Department, to get the word out that the program is available.

Mayor Cason: OK. Discussion? A motion?

Commissioner Slesnick: I'll move it.

Mayor Cason: Go ahead.

Mr. Volsky: I'd like to ask the Chief through you. I'm talking about the entry into cars. We know that this is the work of organized crime. I've heard all kinds of things, I'm sure you have people who were involved in the immigration schemes, but I have not seen in the newspapers any case of serious crime of entry into cars. I know a neighbor of mine the other day, his car was entered, and they took only the pieces that they wanted, and then I think I told you this is organized crime, it's not our job, it's the County's job, and I've not seen any prosecution of that, for years we did not know this program exist. So this is my question through the Mayor.

Mayor Cason:....basically saying we've got too many other cases.

Chief Hudak: The organized crime, we spoke of what we've seen probably with car burglaries, is one individual drop off two or three individuals at one end of the block and then drive around another end of the block, and they will just walk down the street and try whatever goal they can to get whatever they can get out of there. We had a burglary last night that comes to mind, \$12 in cash was taken, the car was not locked. So, it's organized in the fact that its multiple individuals going from car to car within a City block. Now an organization like an organized crime figure, the only type of cases we've seen like that have been of economic crimes where it's been credit card fraud, high-end burglaries which we just had, the individuals who were stealing packages. That was an organized group of one or two individuals.

Mr. Volsky:...there are organized groups that go after certain types of cars....and they do exist, but I've not seen any prosecution because I don't know.

Chief Hudak: Well some of the prosecutions on those, I mean we haven't had a big up-tick on car-parked burglaries, we are down on those, where things are taken off the cars with the exception of, I think it's been three cases for this year, tires. If those prosecutions take place in another jurisdiction, we may add our charges onto that in the clearance of one case, but the State Attorney's Office or the State Line Prosecutor's Office may prosecute those in other parts of the state. We've had some burglaries here that were actually housed out of Ft. Myers a few years ago. So they do get prosecuted, sometimes our burglaries are just a part of it. Bal Harbor, for instance, last night had condominium burglaries from Venezuela; they are clearing other cases as they go along. If one of those would have been ours, we would just been a part of that bigger prosecution.

Mr. Volsky: I only wish that these prosecutions were at public sites, so they know that there is an interest in going after these crimes...

Chief Hudak: I agree.

Mayor Cason: Well, one of the things we've been doing is going to the trials. The trial of those three people who crashed through on, where was it?- on Bird and...

Chief Hudak: On Bird Road and Granada.

Mayor Cason: We've ended the trial; we are going to go back again when it comes up to show what Mr. Volsky was mentioning that we are interested in this. The judge knows that the Mayor is there, the City Attorney and our Special Prosecutor and the word is getting out to the defense attorneys that, oops, we've got to be careful and maybe make a plea, so we are working on that aspect as well.

City Attorney Leen: Yes. On that Mayor, could you check on that case to see if they still need us to come and if it's still going forward because we do want to come, if it's going forward?

Mayor Cason: OK. Do I have a resolution – on Resolution F-3, do I have a....

Commissioner Lago: So moved.

Mayor Cason: Commissioner Lago...

City Attorney Leen: Mr. Mayor does that motion include the 180 days and that the victim assistance coordinator will come back in 180 days and give you a...

Mayor Cason: Yes. City Clerk

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Mayor Cason: Yes

(Vote: 5-0)

[End: 2:13:16 p.m.]