


BAL HARBOUR

- V I L L A G E -

OFFICE OF THE VILLAGE MANAGER

LETTER TO COUNCIL

NO. 080-2018

To: Mayor Gabriel Groisman and Members of the Village Council
From: Jorge M. Gonzalez, Village Manager 
Date: May 4, 2018
Subject: **Police Investigative Inquiry Update**

The purpose of this Letter to Council (LTC) is to provide you with an update regarding the Bal Harbour Police department's investigative inquiry into the allegation of discrimination against a family with an autistic child residing at the Plaza Condominium.

As part of the investigative process, the police department's investigators conducted formal interviews with the affected family and several persons at the Plaza Condominium. As a result of these interviews, the police department was able to identify and questioned the individual who authored the letter and placed it on the family's door. Bal Harbour Police investigators questioned the individual responsible for writing the letter. The individual explained to the investigators that the letter was written out of frustration after numerous attempts to address the disturbance issue with the child's family and the condominium management.

At the conclusion of all formal interviews, the Bal Harbour Police investigators consulted with the Miami-Dade County State Attorneys' Office, Hate Crimes Division to evaluate the investigation and determine if the case met the threshold for criminal prosecution. After careful review, the Hate Crimes Division Chief determined there was insufficient evidence to pursue criminal charges against the individual responsible for drafting the letter. The language, while reprehensible, was determined to be protected under the First Amendment to the U.S. Constitution and was deemed to not have violated Federal, State, or local discrimination laws.

Bal Harbour Investigators conducted follow-up interviews with the child's family to update them on the status of the investigation. The family is in the process of relocating from the Plaza Condominium. Additionally, the individual who drafted the letter terminated their lease agreement and relocated to the city of Boca Raton, Florida.

(continued)

The Bal Harbour Police Department will prepare an investigative report documenting the results of the investigative inquiry and the Miami-Dade County State Attorneys' office decision to decline prosecution.

If you have any questions, please contact me or Captain Raleigh Flowers.

JMG/RF