



To: Wade Hill; Jane Tompkins

From: Craig E. Leen, City Attorney for the City of Coral Gables 

RE: Legal Opinion Regarding Use Of Google Earth For A Code Violation

Date: July 9, 2012

It is my opinion that because Google Earth contains publicly available information, you may use the information contained therein as part of your investigation, and such use does not constitute an unreasonable search under the Fourth Amendment. Please note, however, that Google Earth may contain photos that are dated and may no longer reflect the current state of the property. Thus, additional evidence would likely be necessary in such circumstances to demonstrate a violation (unless the Property Owner or other witness provides testimony confirming that the photo is an accurate depiction of the property/violation).

Osle, Zilma

From: Leen, Craig
Sent: Monday, July 09, 2012 3:21 PM
To: Osle, Zilma
Subject: FW: GOOGLE EARTH

Please place this in the opinion file.

Craig E. Leen
City Attorney
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com

From: Leen, Craig
Sent: Monday, July 09, 2012 3:12 PM
To: Hill, Wade; Tompkins, Jane
Subject: RE: GOOGLE EARTH

Wade,

Thank you for your question. It is my opinion that because Google Earth contains publicly available information, you may use the information contained therein as part of your investigation, and such use does not constitute an unreasonable search under the Fourth Amendment. Please note, however, that Google Earth may contain photos that are dated and may no longer reflect the current state of the property. Thus, additional evidence would likely be necessary in such circumstances to demonstrate a violation (unless the Property Owner or other witness provides testimony confirming that the photo is an accurate depiction of the property/violation).

Please contact me with any questions.

Craig E. Leen
City Attorney
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com

From: Hill, Wade
Sent: Monday, July 09, 2012 9:05 AM
To: Tompkins, Jane
Cc: Leen, Craig
Subject: GOOGLE EARTH

Does the use of GOOGLE EARTH to verify a code violation intrude on a person's rights to be secure from unreasonable searches?

From: Gutierrez, Eli
Sent: Thursday, June 28, 2012 11:25 AM
To: Hill, Wade
Cc: Goizueta, Virginia
Subject: FW: BL09073158-1224 MILAN AVE

Fyi..

Eli Gutierrez
Code Enforcement Lead
City of Coral Gables
Office: (305) 460-5271
Fax: (305) 460-5348
E-mail: egutierrez@coralgables.com

Please visit the NEW Code Enforcement Website by clicking here
<http://coralgables.com/index.aspx?page=397>

From: Goizueta, Virginia
Sent: Thursday, June 28, 2012 10:30 AM
To: Gutierrez, Eli
Subject: BL09073158-1224 MILAN AVE

Eli,

The pond was under construction while the plans were being reviewed as you can see in the pictures. Also, the pond is visible on Google earth. The permit was never issued.

Virginia Goizueta
Plans Processor Lead
City of Coral Gables
Development Services Department
405 Biltmore Way, 3rd Floor
Coral Gables, Florida 33134
Office: 305-460-5250

From: BZSC
Sent: Thursday, June 28, 2012 10:18 AM
To: Goizueta, Virginia
Subject: Attached Image