

MEMORANDUM

Agenda Item No. 10(A)(1)

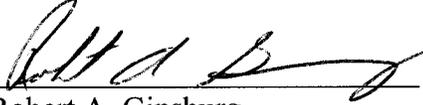
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 1, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution relating to a
public disclosure exemption
for domestic violence fatality
review teams

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Dennis C. Moss.


Robert A. Ginsburg
County Attorney

RAG/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 1, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 10(A)(1)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 10(A)(1)

Veto _____

02-01-05

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE STATE LEGISLATURE TO REENACT FLORIDA STATUTE 741.3165, WHICH PROVIDES A PUBLIC DISCLOSURE EXEMPTION FOR DOMESTIC VIOLENCE FATALITY REVIEW TEAMS

WHEREAS, Florida Statute 741.3165, which provides a public disclosure exemption for domestic violence fatality review teams in the State of Florida, is up for sunset review and will be repealed on October 2, 2005 if not reenacted by the legislature; and

WHEREAS, the public disclosure exemption in said statute serves a limited, identifiable, and compelling public purpose because it allows the Miami-Dade County Domestic Violence Fatality Review Team participants to formulate prevention strategies based on information about victims of domestic violence who have died by the hands of their abusers without fear of reprisal or jeopardizing the safety of surviving family members and friends, trauma to the surviving family members, or damage to the victims' reputation; and

WHEREAS, the public disclosure exemption is imperative because without the protection of confidentiality, the operations of the Miami-Dade County Domestic Violence Fatality Review Team, which has earned recognition for its work since its inception in 1998, will be significantly impaired to the extent that the overall public purpose of preventing domestic violence would not be realized,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board urges the legislature of the State of Florida to reenact statute 741.3165, which provides a public disclosure exemption for domestic violence fatality review teams.

Section 2. The Clerk of the Board is directed to transmit a certified copy of this resolution to the Chair and members of the Miami-Dade County State Legislative Delegation.

Section 3. The Office of Intergovernmental Affairs is directed to include this issue in the County's 2005 state legislative package.

The foregoing resolution was sponsored by Commissioner Dennis C. Moss and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- | | |
|-------------------------------|--------------------------|
| Joe A. Martinez, Chairman | |
| Dennis C. Moss, Vice-Chairman | |
| Bruno A. Barreiro | Dr. Barbara Carey-Shuler |
| Jose "Pepe" Diaz | Carlos A. Gimenez |
| Sally A. Heyman | Barbara J. Jordan |
| Dorrian D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of February, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.
Glenn A. Saks

