

## MEMORANDUM

Agenda Item No. 11(A)(9)

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**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

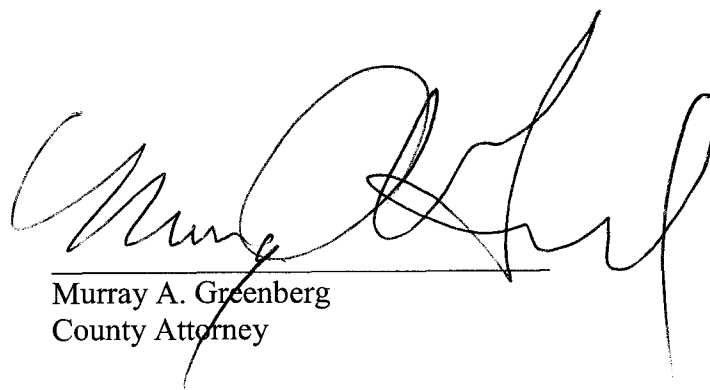
**DATE:** February 20, 2007

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Resolution urging Florida  
legislature to increase  
sentencing requirements for  
persons who commit crimes  
with assault weapons

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The accompanying resolution was prepared and placed on the agenda at the request of Vice-Chairwoman Barbara J. Jordan, Commissioner Carlos A. Gimenez and Commissioner Katy Sorenson.



Murray A. Greenberg  
County Attorney

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# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** February 20, 2007

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(9)

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. 11(A) (9)

Veto \_\_\_\_\_

02-20-07

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE FLORIDA LEGISLATURE TO  
INCREASE THE SENTENCING REQUIREMENTS FOR  
PERSONS WHO COMMIT CRIMES WITH ASSAULT  
WEAPONS

**WHEREAS**, semi-automatic assault weapons are civilian versions of military weapons with features that allow users to rapidly kill large numbers of people; and

**WHEREAS**, one out of five law enforcement officers slain in the line of duty from 1998 through 2001 was killed with an assault weapon according to one study; and

**WHEREAS**, assault weapons have been used in many high profile mass shootings such as the one at Columbine High School in Littleton, Colorado and the Washington, DC-area sniper shootings; and

**WHEREAS**, injuries from assault weapons have a particularly harmful effect on victims because increased firepower heightens the risk of multiple gunshot wounds and severe penetrating trauma, which can intensify devastation to the body; and

**WHEREAS**, the severity of wounds that result from assault weapons lead to high medical costs for treatment and recovery; and

**WHEREAS**, current Florida law provides the following minimum mandatory sentences related to assault weapons:

1. 15 years imprisonment for a person who possesses, but doesn't use the assault weapon in the commission of a felony;
2. 20 years imprisonment for a person who uses the assault weapon in the commission of a felony; and
3. 25 years imprisonment for a person who uses the assault weapon in the commission of a felony resulting in death or great bodily harm.

**WHEREAS**, while no bills were filed during the 2006 state legislative session, bills were filed during the 2005 state legislative session that would increase these penalties to 20, 25, and 30 years respectively, but these bills did not pass; and,

**WHEREAS**, increasing the sentencing requirements for persons who commit crimes with assault weapons may deter criminals from using assault weapons,

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

**Section 1.** Urges the Florida Legislature to increase the sentencing requirements for persons who commit crimes with assault weapons.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

**Section 3.** Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2007 State Legislative Package.

The foregoing resolution was sponsored by Vice-Chairwoman Barbara J. Jordan, Commissioner Carlos A. Gimenez and Commissioner Katy Sorenson 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:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of February, 2007. 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.

JMM

Jess M. McCarty

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