

MEMORANDUM

Agenda Item No. 11(A)(12)

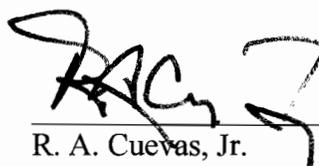
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: October 6, 2009

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to enhance penalties
for crimes committed in a church,
synagogue, mosque or other place
of worship

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

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SUBJECT: Agenda Item No. 11(A)(12)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A) (12)

10-6-09

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ENHANCE PENALTIES FOR CRIMES COMMITTED IN A
CHURCH, SYNAGOGUE, MOSQUE OR OTHER PLACE OF
WORSHIP

WHEREAS, on August 24, 2009, a masked, armed robber entered the Jordan Grove Missionary Church in Liberty City, and at gunpoint forced the pastor, church employees and volunteers to empty their pockets of wallets, cash and cell phones; and

WHEREAS, the robber then stole the pastor's 2005 Lincoln Towncar; and

WHEREAS, one week later, on August 31, the Jordan Grove Missionary Church again was robbed and a computer and other electronics were stolen; and

WHEREAS, for centuries, churches, synagogues, mosques and other places of worship have served as spiritual sanctuaries and sacred places of safety and security; and

WHEREAS, because of their nature and mission, churches and other places of worship are open, welcoming and trusting environments, yet regrettably these very attributes also make places of worship more susceptible to opportunistic criminals; and

WHEREAS, despite some criminals considering crimes at churches and other places of worship to be taboo, national statistics suggest that crime in places of worship has been on the rise in recent years; and

WHEREAS, more important than valuables that are stolen, crimes in churches and other places of worship can have a significant psychological impact on a congregation and its sense of security in the sanctuary, similar to what a home-invasion robbery might have on a family; and

WHEREAS, Florida law currently provides for enhanced criminal penalties for hate crimes based on religion and for willfully and maliciously defacing, injuring or damaging a church, synagogue, mosque or other place of worship; and

WHEREAS, Florida law currently does not provide for enhanced penalties for armed robbery and other crimes that occur in churches or other places of worship, such as the crimes that occurred in recent weeks at the Jordan Grove Missionary Church; and

WHEREAS, the Florida Legislature should pass legislation enhancing the penalties for crimes that take place in churches and other places of worship,

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 enhance penalties for crimes committed in a church, synagogue, mosque or other place of worship.

Section 2. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor; the Senate President; the House Speaker; and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the issues identified in Section 1 above, and directs that the 2010 state legislative package be amended to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson. It was 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of October, 2009. 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.



Jess M. McCarty