

**MEMORANDUM**

Agenda Item No. 11(A)(24)

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

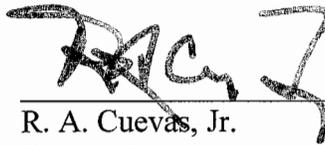
**DATE:** September 1, 2011

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

**SUBJECT:** Resolution urging Congress  
and the Florida Legislature to  
pass Caylee's Law making it a  
felony not to report a missing  
child to law enforcement  
within 24 to 48 hours

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz and Co-Sponsors Commissioner Lynda Bell and Commissioner Rebeca Sosa.



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R. A. Cuevas, Jr.  
County Attorney

RAC/jls



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

**DATE:** September 1, 2011

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County Attorney

**SUBJECT:** Agenda Item No. 11(A)(24)

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)(24)  
9-1-11

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

RESOLUTION URGING CONGRESS AND THE FLORIDA  
LEGISLATURE TO PASS CAYLEE'S LAW MAKING IT A  
FELONY NOT TO REPORT A MISSING CHILD TO LAW  
ENFORCEMENT WITHIN 24 TO 48 HOURS

**WHEREAS**, on July 5, 2011, a jury found Orlando resident Casey Anthony not guilty of murdering her 2-year old daughter Caylee in a controversial verdict that triggered a national debate; and

**WHEREAS**, the jury did find Casey Anthony guilty of four counts of providing false information to law enforcement officials, but these offenses were misdemeanors that each carried a maximum sentence of one year in prison; and

**WHEREAS**, Caylee was last seen on June 16, 2008, but her mother Casey never reported her missing; and

**WHEREAS**, it was Caylee's grandmother that eventually reported her missing on July 15, 2008, a full month later; and

**WHEREAS**, over 1.2 million people nationwide have signed petitions urging Congress to pass Caylee's Law that would make it a felony not to report a missing child to law enforcement within 24 hours; and

**WHEREAS**, while bills may be filed in Congress, this issue is probably more likely to be addressed at the state level; and

**WHEREAS**, bills have been filed for consideration during the 2012 state legislative session, HB 37 by Representative Jose Felix Diaz (R – Miami) and HB 49 by Representative Bill Hager (R – Boca Raton), entitled Caylee's Law; and

**WHEREAS**, HB 37 would make it a second degree felony for a caregiver to fail to report to law enforcement that:

1. A child 12 years of age or younger is missing within 48 hours; or
2. A child has died within two hours after learning of the location of the corpse; and

**WHEREAS**, HB 37 also would make it second degree felony for a caregiver to give false information to a law enforcement conducting a missing person investigation or a felony criminal investigation involving a minor child in the caregiver's care; and

**WHEREAS**, HB 49 includes similar provisions; and

**WHEREAS**, this Board supports passage of Caylee's Law,

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

**Section 1.** Urges Congress and the Florida Legislature to pass Caylee's Law making it a felony not to report a missing child to law enforcement within 24 to 48 hours.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Florida Congressional Delegation, 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 federal and state lobbyists to advocate for the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2011 and 2012 Federal Legislative Packages and the 2012 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz and the Co-Sponsors are Commissioner Lynda Bell and Commissioner Rebeca Sosa. 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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of September, 2011. 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

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