

# MEMORANDUM

Agenda Item No. 11(A) (39)

---

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


**DATE:** November 8, 2012

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

**SUBJECT:** Resolution urging Congress to  
pass S. 1301 or similar  
legislation that would reauthorize  
and strengthen the Trafficking  
Victims Protection Act

---

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



---

R. A. Cuevas, Jr.  
County Attorney

RAC/lmp

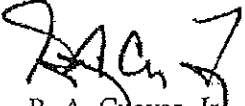


# MEMORANDUM

(Revised)

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

**DATE:** November 8, 2012

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

**SUBJECT:** Agenda Item No.11(A) (39)

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) (39)

11-8-12

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

RESOLUTION URGING CONGRESS TO PASS S. 1301 OR  
SIMILAR LEGISLATION THAT WOULD REAUTHORIZE  
AND STRENGTHEN THE TRAFFICKING VICTIMS  
PROTECTION ACT

**WHEREAS**, human trafficking is a form of modern day slavery involving victims who are forced, defrauded or coerced into labor or sexual exploitation; and

**WHEREAS**, as documented in the United States Department of State's annual Trafficking in Persons Report for 2011, millions of children, women and men throughout the world continue to be trafficked every year, including thousands of victims who are present in the United States; and

**WHEREAS**, traffickers use evolving methods of coercion, whether subtle or overt, physical or psychological, to force victims to work against their will; and

**WHEREAS**, in 2000, Congress passed the Trafficking Victims Protection Act, which provided law enforcement officials with tools to investigate and prosecute incidents of human trafficking, established severe criminal penalties for defendants convicted of trafficking crimes, enhanced services for human trafficking victims and expanded prevention and education programs; and

**WHEREAS**, the original Trafficking Victims Protection Act drew upon the support of a broad coalition of advocacy organizations from across the political and social spectrum, groups dedicated to children's rights, human rights and women's rights, as well as many religious organizations; and

**WHEREAS**, the original Trafficking Victims Protection Act made human trafficking a federal crime, created agencies and task forces to address both its domestic and international elements, defined the strict penalties that traffickers face, established the State Department's Office to Monitor & Combat Trafficking in Persons and initiated a host of measures to prevent trafficking, protect victims and prosecute traffickers; and

**WHEREAS**, Congress passed reauthorization bills of the Trafficking Victims Protection Act three times, in 2003, 2005, and 2008, each time in a bipartisan fashion; and

**WHEREAS**, authorization for the Trafficking Victims Protection Act expired in 2011; and

**WHEREAS**, the success of the original Trafficking Victims Protection Act and its subsequent reauthorizations, is evident not only by the number of criminal convictions secured against human traffickers but also by the number of states that have passed comprehensive anti-trafficking laws; and

**WHEREAS**, according to a July 2011 study by the Polaris Project, 47 States and the District of Columbia have now passed criminal laws prohibiting human trafficking; and

**WHEREAS**, during the 2012 session, the Florida Legislature enacted Chapter 2012-97, Laws of Florida (HB 7049), which updated and strengthened Florida law on human trafficking; and

**WHEREAS**, a bill was filed in the U.S. Senate for consideration during the 112<sup>th</sup> Congress, S. 1301 sponsored by Senator Patrick Leahy (D – Vermont) and cosponsored by Senator Marco Rubio (R – Florida), that would reauthorize the Trafficking Victims Protection Act; and

**WHEREAS**, more than half of the entire Senate has signed on as cosponsors to S. 1301;  
and

**WHEREAS**, the Trafficking Victims Protection Reauthorization Act of 2011 would expand enforcement tools and encourage interagency cooperation to identify victims, investigate offenses and provide victim services; and

**WHEREAS**, specifically, the Trafficking Victims Protection Reauthorization Act of 2011:

- Creates programs to help foreign governments investigate labor recruitment centers where trafficking victims may be recruited;
- Encourages the distribution and posting of the National Human Trafficking Resource Center hotline number within federal agencies as well as by states;
- Creates programs to assist minor victims of sex trafficking through grant programs to states; and
- Prohibits the provision of peacekeeping operation funds to countries that use child soldiers; and

**WHEREAS**, the bill also requires that this important work be done in a cost-effective way with maximum accountability and reporting to ensure that federal money is being well spent; and

**WHEREAS**, the Trafficking Victims Protection Reauthorization Act would create new tools and authority that will enable the State Department to partner with the private sector and foreign governments, as well as promote partnerships between foreign governments and nongovernmental entities; and

**WHEREAS**, the Trafficking Victims Protection Reauthorization Act also would expand the role that regional bureaus of the State Department will play in anti-trafficking efforts, and increase federal funding for victim services provided by the Department of Justice and the Department of Health and Human Services, which provide a lifeline to victims of trafficking who often have no other means to obtain housing, food, medical treatment, and counseling; and

WHEREAS, reauthorizing the Trafficking Victims Protection Act is critical to protecting victims and bringing traffickers to justice,

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

Section 1. Urges Congress to pass S. 1301 or similar legislation that would reauthorize and strengthen the Trafficking Victims Protection Act.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Florida Congressional Delegation.

Section 3. Directs the County's federal lobbyists to advocate for the legislation set forth in Section 1 above and authorizes and directs the Office of Intergovernmental Affairs to amend the 2012 federal legislative package to include this item and to include this item in the 2013 federal legislative package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is 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     |                                     |

6

The Chairperson thereupon declared the resolution duly passed and adopted this 8<sup>th</sup> day of November, 2012. 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