

# MEMORANDUM

Agenda Item No. 11(A)(19)

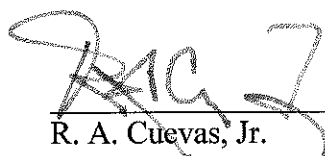
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**TO:** Honorable Vice Chairwoman Audrey M. Edmonson and Members, Board of County Commissioners      **DATE:** December 18, 2012

**FROM:** R. A. Cuevas, Jr.  
County Attorney      **SUBJECT:** Resolution urging the United States Secretary of State and all other relevant federal agencies to intervene and secure the prompt release of former United States Marine Jon Hammar from his unjust detention in a Mexican Jail

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/jls



**MEMORANDUM**  
(Revised)

**TO:** Honorable Vice Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** December 18, 2012

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County Attorney

**SUBJECT:** Agenda Item No. 11(A)(19)

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 Mayor'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)(19)  
12-18-12

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

RESOLUTION URGING THE UNITED STATES SECRETARY OF STATE AND ALL OTHER RELEVANT FEDERAL AGENCIES TO INTERVENE AND SECURE THE PROMPT RELEASE OF FORMER UNITED STATES MARINE JON HAMMAR FROM HIS UNJUST DETENTION IN A MEXICAN JAIL

**WHEREAS**, 27-year-old former United States Marine Jon Hammar is currently being held in a Mexican jail for bringing into Mexico a 60-year-old shotgun that once belonged to his great-grandfather; and

**WHEREAS**, a United States Customs & Border Protection agent at the border told Hammar that it was not illegal to take the shotgun across the border provided that Hammar registered it, which he did; and

**WHEREAS**, once Hammar was on the Mexican side of the border, however, Mexican authorities disregarded the registration and he was taken into custody on August 13, 2012 for possession of the shotgun; and

**WHEREAS**, several days later on August 18, Mexican prosecutors, based on Hammar's possession of the 60-year old shotgun, charged Hammar with possession of a weapon restricted for use only by the Mexican military, a serious charge under Mexican law that carries a sentence of between three and twelve years imprisonment; and

**WHEREAS**, Mexican criminals routinely wield AK-47 and other assault rifles, sniper rifles and rocket-propelled grenades, Hammar's 60-year old shotgun came nowhere near fitting this category; and

**WHEREAS**, for the last four months, Hammar has been held in deplorable conditions in a Mexican jail that has included being chained to a bed in a very small cell; and

**WHEREAS**, in addition, Hammar's family in Palmetto Bay has received calls from fellow inmates threatening Hammar's life if his family did not send them money; and

**WHEREAS**, Hammar's unjust detention in a Mexican jail is particularly disturbing given that he is someone who has served his country as a United States Marine in combat in both Afghanistan and Iraq; and

**WHEREAS**, following high school, Hammar joined the Marines and deployed to Afghanistan and then Iraq; and

**WHEREAS**, in Afghanistan, Hammar's unit provided security for President Hamid Karzai, protected election polls and disrupted insurgent cells around Kabul; and

**WHEREAS**, in Iraq, Hammar's Marine battalion was involved in intense fighting in Fallujah, one of the most dangerous cities in Iraq, with 13 members of the battalion killed in action and more than 100 wounded; and

**WHEREAS**, Hammar received an honorable discharge in 2007 and served another four years on inactive reserve; and

**WHEREAS**, following the brutality of war he experienced in Afghanistan and Iraq, Hammar did not have an easy re-entry into civilian life, dealing with depression and post-traumatic stress disorder; and

**WHEREAS**, surfing was the one thing that brought him mental peace; and

**WHEREAS**, Hammar and a friend bought a Winnebago motor home and planned a trip to Costa Rica to surf off the coast there; and

**WHEREAS**, Hammer was arrested for having the shotgun when he crossed the border into Mexico in the Winnebago en route to Costa Rica to surf; and

**WHEREAS**, Congresswoman Ileana Ros-Lehtinen, Hammar's congressional representative and Chair of the House Foreign Affairs Committee, as well as Senator Bill Nelson and other federal elected officials have been working with the State Department to secure Hammar's release; and

**WHEREAS**, this Board would like to join Congresswoman Ros-Lehtinen, Senator Bill Nelson and other federal elected officials in strongly urging the United States Secretary of State and all other relevant federal agencies to intervene and secure the prompt release of Hammar from his unjust detention in a Mexican jail,

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

**Section 1.** Urges the United States Secretary of State and all other relevant federal agencies to intervene and secure the prompt release of former United States Marine Jon Hammar from his unjust detention in a Mexican jail.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Florida Congressional Delegation and the United States Secretary of State.

**Section 3.** Directs the County's federal lobbyists to advocate for the action set forth in Section 1 above and authorizes and directs the Office of Intergovernmental Affairs to amend the 2012 and 2013 federal legislative packages to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz. 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:

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	Juan C. Zapata

The Chairperson thereupon declared the resolution duly passed and adopted this 18<sup>th</sup> day of December, 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