

MEMORANDUM

Agenda Item No. 11(A)(17)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: January 22, 2014

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

SUBJECT: Resolution urging the Florida Legislature to address the Human Trafficking of children by enacting new or stricter penalties for improperly disclosing the location of a foster home, safe house, or group home, and for threatening or intimidating foster home parents or staff at safe houses or group homes

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



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM
(Revised)

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and Members, Board of County Commissioners

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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

Agenda Item No. 11(A)(17)

Veto _____

1-22-14

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ADDRESS THE HUMAN TRAFFICKING OF CHILDREN BY ENACTING NEW OR STRICTER PENALTIES FOR IMPROPERLY DISCLOSING THE LOCATION OF A FOSTER HOME, SAFE HOUSE, OR GROUP HOME, AND FOR THREATENING OR INTIMIDATING FOSTER HOME PARENTS OR STAFF AT SAFE HOUSES OR GROUP HOMES

WHEREAS, human trafficking is a form of modern-day slavery where individuals are often sold or forced into sexual exploitation; and

WHEREAS, the reprehensible individuals who profit from this deplorable practice often prey upon and manipulate the most vulnerable in our society, including children; and

WHEREAS, the children used for commercial sex trafficking are, on average, no more than 12-13 years old and are often victims of prior physical, psychological, and sexual abuse, poverty, unaddressed trauma, and/or low self-esteem; and

WHEREAS, a 2001 study conducted by the University of Pennsylvania estimated that between 244,000 and 325,000 children in America are at risk each year of becoming victims of commercial sexual exploitation; and

WHEREAS, a 2011 report by the Department of Justice's Bureau of Judicial Statistics also found that nearly half of all incidents of sex trafficking in the United States involve victims under the age of 18; and

WHEREAS, the Florida Legislature recently made great efforts to address this issue in 2012 with the passage of both the Florida Safe Harbor Act, Chapter 2012-105, Laws of Florida (HB 99), which provided a more coordinated response to address the child welfare service needs

of sexually exploited children, and Chapter 2012-97, Laws of Florida (HB 7049), which increased the penalties for human trafficking; and

WHEREAS, one of the stated goals of the Florida Safe Harbor Act was to sever the bond between sexually exploited children and sex traffickers so that these children could either be reunited with their families or given appropriate foster care; and

WHEREAS, the Florida Safe Harbor Act also established a method to fund the creation of safe houses that would provide advocacy, necessary services, and special living quarters for sexually exploited children; and

WHEREAS, Florida's Department of Children and Families also has future plans to specifically recruit foster parents for sexually exploited children; and

WHEREAS, a report from the 2012 Fall Term of the Miami-Dade County Grand Jury found that there are certain reforms that can assist in making the state's ongoing efforts to address the human trafficking of children as effective as possible; and

WHEREAS, one of the report's suggested reforms was to recognize that there are unique safety concerns when attempting to place sexually exploited children in foster care or safe houses because the child's former trafficker may try to find them and endanger the child, the foster parent(s), and/or the safe house's staff; and

WHEREAS, in order to create a system that will better protect these children from any future harm, the state should use all available resources to ensure that these state-funded foster homes and safe houses are safe not only for the children but also for the foster parents and staff who selflessly work to help these children in need,

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 enact new or stricter penalties for improperly disclosing the location of a foster home, safe house, or group home, and for threatening or intimidating foster home parents or staff at safe houses or group homes.

Section 2. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, Senate President, 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 authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2014 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Chairwoman 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 22nd day of January, 2014. 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.

MBV

Michael B. Valdes