MEMORANDUM

Agenda Item No. 11(A)(15)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	March 18, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution urging the Florida Legislature to amend Florida law to protect the identity of callers to crime stoppers, such as by providing that no identifying information of Crime Stoppers' callers be recorded in any medium

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM

(Revised)

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

DATE: March 18, 2014

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

SUBJECT: Agenda Item No. 11(A)(15)

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)(15)
3-18-14

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO AMEND FLORIDA LAW TO PROTECT THE IDENTITY OF CALLERS TO CRIME STOPPERS, SUCH AS BY PROVIDING THAT NO IDENTIFYING INFORMATION OF CRIME STOPPERS' CALLERS BE RECORDED IN ANY MEDIUM

WHEREAS, on December 13, 1983, the Florida Association of Crimelines Anonymous, Inc., was duly organized as a not for profit corporation under the Florida Not for Profit Corporation Act; and

WHEREAS, the name of the organization was officially changed to the Florida Association of Crime Stoppers, Inc., on September 4, 1991; and

WHEREAS, The Florida Crime Stoppers Act was passed by the Florida Legislature in 1998, establishing the Crime Stoppers Trust Fund pursuant to section 16.555, Florida Statutes; and

WHEREAS, the Crimes Stopper Trust Fund is funded by State, federal, and private grants and by the imposition of an additional $20 fine as a court cost for all criminal offenses assessed by local judges and collected by Clerks of the Court on behalf of Crime Stoppers; and

WHEREAS, access to and use of Crime Stoppers Trust Fund monies are governed by section 16.555, Florida Statutes, and only one Crime Stoppers program per county is eligible to receive Crime Stoppers Trust fund monies; and

WHEREAS, Miami-Dade Crime Stoppers was created in September 1981, and a Board of Directors was created to administer the Miami-Dade Crime Stoppers; and

WHEREAS, the mission of Miami-Dade Crime Stoppers is the ongoing development and implementation of an effective crime solving organization which serves Miami-Dade County; and

WHEREAS, Miami-Dade Crime Stoppers has been recognized since 1990 as one of the top three programs in the world for productivity by Crime Stoppers International, Inc.; and

WHEREAS, the program has also received the Civilian of the Year Award, Coordinator of the Year Award, and the Coralie Wagner Memorial Service Award; and

WHEREAS, Miami-Dade Crime Stoppers is a cost productive crime prevention and apprehension tool in Miami-Dade County with an average cost of $176.83 per arrest; and

WHEREAS, from its inception, callers to Miami-Dade Crime Stoppers have cleared over 34,422 cases, leading to the arrest and filing of criminal charges against over 9,830 criminals, recovering over $36,077,042 of property and preventing over $126,982,362 in illegal drugs from entering our schools and communities; and

WHEREAS, Miami-Dade Crime Stoppers offers anonymity and cash rewards to callers who provide information leading to the arrest of criminal offenders; and

WHEREAS, the success of Miami-Dade Crime Stoppers is contingent upon maintaining the anonymity of the callers; and

WHEREAS, Miami-Dade Crime Stoppers receives tips on crimes from anonymous callers for over forty (40) law enforcement agencies at the city, county, state, federal and international levels; and

WHEREAS, to ensure anonymity Miami-Dade Crime Stoppers' telephone lines are not configured for caller identification, telephone calls are not traced, and telephone calls are not recorded; and

WHEREAS, the crime-related information conveyed by the anonymous caller is assigned a tip number; and

WHEREAS, the information and tip number obtained from the anonymous callers are supplied to law enforcement for investigation; and

WHEREAS, it has come to the attention of this Board that the identifying information of callers is sometimes recorded; and

WHEREAS, recording any information that can lead to the identity of a caller jeopardizes both the integrity and success of Miami-Dade Crime Stoppers; and

WHEREAS, section 16.555, Florida Statutes, governs the rulemaking authority of the Crime Stoppers Trust Fund; and

WHEREAS, subsection (6) of section 16.555 includes rules for the implementation of the Crimes Stoppers Trust Fund; and

WHEREAS, there is no provision of Florida Law that currently protects the identity of callers to Crime Stoppers,

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 amend Florida law to protect the identity of callers to Crime Stoppers, such as by providing that no identifying information of Crime Stoppers' callers be recorded in any medium.

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

Section 3. Directs the County's State lobbyists to advocate for the legislation described in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2014 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss. 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	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of March, 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. CA/RW

Christopher A. Angell
Rachel Walters