

# MEMORANDUM

Agenda Item No. 11(A)(2)

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

**DATE:** September 3, 2014

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

**SUBJECT:** Resolution directing the County Mayor and Department of Corrections to include a field on any inmate intake forms to request information from inmates regarding U.S. Veteran Status; directing the County Mayor or to develop literature regarding benefits and services available to incarcerated veterans

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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-Sponsor Commissioner Sally A. Heyman.



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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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(2)  
9-3-14

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

RESOLUTION DIRECTING THE COUNTY MAYOR OR DESIGNEE AND DEPARTMENT OF CORRECTIONS TO INCLUDE A FIELD ON ANY INMATE INTAKE FORMS TO REQUEST INFORMATION FROM INMATES REGARDING U.S. VETERAN STATUS; DIRECTING THE COUNTY MAYOR OR DESIGNEE TO DEVELOP LITERATURE REGARDING BENEFITS AND SERVICES AVAILABLE TO INCARCERATED VETERANS; AND FURTHER DIRECTING THE MAYOR OR DESIGNEE TO REPORT TO THE BOARD ON THE IMPLEMENTATION OF THESE POLICIES WITHIN NINETY (90) DAYS FOLLOWING THE EFFECTIVE DATE OF THIS RESOLUTION

**WHEREAS**, surveys indicate that, across the Nation, approximately 700,000 U.S. veterans have been incarcerated in prisons and jails, which number constitutes nearly ten percent (10%) of the U.S. prison and jail population; and

**WHEREAS**, some of these inmate-veterans are in the custody of the Miami-Dade Corrections and Rehabilitation Department (the "Corrections Department") in the various jails operated by the Corrections Department throughout Miami-Dade County; and

**WHEREAS**, the County desires to identify inmate-veterans at the inmate intake phase to ensure that inmate-veterans are informed of all of the benefits and services available to incarcerated veterans under the applicable laws; and

**WHEREAS**, the County is aware that some inmate-veterans do not identify themselves as veterans for fear of losing, as a result of their incarceration, the benefits made available to veterans under the applicable laws; and

**WHEREAS**, to ensure that all eligible inmate-veterans, including those who do not self-identify as inmate-veterans, are made aware of the benefits and services available under

applicable law, the Corrections Departments should develop literature to inform all inmates of the benefits and services available to inmate-veterans, which literature should dispel commonly held myths regarding the loss of veterans' benefits upon incarceration,

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

**Section 1.** The County Mayor or Designee and Corrections Department are hereby directed to create an inmate intake form that allows for the identification of inmate-veterans and to further develop procedures under which an inmate-veteran who did not self-identify as an inmate-veteran at the intake phase, can later identify as a veteran.

**Section 2.** The County Mayor or Designee and Corrections Department are hereby directed to develop informational literature, to be distributed to all inmates, which literature should inform inmates of benefits available to incarcerated veterans under the applicable laws, and which literature should dispel commonly held myths or misinformation (e.g., myths regarding the loss of benefits upon incarceration and misinformation regarding who constitutes a "veteran" under applicable law) that discourage inmates from identifying themselves as veterans.

**Section 3.** The County Mayor or Designee shall report to the Board, within ninety (90) days of the effective date of this resolution, of the status of the County's implementation of the policies established in this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz and the Co-Sponsor is Commissioner Sally A. Heyman. 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 3<sup>rd</sup> day of September, 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.

MAG

Miguel A. Gonzalez