

# MEMORANDUM

Agenda Item No. 11(A)(14)

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

**DATE:** June 16, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution urging the United States Congress to enact S. 3873, the George Floyd and Walter Scott Notification Act, or similar legislation that would require law enforcement agencies to report the use of lethal force

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Esteban L. Bovo, Jr.



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Abigail Price-Williams  
County Attorney

APW/lmp



**MEMORANDUM**  
(Revised)

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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
- Statement of social equity 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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_) 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)(14)  
6-16-20

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

RESOLUTION URGING THE UNITED STATES CONGRESS  
TO ENACT S. 3873, THE GEORGE FLOYD AND WALTER  
SCOTT NOTIFICATION ACT, OR SIMILAR LEGISLATION  
THAT WOULD REQUIRE LAW ENFORCEMENT AGENCIES  
TO REPORT THE USE OF LETHAL FORCE

**WHEREAS**, the death of George Floyd in Minneapolis, Minnesota, who died after being handcuffed and pinned to the ground by a police officer during an arrest, has reignited a national conversation about policing, community relationships, and the necessity and propriety of use of force in the context of police action; and

**WHEREAS**, sworn police officers are given a significant amount of authority and responsibility, and the potential for abuse of that authority should not be ignored; and

**WHEREAS**, data surrounding uses of lethal force by law enforcement agencies would increase transparency and may help foster and promote trust between officers and the public; and

**WHEREAS**, United States Senator Tim Scott (R – South Carolina) has introduced Senate Bill 3873 (S. 3873), entitled the George Floyd and Walter Scott Notification Act (Act), for consideration during the 116th Congress; and

**WHEREAS**, similar legislation was first introduced by Senator Scott for consideration during the 114th Congress, following the murder of Walter Scott in South Carolina, and was reintroduced as Senate Bill 1610 (S. 1610) for consideration during the 115th Congress; and

**WHEREAS**, the Act would require every state that receives certain federal grants to report, on an annual basis, information to the Attorney General regarding any discharge of a firearm by a law enforcement officer that results in the death of a civilian; and



**WHEREAS**, a state's failure to comply with the reporting requirement would subject that state and its law enforcement agencies to a reduction in federal funding that would otherwise be allocated to the state; and

**WHEREAS**, the Act would further require that the Attorney General publish and make available to the public, every year, a report containing the data reported to the Attorney General under the Act; and

**WHEREAS**, the Act would promote transparency and accountability among law enforcement agencies, while also providing data needed to create lasting solutions; and

**WHEREAS**, this Board supports the enactment of S. 3873, the George Floyd and Walter Scott Notification Act, or similar legislation that would require law enforcement agencies to report the use of lethal force,

**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 Congress to enact S. 3873, the George Floyd and Walter Scott Notification Act, or similar legislation that would require law enforcement agencies to report the use of lethal force.

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

**Section 3.** Directs the County's federal lobbyists to advocate for the legislative action set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2020 Federal Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Esteban L. Bovo, Jr. 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, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared this resolution duly passed and adopted this 16<sup>th</sup> day of June, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the 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.

Anita Viciano Zapata

