

MEMORANDUM

Agenda Item No. 11(A)(11)

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**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** November 6, 2007

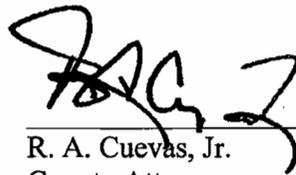
**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution urging the  
Florida Legislature to  
increase penalties and  
fines for dog and other  
animal fighting

R-1245-07

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



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R. A. Cuevas, Jr.  
County Attorney

RAC/dcp



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

**DATE:** November 6, 2007

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

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

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(11)  
11-06-07

RESOLUTION NO. R-1245-07

RESOLUTION URGING THE FLORIDA LEGISLATURE TO  
INCREASE THE PENALTIES AND FINES FOR DOG AND  
OTHER ANIMAL FIGHTING

**WHEREAS**, in a dog fight, two dogs are placed in an enclosed pit, where they fight before a crowd of spectators until one dog is too injured or exhausted to continue; and

**WHEREAS**, dogs used in dog fights are typically American pit bull terriers that have been bred and trained to be highly aggressive; and

**WHEREAS**, there has been an unprecedented increase in dog fighting in recent years, according to the Humane Society of the United States; and

**WHEREAS**, law enforcement officials nationwide have documented a strong connection between organized dog fighting and other crimes, including violent crimes, illegal gambling, and illegal drugs; and

**WHEREAS**, the exposure of young children to dog fighting can promote insensitivity towards animal suffering and acceptance of violence; and

**WHEREAS**, the presence of dangerous and aggressive dogs in a community increases the risk of attacks on children; and

**WHEREAS**, under Florida law, sponsoring, participating in, betting on, or attending a dog fight is a third degree felony with a maximum prison sentence of five (5) years and a maximum fine of \$5,000; and

**WHEREAS**, many other states have higher penalties and/or fines associated with dog fighting, including Kansas (ten (10) year maximum prison sentence and \$100,000 maximum fine); Louisiana (ten (10) year maximum prison sentence and \$25,000 maximum fine); California (\$50,000 maximum fine); Alabama (ten (10) year maximum prison sentence); Illinois (\$50,000 maximum fine); and

**WHEREAS**, higher penalties in the State of Florida might serve to deter further dog fighting,

**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 increase the penalties and fines for dog and other animal fighting.

**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 directs the Office of Intergovernmental Affairs to include this item in the 2008 state legislative package.

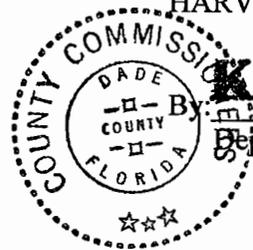
The foregoing resolution was sponsored by Commissioner Rebeca Sosa and Commissioner Jose "Pepe" Diaz and offered by Commissioner **Jose "Pepe" Diaz** who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

|                                    |               |                    |            |
|------------------------------------|---------------|--------------------|------------|
| Bruno A. Barreiro, Chairman        | <b>aye</b>    |                    |            |
| Barbara J. Jordan, Vice-Chairwoman | <b>absent</b> |                    |            |
| Jose "Pepe" Diaz                   | <b>aye</b>    | Audrey M. Edmonson | <b>aye</b> |
| Carlos A. Gimenez                  | <b>aye</b>    | Sally A. Heyman    | <b>aye</b> |
| Joe A. Martinez                    | <b>aye</b>    | Dennis C. Moss     | <b>aye</b> |
| Dorrin D. Rolle                    | <b>aye</b>    | Natacha Seijas     | <b>aye</b> |
| Katy Sorenson                      | <b>aye</b>    | Rebeca Sosa        | <b>aye</b> |
| Sen. Javier D. Souto               | <b>absent</b> |                    |            |

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of November , 2007. 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



**KAY SULLIVAN**

Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

**JMM**

Jess M. McCarty