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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(14)

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

DATE: September 16, 2014

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

SUBJECT: Resolution urging Governor Rick Scott, the Florida Legislature, and the Secretary of Children and Families to empanel experts to investigate, review, and recommend changes in law and policy to protect children throughout Florida from the type of preventable harm which took the life of Javon Dade, Jr.
Resolution No. R-827-14

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

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MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
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)(14)
9-16-14

RESOLUTION NO. R-827-14

RESOLUTION URGING GOVERNOR RICK SCOTT, THE FLORIDA LEGISLATURE, AND THE SECRETARY OF CHILDREN AND FAMILIES TO EMPANEL EXPERTS TO (I) INVESTIGATE, REVIEW, AND RECOMMEND CHANGES IN LAW AND POLICY TO PROTECT CHILDREN THROUGHOUT FLORIDA FROM THE TYPE OF PREVENTABLE HARM WHICH TOOK THE LIFE OF JAVON DADE, JR.; (II) PRIORITIZE AT-RISK YOUTH THROUGH IMPLEMENTATION OF CHAPTER 2014-224, LAWS OF FLORIDA (SB 1666); AND (III) IMPLEMENT INCREASED LEGAL TRAINING FOR DEPARTMENT OF CHILDREN AND FAMILIES INVESTIGATORS, TO FORGE STRONGER RELATIONSHIPS WITH LOCAL LAW ENFORCEMENT OFFICERS, AND TO ENSURE THAT INVESTIGATORS ARE EDUCATED, COMPETENT, AND THOROUGH IN THEIR DUTIES

WHEREAS, on August 13, 2014, Javon Dade, Jr. ("Javon"), a four-year old boy living in Miami-Dade County, was mauled to death by one or more his father's dogs; and

WHEREAS, three years prior, the Florida Department of Children and Families ("DCF") received multiple phone calls alerting them to dangerous conditions present within Javon's home; and

WHEREAS, one caller alleged that Javon's home contained six untrained dogs, two of which were "pit bull" terriers; and

WHEREAS, the caller alleged that Javon's parents had previously been bitten by the dogs while trying to break up a dog fight; and

WHEREAS, the caller further expressed concern for the safe care of the children in the home; and

WHEREAS, Miami-Dade County has, for the past 24 years, prohibited the ownership of "pit bull" terriers pursuant to Section 5-17 of the Code of Miami-Dade County; and

WHEREAS, DCF did not alert the Miami-Dade County Animal Services Department of the allegations that there were illegal "pit bull" terriers present in Javon's home; and

WHEREAS, Javon's father has been arrested 18 times for drug-related offenses and battery; and

WHEREAS, multiple DCF cases involving Javon's mother and father were closed by DCF investigators with no further action taken; and

WHEREAS, Javon's death is the most recent, but hardly the first child death subsequent to an investigation by DCF; and

WHEREAS, the Miami Herald has reported that over 477 children have died following some level of DCF investigatory activity; and

WHEREAS, Interim DCF Secretary Mike Carroll acknowledged that investigators in this case "failed to view the totality of Javon's family history, and closed the case without adequately understanding the risks the boy faced"; and

WHEREAS, Interim Secretary Carroll also acknowledged that child welfare investigators must be cognizant of laws which affect the livelihood of persons the agency is charged with protecting; and

WHEREAS, an expert committee tasked with the objective of recommending changes to state law, administrative regulations, or DCF policy in order to prevent this type of tragedy from occurring again would greatly benefit the welfare of Florida's youth; and

WHEREAS, on June 23, 2014, Governor Rick Scott signed into law an omnibus DCF reform bill that the Florida Legislature enacted during the 2014 session, Chapter 2014-224, Laws

of Florida (SB 1666), which seeks to better train DCF investigators, recruit more talented employees with advanced degrees, and create new plans to protect at-risk youth; and

WHEREAS, in light of the recent tragedy related to Javon, additional measures must be taken to ensure that the DCF investigatory process is thorough, protects Florida's children, and prevents this type of tragic accident from occurring again; and

WHEREAS, children within Miami-Dade County and throughout the state of Florida must be able to depend on competent state assistance when their lives are put at risk by abusive or neglectful parents,

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

Section 1. Urges Governor Rick Scott, the Florida Legislature and the DCF Interim Secretary to empanel experts to investigate, review, and recommend changes in law and policy to protect children throughout Florida from the type of preventable harm which took the life of Javon Dade, Jr.

Section 2. Urges Governor Rick Scott, the Florida Legislature and DCF to prioritize the protection of at-risk youth through implementation of Chapter 2014-224, Laws of Florida (SB 1666), or similar future legislation.

Section 3. Urges Governor Rick Scott, the Florida Legislature, and the DCF Secretary to implement increased legal training for DCF investigators, to forge stronger relationships with local law enforcement officers, and to ensure that investigators are educated, thorough, and proficient in their duties.

Section 4. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the

Miami-Dade County State Legislative Delegation and the Interim Secretary of the Florida Department of Children and Families.

Section 5. Directs the County's state lobbyists to advocate for the issue identified in sections 1 through 3 above, and directs the Office of Intergovernmental Affairs to include this item in the 2015 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 **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman	**aye**		
Lynda Bell, Vice Chair	**absent**		
Bruno A. Barreiro	**absent**	Esteban L. Bovo, Jr.	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**absent**
Juan C. Zapata	**absent**		

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The Chairperson thereupon declared the resolution duly passed and adopted this 16th 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: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Javier Zapata