OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(17)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: December 1, 2015

FROM: Abigail Price-Williams County Attorney

SUBJECT: Resolution directing the County Mayor to apply for federal grants created or amended by the Justice for Victims of Trafficking Act of 2015

Resolution No. R-1113-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa and Co-Sponsor Commissioner Sally A. Heyman.

Abigail Price-Williams
County Attorney

APW/smm

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: December 1, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(17)

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 ____, 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)(17)
12-1-15

RESOLUTION NO. R-1113-15

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO APPLY FOR FEDERAL GRANTS CREATED OR AMENDED BY THE JUSTICE FOR VICTIMS OF TRAFFICKING ACT OF 2015

WHEREAS, human trafficking is a form of modern-day slavery where individuals are often sold or forced into sexual exploitation; and

WHEREAS, the reprehensible individuals who profit from this deplorable practice often prey upon and manipulate the most vulnerable in our society, including children; and

WHEREAS, the need to address human trafficking is particularly significant in Florida because it has the third highest call volume among all states to the National Human Trafficking Hotline; and

WHEREAS, the federal government has made recent efforts to address human trafficking with the passage of the Justice for Victims of Trafficking Act of 2015; and

WHEREAS, the Justice for Victims of Trafficking Act of 2015, among other things, imposes an additional penalty of $5,000 on any non-indigent person convicted of federal human trafficking-related offenses and deposits those fines into a Domestic Trafficking Victims' Fund, which is used to award grants to states and local governments to combat human trafficking, provide protection and assistance to victims of trafficking, develop and implement child abuse investigation and prosecution programs, and provide services to victims of child pornography; and

WHEREAS, the Justice for Victims of Trafficking Act of 2015 also amends the Omnibus Crime Control and Safe Streets Act of 1968 and authorizes the Department of Justice to give preferential consideration in awarding public safety and community-oriented policing grants to an application that comes from a local government whose state has laws that (1) treat a minor engaged in a commercial sex act as a victim of a severe form of trafficking in person, (2) discourage or prohibit the charging or prosecution of such individual for a prostitution or sex trafficking offense based on such conduct, and (3) encourage the diversion of that minor to appropriate service providers, including child welfare services, victim treatment programs, child advocacy centers, rape crisis centers, or other social services; and

WHEREAS, preferential consideration in the award of public safety and community-oriented policing grants is also provided for local governments whose state has laws that (1) provide a process by which a human-trafficking survivor can move to vacate any arrest or conviction records for a non-violent offense committed as a direct result of human trafficking, (2) establishes a rebuttable presumption that any arrest or conviction of an individual for a human trafficking offense is a result of being trafficked if such individual has been granted nonimmigrant status as a victim of a severe form of trafficking, is certified by the Department of Health and Human Services as a victim of human trafficking, or has similar documentation, (3) protects the identity of individuals who are human trafficking survivors in public and court records, and (4) does not require an individual who is a human trafficking survivor to provide official documentation in order to receive protection under the law; and

WHEREAS, the State of Florida has addressed these issues through the Florida Safe Harbor Act (Ch. 2012-105, Laws of Florida) and Section 943.0583, Florida Statutes; and

WHEREAS, receipt of any federal grant funding would greatly assist Miami-Dade County's continuing efforts to both combat human trafficking and provide necessary services to its victims,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor or County Mayor's designee is directed to apply for any federal grants that were established or amended by the Justice for Victims of Trafficking Act of 2015.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa and the Co-Sponsor is Commissioner Sally A. Heyman. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of December, 2015. 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: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MBV

Michael B. Valdes