

MEMORANDUM

Agenda Item No. 11(A)(19)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

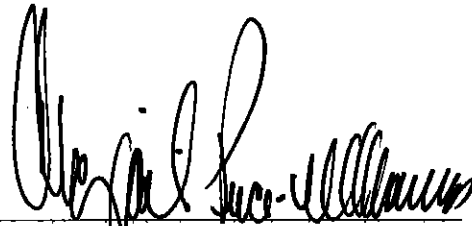
DATE: January 23, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution supporting H. Res. 664, or similar legislation pending before, or filed for consideration in, the 115th United States Congress calling for the immediate extradition or rendering to the United States of convicted felons William Morales, Joanne Chesimard, and all other fugitives from justice who are receiving safe harbor in Cuba to escape prosecution or confinement for criminal offenses committed in the United States

Resolution No. R-69-18

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



Abigail Price-Williams
County Attorney

APW/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: January 23, 2018

FROM: Abigail Price-Williams
County Attorney

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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 ____, 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)(19)
1-23-18

RESOLUTION NO. R-69-18

RESOLUTION SUPPORTING H. RES. 664, OR SIMILAR LEGISLATION PENDING BEFORE, OR FILED FOR CONSIDERATION IN, THE 115TH UNITED STATES CONGRESS CALLING FOR THE IMMEDIATE EXTRADITION OR RENDERING TO THE UNITED STATES OF CONVICTED FELONS WILLIAM MORALES, JOANNE CHESIMARD, AND ALL OTHER FUGITIVES FROM JUSTICE WHO ARE RECEIVING SAFE HARBOR IN CUBA TO ESCAPE PROSECUTION OR CONFINEMENT FOR CRIMINAL OFFENSES COMMITTED IN THE UNITED STATES

WHEREAS, H. Res. 664 has been introduced in the 115th Congress by U.S. Representative Peter King (R – New York); and

WHEREAS, H. Res. 664 has a number of cosponsors, including the following Members of Congress from Florida: U.S. Representative Ron DeSantis (R – Florida), U.S. Representative Mario Diaz-Balart (R – Florida), U.S. Representative Carlos Curbelo (R – Florida), and U.S. Representative Ileana Ros-Lehtinen (R – Florida); and

WHEREAS, H. Res. 664:

- calls for the immediate extradition or rendering to the United States of convicted felons William Morales, Joanne Chesimard, and all other fugitives from justice who are receiving safe harbor in Cuba to escape prosecution or confinement for criminal offenses committed in the United States;
- urges the international community to continue to press for the immediate extradition or rendering of all fugitives who are receiving safe harbor in Cuba; and

- calls on the Secretary of State and the Attorney General of the United States to continue to press for the immediate extradition or rendering of all fugitives from the United States so that they may be tried and, if convicted, serve out their sentences here; and

WHEREAS, William Morales is a convicted bomb-maker for the terrorist organization known as *Fuerzas Armadas de Liberación Nacional Puertorriqueña* (FALN), who committed numerous terrorist attacks here in the United States, including the bombings of Fraunces Tavern in lower Manhattan in 1975 and the Mobil Oil employment office in New York in 1977, which killed five people and injured over 60 others; and

WHEREAS, Morales was convicted in February 1979 for possession and transportation of explosives and a shotgun, but subsequently escaped from Bellevue Hospital in May 1979, fleeing to Mexico and eventually emigrating to Cuba in 1988; and

WHEREAS, Morales is on the FBI "Most Wanted Terrorists" list with a reward of \$100,000 for information leading to his arrest; and

WHEREAS, Joanne Chesimard, also known as Assata Shakur, is a former member of the Black Liberation Army who was convicted in 1977 of the first-degree murder, under New Jersey's "aiding and abetting" statute, of State Trooper Werner Foerster during a shootout on the New Jersey Turnpike in 1973; and

WHEREAS, Chesimard escaped from prison in 1979 and fled to Cuba, where she was granted political asylum; and

WHEREAS, Chesimard is on the FBI's "Most Wanted Terrorists" list with a reward of \$2 million for information leading to her capture; and

WHEREAS, H. Res. 664 also lists Charles Hill, wanted for the killing of a state trooper in New Mexico, and Victor Manuel Gerena, wanted for carrying out a brutal robbery of a Wells Fargo armored car in Connecticut, among other fugitives who are receiving safe harbor in Cuba; and

WHEREAS, according to H. Res. 664, more than 70 fugitives from the United States, charged with offenses ranging from hijacking to kidnapping to drug offenses to murder, are believed to be currently receiving safe harbor in Cuba; and

WHEREAS, for nearly a century, the United States has had a bilateral extradition treaty with Cuba; and

WHEREAS, in January 2002, Cuba extradited Jesse James Bell, a United States fugitive wanted on drug charges; and

WHEREAS, in March 2002, Cuba extradited Luis Hernando Gomez Bustamante to Colombia, which in turn extradited him to the United States in July 2007 to face drug trafficking charges here; and

WHEREAS, Cuba should abide by its extradition treaty with the United States and immediately extradite to the United States persons legally indicted or convicted of serious criminal offenses here; and

WHEREAS, this Board now wishes to support the proposed resolution,

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

Section 1. Supports H. Res. 664, or similar legislation pending before, or filed for consideration in, the 115th United States Congress calling for the immediate extradition or rendering to the United States of convicted felons William Morales, Joanne Chesimard, and all

other fugitives from justice who are receiving safe harbor in Cuba to escape prosecution or confinement for criminal offenses committed in the United States.

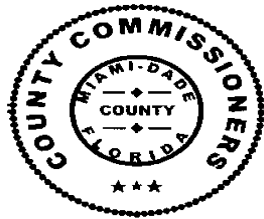
Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to U.S. Representative Peter King (R – New York) and the members of the Florida Congressional Delegation.

Section 3. Directs the County’s federal lobbyists to advocate for the legislation described in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2018 Federal Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Jose “Pepe” Diaz. It was offered by Commissioner **Rebeca Sosa**, 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 23rd day of January, 2018. 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.

A handwritten signature in black ink, appearing to read "James Eddie Kirtley", is written over a horizontal line.

James Eddie Kirtley