

MEMORANDUM

Agenda Item No. 11(A)(5)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: September 1, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to: (I) identify educational, training, employment, and other opportunities Miami-Dade County provides or could provide to justice-involved individuals; (II) evaluate the effectiveness of any such identified measures; (III) identify educational, training, employment, and other opportunities that other jurisdictions provide to justice-involved individuals; and (IV) provide a report; and urging the County Mayor to establish the Office of Reentry and Employment or a similar office or division

This item was amended at the 7-14-22 Community Safety and Security Committee to extend the deadline for the report from 60 to 90 days.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.


Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: September 1, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(5)

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)(5)
9-1-22

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO: (I) IDENTIFY EDUCATIONAL, TRAINING, EMPLOYMENT, AND OTHER OPPORTUNITIES MIAMI-DADE COUNTY PROVIDES OR COULD PROVIDE TO JUSTICE-INVOLVED INDIVIDUALS; (II) EVALUATE THE EFFECTIVENESS OF ANY SUCH IDENTIFIED MEASURES; (III) IDENTIFY EDUCATIONAL, TRAINING, EMPLOYMENT, AND OTHER OPPORTUNITIES THAT OTHER JURISDICTIONS PROVIDE TO JUSTICE-INVOLVED INDIVIDUALS; AND (IV) PROVIDE A REPORT; AND URGING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ESTABLISH THE OFFICE OF REENTRY AND EMPLOYMENT OR A SIMILAR OFFICE OR DIVISION

WHEREAS, according to a monster.com article, approximately one-third of American adults, about 75 million people, have criminal records and are therefore considered "justice-involved"; and

WHEREAS, justice-involved individuals include those who have been arrested, convicted, and imprisoned; and

WHEREAS, in a 2020 article, the Prison Policy Initiative reported that approximately 0.7 percent of the nation's population was incarcerated in state or federal prisons; and

WHEREAS, the article also noted that although less than five percent of the world's population is in the United States, 20 percent of the world's incarcerated people were at that time; and

WHEREAS, justice-involved individuals, especially those who were formerly incarcerated, often encounter barriers to employment and bleak employment prospects; and

WHEREAS, for instance, section 112.011, Florida Statutes, provides for disqualification from licensing, permitting, or certification to pursue, practice, or engage in an occupation, trade, vocation, profession, or business or public employment based on certain criminal convictions; and

WHEREAS, similarly, section 775.16, Florida Statutes, disqualifies individuals with certain felony drug convictions including sales or trafficking or conspiracy to sell or traffic in a controlled substance under chapter 893, Florida Statutes, from employment with state agencies unless certain conditions are satisfied; and

WHEREAS, said laws may significantly and detrimentally impact the lives of justice-involved individuals; and

WHEREAS, the *Employment of Persons Released from Federal Prison in 2010* is a December 2021 report released by the Bureau of Justice Statistics, that studied formerly incarcerated individuals' employment over a four-year period, from 2010-2014, after their release; and

WHEREAS, among other findings, the report revealed:

- (1) 33 percent of the population did not find employment at any point during the study;
- (2) in the first full quarter after release, 46 percent of Whites, 37 percent of American Indians and Alaska Natives, 36 percent of Blacks, 33 percent of Hispanics, and 33 percent of Asians, Native Hawaiians, and Other Pacific Islanders were employed, which were the highest employment rates throughout the study;
- (3) approximately 60 percent of the population was unemployed at some point during the study; and
- (4) the population earned less than members of the general population throughout the study; and

WHEREAS, several jurisdictions across the country have adopted or are championing initiatives to assist justice-involved individuals; and

WHEREAS, one such initiative is “Ban the Box,” which requires employers to remove questions concerning criminal history from job applications; and

WHEREAS, such legislation provides justice-involved individuals increased employment opportunities because it allows them to make connections with employers and be considered for employment before their criminal records are revealed; and

WHEREAS, in addition, there are state and federal entities such as the United States Department of Labor, Reentry Employment Opportunities program, Employment and Training Administration, and South Florida Workforce Investment Board d/b/a CareerSource South Florida, to name a few, that receive and/or award grant funding for education, employment, and training of justice-involved, and specifically formerly incarcerated individuals; and

WHEREAS, among other benefits, said entities may provide justice-involved individuals with on-the-job training opportunities, vocational and occupational skills training, employment, tutoring, high school diploma equivalency preparation, summer jobs linked to academic and occupational learning, and legal services to mitigate juvenile and criminal records, diversion programs; and

WHEREAS, in addition, participating business are often provided inducements such as tax incentives and fidelity bonds for employing justice-involved individuals; and

WHEREAS, these agencies and programs help justice-involved individuals reintegrate into society by improving their workforce outcomes, which is beneficial for the individual and has been shown to reduce recidivism rates; and

WHEREAS, this Board understands that a criminal background can have a daunting effect on an individual’s livelihood and future; and

WHEREAS, this Board desires to better assist justice-involved members of the community with education, training, and employment,

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

Section 1. Approves and incorporates the foregoing recitals as if fully set forth herein.

Section 2. Directs the County Mayor or County Mayor's designee to: (I) identify educational, training, employment, and other opportunities Miami-Dade County provides or could provide to justice-involved individuals, especially formerly incarcerated individuals, to assist with employment services, family reunification, housing, restoration of rights, substance abuse treatment, workforce development and preparedness, and other related matters; (II) evaluate the effectiveness of any such measures described herein and implemented by the County; and (III) identify educational, training, employment, and other opportunities that jurisdictions comparable to Miami-Dade County provide to justice-involved individuals in correctional facilities.

Section 3. Directs the County Mayor or County Mayor's designee to provide the report to this Board on the matters described above in section 2 within ~~[[60]]~~¹ >>90<<days of the effective date of this resolution and place the completed report on an agenda of the full Board without committee review pursuant to Ordinance No. 14-65.

Section 4. Urges the County Mayor or County Mayor's designee to establish the Office of Reentry and Employment or a similar office or division to assist justice-involved individuals, especially formerly incarcerated individuals, with employment services, family reunification, housing, restoration of rights, substance abuse treatment, workforce development and preparedness, and other related matters.

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

The Prime Sponsor of the foregoing resolution is Commissioner Kionne L. McGhee. 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:

Jose "Pepe" Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of September, 2022. 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.



Shanika A. Graves