

MEMORANDUM

Agenda Item No. 14(A)(1)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: October 1, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution reaffirming Miami-Dade County's ongoing condemnation and denunciation of hateful speech and bias-motivated violence against the Jewish community; amending Resolution No. R-415-20, which defined "anti-Semitism" and established county policy that anti-Semitism is a form of prejudice against religion, to conform with state law

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: October 1, 2024

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 14(A)(1)

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 ____, majority plus one ____, 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) ____, 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. 14(A)(1)
10-1-24

RESOLUTION NO. _____

RESOLUTION REAFFIRMING MIAMI-DADE COUNTY'S ONGOING CONDEMNATION AND DENUNCIATION OF HATEFUL SPEECH AND BIAS-MOTIVATED VIOLENCE AGAINST THE JEWISH COMMUNITY; AMENDING RESOLUTION NO. R-415-20, WHICH DEFINED "ANTI-SEMITISM" AND ESTABLISHED COUNTY POLICY THAT ANTI-SEMITISM IS A FORM OF PREJUDICE AGAINST RELIGION, TO CONFORM WITH STATE LAW

WHEREAS, this Board has a longstanding history of condemning and denouncing hateful-speech and bias-motivated violence directed against the Jewish community; and

WHEREAS, in Resolution No. R-587-20, the Board condemned and denounced, among other things, anti-Semitism and all hate speech, violent action, and the spread of misinformation related to the coronavirus disease 2019 that cast blame on Jews; and

WHEREAS, in Resolution No. R-224-23, the Board recognized the rise in hate crimes in the United States, many of which have been directed against Jews, and urged the Florida Legislature to enact legislation that would criminalize or enhance existing criminal penalties for certain actions evidencing religious or ethnic animus; and

WHEREAS, following the unprovoked and unjustified atrocities and war crimes committed by the Hamas terrorist organization against Israel on October 7, 2023, this Board adopted Resolution No. R-935-23, confirming the Board's support of Israel and of the safety of Jews wherever they may be located; and

WHEREAS, in 2020, through the passage of Resolution No. R-415-20, the Board established County policy that "anti-Semitism is a form of prejudice against religion," and, for the purposes of the policy, defined "anti-Semitism" as follows:

The term “anti-Semitism” recognizes that anti-Semitism is a certain negative perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish and non-Jewish individuals or their property, or toward the Jewish community institutions and religious facilities.

WHEREAS, the Board also provided examples of such conduct and directed the Miami-Dade Police Department to implement procedures to ensure that officers investigating whether there has been a violation of law whose penalty may be appropriately reclassified as provided for in section 775.085, Florida Statutes, for example, take into consideration this definition for the purpose of evaluating whether the alleged violation evidences prejudice based on religion; and

WHEREAS, during the 2024 legislative session, the Florida Legislature enacted House Bill 187, creating section 1.015, Florida Statutes, and adopting the working definition of the term “antisemitism” developed by the International Holocaust Remembrance Alliance (“IHRA”) “to assist in the monitoring and reporting of antisemitic hate crimes and discrimination and to make residents aware of and to combat such incidents in this state”; and

WHEREAS, the definition of “anti-Semitism” adopted by this Board in 2020 is similar, but not identical, to the definition of “antisemitism” used by the IHRA and adopted by the Florida Legislature; and

WHEREAS, this Board wishes to update its definition of the term to be consistent with the IHRA and Florida Statutes,

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. Reaffirms Miami-Dade County’s ongoing condemnation and denunciation of hateful speech and bias-motivated violence against the Jewish community.

Section 3. Amends Resolution No. R-415-20 to provide an updated definition of antisemitism consistent with the working definition of the term developed by the International Holocaust Remembrance Alliance and included in section 1.015, Florida Statutes, as follows:

The term “antisemitism” means a certain perception of Jewish individuals which may be expressed as hatred toward such individuals. Rhetorical and physical manifestations of antisemitism are directed toward Jewish and non-Jewish individuals and their property and toward Jewish community institutions and religious facilities. Contemporary examples of antisemitism may include, but are not limited to, all of the following:

- (a) Calling for, aiding, or justifying the killing or harming of Jewish individuals.
- (b) Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jewish individuals as such or the power of Jewish people as a collective, such as the myth of a worldwide Jewish conspiracy or of Jewish individuals controlling the media, economy, government, or other societal institutions.
- (c) Accusing Jewish people as a collective of being responsible for real or imagined wrongdoing committed by a single Jewish person or group or for acts committed by non-Jewish individuals.
- (d) Denying the fact, scope, and mechanisms, such as gas chambers, or the intentionality of the genocide of the Jewish people at the hands of Nazi Germany and its supporters and accomplices during the Holocaust.
- (e) Accusing Jewish people as a collective, or Israel as a state, of inventing or exaggerating the Holocaust.
- (f) Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jewish individuals worldwide, than to the interests of their respective nations.
- (g) Denying Jewish people their right to self-determination, such as claiming that the existence of the State of Israel is a racist endeavor.
- (h) Applying double standards by requiring of the Jewish State of Israel a standard of behavior not expected or demanded of any other democratic nation.

- (i) Using the symbols and images associated with classic antisemitism, such as blood libel, to characterize Israel or Israelis.
- (j) Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- (k) Holding Jewish individuals collectively responsible for actions of the State of Israel.

The term “antisemitism” does not include criticism of Israel that is similar to criticism of any other country. This section may not be construed to diminish or infringe upon any right protected under the First Amendment to the United States Constitution or to conflict with federal or state antidiscrimination laws.

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. 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:

Oliver G. Gilbert, III, Chairman	
Anthony Rodríguez, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Kevin Marino Cabrera	Sen. René García
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Eileen Higgins
Kionne L. McGhee	Raquel A. Regalado
Micky Steinberg	

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of October, 2024. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

LCK

Leigh C. Kobrinski
Eduardo W. Gonzalez