

MEMORANDUM

Agenda Item No. 11(A)(14)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: June 16, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the United
States Congress to enact S. 3873,
the George Floyd and Walter
Scott Notification Act, or similar
legislation that would require law
enforcement agencies to report
the use of lethal force

Resolution No. R-594-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor
Commissioner Esteban L. Bovo, Jr.



Abigail Price-Williams
County Attorney

APW/lmp

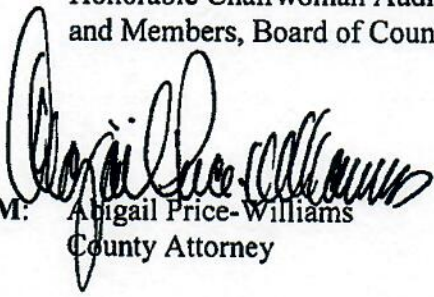


MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

DATE: June 16, 2020

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SUBJECT: Agenda Item No. 11(A)(14)

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)(14)
6-16-20

RESOLUTION NO. R-594-20

RESOLUTION URGING THE UNITED STATES CONGRESS
TO ENACT S. 3873, THE GEORGE FLOYD AND WALTER
SCOTT NOTIFICATION ACT, OR SIMILAR LEGISLATION
THAT WOULD REQUIRE LAW ENFORCEMENT AGENCIES
TO REPORT THE USE OF LETHAL FORCE

WHEREAS, the death of George Floyd in Minneapolis, Minnesota, who died after being handcuffed and pinned to the ground by a police officer during an arrest, has reignited a national conversation about policing, community relationships, and the necessity and propriety of use of force in the context of police action; and

WHEREAS, sworn police officers are given a significant amount of authority and responsibility, and the potential for abuse of that authority should not be ignored; and

WHEREAS, data surrounding uses of lethal force by law enforcement agencies would increase transparency and may help foster and promote trust between officers and the public; and

WHEREAS, United States Senator Tim Scott (R – South Carolina) has introduced Senate Bill 3873 (S. 3873), entitled the George Floyd and Walter Scott Notification Act (Act), for consideration during the 116th Congress; and

WHEREAS, similar legislation was first introduced by Senator Scott for consideration during the 114th Congress, following the murder of Walter Scott in South Carolina, and was reintroduced as Senate Bill 1610 (S. 1610) for consideration during the 115th Congress; and

WHEREAS, the Act would require every state that receives certain federal grants to report, on an annual basis, information to the Attorney General regarding any discharge of a firearm by a law enforcement officer that results in the death of a civilian; and

WHEREAS, a state's failure to comply with the reporting requirement would subject that state and its law enforcement agencies to a reduction in federal funding that would otherwise be allocated to the state; and

WHEREAS, the Act would further require that the Attorney General publish and make available to the public, every year, a report containing the data reported to the Attorney General under the Act; and

WHEREAS, the Act would promote transparency and accountability among law enforcement agencies, while also providing data needed to create lasting solutions; and

WHEREAS, this Board supports the enactment of S. 3873, the George Floyd and Walter Scott Notification Act, or similar legislation that would require law enforcement agencies to report the use of lethal force,

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

Section 1. Urges the United States Congress to enact S. 3873, the George Floyd and Walter Scott Notification Act, or similar legislation that would require law enforcement agencies to report the use of lethal force.

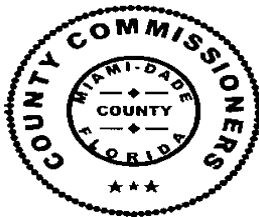
Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to United States Senator Tim Scott and the members of the Florida Congressional Delegation.

Section 3. Directs the County's federal lobbyists to advocate for the legislative action set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2020 Federal Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Esteban L. Bovo, Jr. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Daniella Levine Cava** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 16th day of June, 2020. 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.



Approved by County Attorney as to form and legal sufficiency.

Anita Viciano Zapata

A handwritten signature in black ink, appearing to be "AVZ", written over a horizontal line.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Melissa Adames
Deputy Clerk