

MEMORANDUM

Agenda Item No. 8(B)(1)

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

DATE: March 15, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution waiving by two-thirds
vote of the Board members present
the requirement of Implementing
Order 7-44 in connection with
the hiring of Mr. Willie Marshall
as Assistant Director for the
Miami-Dade Corrections and
Rehabilitation Department

Resolution No. R-255-22

The accompanying resolution was prepared by the Corrections and Rehabilitation Department and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



Geri Bonzon-Keenan
County Attorney

GBK/uw

Memorandum



Date: March 15, 2022

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

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Recommendation to Waive by a Two-Thirds Vote of the Members Present the Requirements of Implementing Order No. 7-44 and Authorize the Hiring of an Assistant Director for the Miami-Dade Corrections and Rehabilitation Department

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) waive, by a two-thirds vote of the members present, Implementing Order 7-44 to authorize the hiring of Willie B. Marshall into the position of Assistant Director for the Miami-Dade Corrections and Rehabilitation Department (MDCR), at the intermediate rate of \$162,500. Implementing Order 7-44 establishes the policy that retirees of the County who seek re-employment with the County adhere to the County's regular hiring process and that the Mayor may seek Board approval to grant exceptions to this policy.

In June 2011, Mr. Marshall retired from the County after 30 years of County service with the Miami-Dade Police Department (MDPD). More recently, Mr. Marshall was appointed as the Assistant Director of Quality Improvement for the Miami-Dade Corrections and Rehabilitation Department (MDCR). MDCR is in the final phases of achieving full compliance with the Consent and Settlement Agreements. The critical nature of the final phases requires oversight of a Senior Command Level member to spearhead compliance efforts. Mr. Marshall's extensive experience in investigative efforts, critical thinking, and collaborative approach will provide laser-focus oversight and ensure the successful achievement of full compliance and maintenance for the additional 18-month period. In order to expedite the hiring of Mr. Marshall, he was hired at the minimum salary of the range in accordance with Implementing Order 7-44, in anticipation of requesting approval of the intermediate rate by the Board commensurate with his extensive experience and knowledge.

SCOPE

The position is responsible for reviewing all services rendered to inmates in custody related to the Civil Rights for Institutionalized Persons Act (CRIPA) Consent Decree and to improve processes, policies, procedures, and practices to ensure full compliance with the Consent Decree including investigative protocols and enhanced collaboration with County Departments. A Federal Consent Decree was issued in 2013, focusing on how Miami-Dade County housed and treated mentally ill inmates.

FISCAL IMPACT AND FUNDING SOURCE

The position is authorized and funded by General Fund operating funds.

TRACK RECORD/MONITOR

Approval of the item does not require monitoring

BACKGROUND

MDCR is the largest jail system in the state of Florida and the eighth largest in the nation, detaining approximately 4,400 inmates daily. As a metropolitan correctional agency, MDCR operates three

detention facilities, a Mental Health Treatment Center, the Centralized Intake Center, the Boot Camp Program, inmate vocational and educational services, Court Services, Monitored Release, Pretrial Services, academy and in-service training. The successful operation of MDCR is essential to sustaining an effective and efficient criminal justice system while maintaining public safety.

I have identified a retired County employee – Willie Marshall - as an individual who would have a significant impact on the continued improvement and success of MDCR operations. In his short time at MDCR, he has become fully engaged in compliance efforts related to the Consent and Settlement Agreements. Mr. Marshall has accomplished a variety of tasks including establishing a relationship with the Monitors and Department of Justice (DOJ); has become knowledgeable about compliance requirements associated Consent and Settlement Agreements; coordinated the assignment of Miami-Dade Police Department investigative personnel to MDCR to assist in the internal affairs investigative process; streamlined the Mortality and Morbidity Review process; assumed the function of the primary liaison with the Monitor and DOJ and the review of compliance documentation.

Mr. Marshall earned his Bachelor of Public Administration and Master of Public Administration from Florida International University. He also attended the National Academy from the Federal Bureau of Investigation. He has over 10 years of professional experience as a public administrator in the field of law enforcement including extensive investigative experience. Mr. Marshall served as the Division Chief of MDPD's Special and Criminal Investigations Divisions responsible for overseeing homicide, robbery, sexual crimes, economic, street gang enforcement, and narcotics investigations. Mr. Marshall also has experience in the private sector working for Allied Universal Security Services since 2014 and most recently serving as their Director of Operations. In this capacity, he ensured effective and efficient private security services were provided to various government agencies including Miami-Dade County Departments.

Mr. Marshall served as a Division Chief for the Miami-Dade Police Department from 2004 to 2011 until his retirement. Throughout his 30-year career, Mr. Marshall accomplished many important endeavors including serving as the District Commander of the City of Miami Gardens building and maintaining a positive relationship between law enforcement and the residents of Miami Gardens, reducing crime through proactive crime fighting initiatives, and implementing several community relation activities to increase community involvement.

Mr. Marshall's 30 years of professional experience as a law enforcement professional makes him the best candidate to assist MDCR in improving its current investigative process, and identifying areas for operational improvements. Mr. Marshall will assist MDCR in furthering its commitment to providing safe, secure and humane detention of inmates in its custody while preparing them for a successful return to the community.

Mr. Marshall will be instrumental to MDCR's continuing compliance with the Consent Agreement between MDCR and the Department of Justice. I respectfully request that the advance approval requirements of Implementing Order 7-44 be waived. Mr. Marshall's extensive experience and knowledge in the law enforcement field in general will best serve the interests of the County and advance key objectives at the department level.



J.D. Patterson
Chief Public Safety Officer



MEMORANDUM

(Revised)

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

DATE: March 15, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(B)(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 ____, 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. 8(B)(1)
3-15-22

RESOLUTION NO. R-255-22

RESOLUTION WAIVING BY TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT THE REQUIREMENT OF IMPLEMENTING ORDER 7-44 IN CONNECTION WITH THE HIRING OF MR. WILLIE MARSHALL AS ASSISTANT DIRECTOR FOR THE MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT

WHEREAS, this Board desires to accomplish the purpose outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, Implementing Order 7-44 states that retirees of Miami-Dade County who seek re-employment with the County shall be subject to the County's regular hiring process, including job applications, testing and interviews where applicable, and if hired, shall start at the applicable entry-level salary; and

WHEREAS, when necessary to attract and hire qualified applicants for a particular County classification, the Mayor may seek Board approval to grant exception to this policy in advance of hiring for the particular classification; and

WHEREAS, due to an immediate hiring need, Mr. Marshall has started at the minimum salary of the applicable range, despite the fact that Mr. Marshall retired from the County in 2011 and has extensive experience as a public administrator, including as a former Division Chief of the Miami-Dade Police Department; and

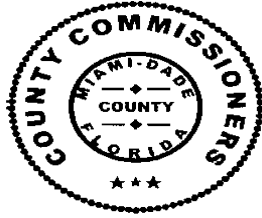
WHEREAS, the Mayor has determined that it is in the best interest of the County to approve an exception to the policy on salaries of retired County employees that are rehired pursuant to Implementing Order 7-44, in connection with the hiring of Mr. Marshall, as Assistant Director and to set his salary at \$162,500.00 for this important position,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the requirements of Implementing Order 7-44 are waived by a two-thirds vote of the Board members present in connection with the hiring of Mr. Willie Marshall as Assistant Director for the Miami-Dade Corrections and Rehabilitation Department and set his starting salary at \$162,500.00.

The foregoing resolution 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:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 15th day of March, 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

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

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

Anita Viciano Zapata