

MEMORANDUM

Agenda Item No. 11(A)(13)

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 urging President Joseph R. Biden, Jr., United States Attorney General Merrick Garland, Governor Ron DeSantis, and Florida Attorney General Ashley Moody to take all necessary and available legal action to hold all culpable parties accountable for the murders of Carlos Costa, Armando Alejandro, Jr., Mario De La Peña and Pablo Morales

Resolution No. R-895-24

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kevin Marino Cabrera.



Geri Bonzon-Keenan
County Attorney

GBK/gh



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. 11(A)(13)

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. 11(A)(13)
10-1-24

RESOLUTION NO. _____ R-895-24

RESOLUTION URGING PRESIDENT JOSEPH R. BIDEN, JR., UNITED STATES ATTORNEY GENERAL MERRICK GARLAND, GOVERNOR RON DESANTIS, AND FLORIDA ATTORNEY GENERAL ASHLEY MOODY TO TAKE ALL NECESSARY AND AVAILABLE LEGAL ACTION TO HOLD ALL CULPABLE PARTIES ACCOUNTABLE FOR THE MURDERS OF CARLOS COSTA, ARMANDO ALEJANDRE, JR., MARIO DE LA PEÑA AND PABLO MORALES

WHEREAS, on February 24, 1996, two unarmed civilian planes operated by Brothers to the Rescue, a Miami-based activist nonprofit organization that seeks to assist and rescue raft refugees emigrating from Cuba, were shot down by the Cuban Air Force while flying in international air space, killing Armando Alejandro, Jr., Carlos Costa, Mario de la Peña, and Pablo Morales; and

WHEREAS, three of the victims were U.S. citizens, and the other had obtained permanent resident status; and

WHEREAS, the Organization of American States (OAS) previously reported that no warning was given before the two civilian planes were shot down; and

WHEREAS, on May 7, 1999, a federal indictment was handed down in the Southern District of Florida charging 14 individuals, some of them Cuban spies, with a well-planned conspiracy to shoot down the Brothers to the Rescue planes; and

WHEREAS, certain advocacy groups have called for the indictment of Lt. Col. Pardo Rodriguez for his alleged involvement in the previously mentioned killings; and

WHEREAS, according to the Miami Herald, Lt. Col. Pardo Rodriguez currently resides in Florida and immigrated to the United States pursuant to the humanitarian parole program; and

WHEREAS, perpetrators of extrajudicial killings and abusers of human rights should not be granted lawful immigration status in the United States; and

WHEREAS, individuals credibly alleged to have murdered, or to have conspired to murder U.S. citizens, should not be allowed into the United States without being held legally accountable; and

WHEREAS, according to certain advocacy groups, in the past, the Department of Justice has decided against the indictment of certain alleged perpetrators involved with the Brothers to the Rescue killings, despite the contrary recommendations of federal prosecutors based on the evidence; and

WHEREAS, this Board wishes to see justice for the victims of the Brothers to the Rescue catastrophe,

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

Section 1. Urges President Joseph R. Biden, Jr., United States Attorney General Merrick Garland, Governor Ron DeSantis, and Florida Attorney General Ashley Moody to take all necessary and available legal action to hold all culpable parties accountable for the murders of Carlos Costa, Armando Alejandro, Jr., Mario de la Peña and Pablo Morales.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the President Joseph R. Biden, Jr., United States Attorney General Merrick Garland, Governor Ron DeSantis, and Florida Attorney General Ashley Moody.

Section 3. Directs the County's state and federal lobbyists to advocate for the legislative action set forth in section 1 above, and authorizes and directs the Office of

Intergovernmental Affairs to: (i) include this item in the 2025 State Legislative Package when it is presented to the Board, and (ii) amend the 2024 Federal Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Kevin Marino Cabrera. It was offered by Commissioner **Anthony Rodriguez**, who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** and upon being put to a vote, the vote was as follows:

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

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: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Christian Fernandez-Andes