

MEMORANDUM

Agenda Item No. 8(F)(2)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: July 1, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving
Implementing Order No. 7-13
entitled "Employees Arrested on
Charges Resulting from
Performance on Job," and
rescinding Administrative Order
7-13 entitled "Employees
Arrested on Charges Resulting
from Performance on Job"

Resolution No. R-653-25

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



Geri Bonzon-Keenan
County Attorney

GBK/ks

Memorandum



Date: July 1, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Subject: Resolution approving Implementing Order No. 7-13: Employees Arrested on Charges Resulting from Performance on Job, and rescinding Administrative Order No. 7-13: Employees Arrested on Charges Resulting from Performance on Job

Recommendation

It is recommended that the Miami Dade County (County) Board of County Commissioners (Board) rescind Administrative Order 7-13 (AO 7-13) and approve Implementing Order 7-13 (IO 7-13). IO 7-13 maintains the same protection for County employees as AO 7-13, ensuring they continue to receive legal assistance from the County Attorney's Office (CAO) until a judicial determination of probable cause is made when charged with criminal offenses directly related to their assigned job duties. The changes made to IO 7-13 are not material to the benefits provided to employees but serve to update the language, specifically the references to the Department Director and County Mayor. These revisions reflect the same provisions as AO 7-13, which has previously been used to assist employees who have been unjustly charged, resulting in unnecessary personal expenses.

Scope

The scope of IO 7-13 is countywide.

Delegation of Authority

IO 7-13 does not provide any additional delegated authority.

Fiscal Impact/Funding Source

There will be no fiscal impact to the County associated with the approval of IO 7-13.

Track Record/Monitor

Department Directors and/or designees will be responsible for monitoring compliance with the IO 7-13.

Background

AO 7-13 provided County employees with legal assistance by the County Attorney's Office (CAO) until a judicial determination of probable cause is made when County employees have been charged with criminal offenses as a direct result of their performance of assigned job duties. There have been past instances where County employees were charged with criminal offenses as a direct result of their performance of assigned job duties. At times, these charges have been ill-founded and employees incurred unjust personal expenses. The recommended implementation of IO 7-13 mirrors the same provisions found in AO 7-13 providing such County employees with certain legal assistance. The language in IO 7-13 is being revised to include references to Department Director and County Mayor.

Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners
Page 2

Attachment



Carladenise Edwards
Chief Administrative Officer

Administrative Implementing Order



Administrative Implementing Order No.: 7-13

Title: Employees Arrested on Charges Resulting from Performance on Job

Ordered: 5/15/1973

Effective: 6/15/1973

AUTHORITY:

Section 4.02 1.01, and 2.02 of the ~~Metropolitan~~ Miami-Dade County Home Rule Amendment and Charter, Section 2-42 (20) of the ~~Metropolitan Dade County~~ Code of Miami-Dade County.

SUPERSEDES:

This Implementing Order supersedes Administrative Order No. 7-13, ordered May 15, 1973, and effective June 15, 1973.

POLICY:

On occasion, County employees have been charged with criminal offenses as a direct result of their performance of assigned job duties. At times these charges have been ill-founded and therefore the employees have had to incur unjust personal expense. This resulted in a loss of performance effectiveness and a reduction in employee morale. It shall be the policy of the County, upon the recommendation of the employee's ~~d~~Department Director head and approval by the County Mayor Manager, to request that the County Attorney provide such employees with legal assistance until a judicial determination of probable cause (usually made at a preliminary hearing).

PROCEDURE:

When an employee is charged with a criminal violation (other than for a traffic violation) resulting from the performance of his/her assigned job duties, he/she may request legal assistance from the County Attorney's Office through his/her ~~d~~Department Director head.

Upon receipt of such a request, the ~~d~~Department Director head will immediately review the circumstances and make appropriate recommendations to the County Mayor Manager. The County Mayor Manager will review the information presented, advise the County Attorney's Office of the situation, and, if appropriate, request legal assistance.

The County Attorney's Office has agreed to consider whether it is appropriate to represent the accused employee through the preliminary hearing stage.

Department Directors heads, in these types of cases, are authorized to appear on behalf of employees before Committing Magistrates and offer to assure appearance in lieu of bond.

Civil suits against employees will continue to be defended at the discretion of the County Attorney's Office.

This ~~Administrative~~ Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

Daniella Levine Cava
Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: July 1, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(F)(2)

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. 8(F)(2)
7-1-25

RESOLUTION NO. R-653-25

RESOLUTION APPROVING IMPLEMENTING ORDER NO. 7-13 ENTITLED “EMPLOYEES ARRESTED ON CHARGES RESULTING FROM PERFORMANCE ON JOB,” AND RESCINDING ADMINISTRATIVE ORDER 7-13 ENTITLED “EMPLOYEES ARRESTED ON CHARGES RESULTING FROM PERFORMANCE ON JOB”

WHEREAS, on May 16, 1973, the Board approved Administrative Order No. 7-13, establishing a County policy to provide certain County employees who have been charged with criminal offenses as a direct result of their performance of assigned job duties with legal assistance until a judicial determination of probable cause; and

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying County Mayor’s memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that that this Board hereby approves Implementing Order No. 7-13 entitled “Employees Arrested on Charges Resulting from Performance on Job,” in substantially the form attached to the accompanying County Mayor’s memorandum and incorporated herein, and rescinds Administrative Order No. 7-13.

The foregoing resolution was offered by Commissioner **Raquel A. Regalado** , who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien** and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman	aye		
Kionne L. McGhee, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Sen. René García	aye	Oliver G. Gilbert, III	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Natalie Milian Orbis	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of July, 2025. 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.

Marlon D. Moffett