

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO PROVIDE FUNDING FOR THE ASSISTANT STATE ATTORNEYS EMPLOYED AT THE MIAMI-DADE COUNTY STATE ATTORNEY'S OFFICE, AND THE ASSISTANT PUBLIC DEFENDERS EMPLOYED AT THE MIAMI-DADE COUNTY PUBLIC DEFENDER'S OFFICE, INCLUDING A SALARY INCREASE, A COST OF LIVING ADJUSTMENT, AND A LOCALITY PAY DIFFERENTIAL IN ORDER TO SUPPORT THE HIRING AND RETENTION OF QUALIFIED AND EXPERIENCED ATTORNEYS, TO COMPENSATE FOR THE HIGH COST OF LIVING IN MIAMI-DADE COUNTY RELATIVE TO THE REST OF THE STATE OF FLORIDA; AND DIRECTING THE CITY CLERK TO SEND A COPY OF THIS RESOLUTION TO THE PRESIDENT OF THE FLORIDA SENATE, THE SPEAKER OF THE FLORIDA HOUSE OF REPRESENTATIVES, AND MEMBERS OF THE MIAMI-DADE COUNTY STATE LEGISLATIVE DELEGATION.

**WHEREAS**, a community's well-being depends on the proper functioning and staffing of all pillars of the criminal justice system, including the Miami-Dade County State Attorney's Office and the Miami-Dade County Public Defender's Office; and

**WHEREAS**, typically due to unacceptably low salaries, Assistant State Attorneys ("ASAs") and Assistant Public Defenders ("APDs") in Miami-Dade County continue to leave public service faster than they can be trained and replaced; and

**WHEREAS**, the mass exodus and inability to adequately fill the vacancies has created serious staffing problems which impact the criminal justice system and adversely affect the residents of Miami-Dade County; and

**WHEREAS**, ASAs and APDs are, unquestionably, the primary voices speaking for crime victims, witnesses, criminal defendants and the community at-large in all felony and misdemeanor courts; and

**WHEREAS**, as of recently, the Miami-Dade County State Attorney's Office has approximately 100 vacant prosecutor positions, and these numbers increase as potential hires and trial-experienced lawyers are lured away by much higher salaries offered by other public agencies and civil law firms; and

**WHEREAS**, a recent study released by U.S. News & World Report found that Miami is now the second most expensive city in which to live in the United States; and

**WHEREAS**, home values in Miami-Dade County rose by 18.8% since last year, while the average price for the rental of a one-bedroom apartment in Miami is upward of \$2,200 per month; and

**WHEREAS**, the average law student graduates with \$160,000 in student debt; and

**WHEREAS**, ASAs and APDs are being tasked to manage overwhelming caseloads exacerbated by the pandemic-caused backlog while dealing with the stress of making financial ends meet; and

**WHEREAS**, many high-level and complex cases in Miami-Dade County are being thrust upon prosecutors who have less experience than necessary to effectively prosecute these cases, and a significant number of prosecutors handling attempted murder, rape, kidnapping, and armed robbery cases have less than three years' experience and have tried fewer than 10 felony cases; and

**WHEREAS**, this on-going crisis, in which criminal defendants may not be appropriately prosecuted and/or defended, creates a serious impediment in the administration of justice in Miami-Dade County with a ripple effect that can easily reach throughout the State of Florida and beyond; and

**WHEREAS**, although the Florida Legislature, as part of the General Appropriations Act for FY 2022-2023, provided all ASAs and APDs in the State with a \$5,000 - \$10,000 pay increase, the Miami-Dade County State Attorney's Office and Miami-Dade County Public Defender's Office continue to struggle recruiting and retaining both attorneys and staff; and

**WHEREAS**, the Florida Legislature has recognized Miami-Dade County's extremely high cost of living and provides employees of other state agencies, including Florida Highway Patrol ("FHP") troopers and Florida Department of Law Enforcement ("FDLE") agents, with a \$5,000 area pay adjustment; and

**WHEREAS**, the Federal government recognizes that jurisdictions like Miami have unusually high costs of living and provides their employees with a 23.8% locality adjustment; and

**WHEREAS**, supporting the individuals who truly make the criminal justice system run should be a priority budget appropriation for the Florida Legislature, the Governor and civic leadership throughout the State of Florida.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission of the City of Miami Beach, Florida, hereby urge the Florida Legislature to provide funding for the Assistant State Attorneys employed at the Miami-Dade County State Attorney's Office, and the Assistant Public Defenders employed at the Miami-Dade County Public Defender's Office, including a salary increase, a cost of living adjustment, and a locality pay differential in order to support the hiring and retention of qualified and experienced attorneys, to compensate for the high cost of living in Miami-Dade County relative to the rest of the State of Florida; and directing the City Clerk to send a copy of this Resolution to the President of the Florida Senate, the Speaker of the Florida House of Representatives, and members of the Miami-Dade County State Legislative Delegation.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

**ATTEST:**

\_\_\_\_\_  
Mayor Dan Gelber

\_\_\_\_\_  
Rafael E. Granado, City Clerk

(Sponsored by Vice-Mayor Steven Meiner)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney MF

3-20-23  
Date