

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ENDORSING THE GOVERNOR'S ANTI-CRIME LEGISLATIVE PROPOSAL WHICH, AMONG OTHER INITIATIVES, PETITIONS THE FLORIDA SUPREME COURT TO ADOPT A STATEWIDE UNIFORM BOND SCHEDULE THAT ALL STATE COURTS WOULD HAVE TO ABIDE BY, AND FURTHER, EXPRESSING SUPPORT FOR THE GOVERNOR'S INTENT TO UPHOLD LAW AND ORDER THROUGHOUT THE STATE OF FLORIDA.

WHEREAS, on January 26, 2023, Governor Ron DeSantis announced his legislative proposal (the "Proposal") to maintain and further improve Florida's 50-year record low crime rate; and

WHEREAS, the Proposal opposes the abolishment of cash bail, increases penalties for certain crimes and prevents the premature release of criminals committing certain offenses; and

WHEREAS, the Governor's legislation will bolster Florida's blueprint for fighting crime, as other states continue to endanger their citizens by making it easier to put criminals back on the street; and

WHEREAS, the City of Miami Beach (the "City"), along with various other municipalities in Miami-Dade County, continues to experience a significant amount of quality-of-life offenses (both of the municipal/county ordinance and misdemeanor variety), along with various other offenses being committed within its jurisdiction; and

WHEREAS, when an individual is arrested for a misdemeanor(s) and/or criminal municipal ordinance violation(s) within the City, the case is heard in the County Court of the Eleventh Judicial Circuit, in and for Miami-Dade County, Florida; and

WHEREAS, the purpose of the First Appearance / Bond Hearing is for the presiding judge to advise the defendant of the charges against him or her; to determine if the police had probable cause to effectuate the arrest; to determine whether the defendant can pay for an attorney and, if the defendant cannot, to appoint the public defender; and to set appropriate conditions of pre-trial release or a reasonable bond; and

WHEREAS, it is vital to strengthen Florida's bond / bail laws by limiting who is eligible for release prior to first appearance, and further ensuring that a judge is the ultimate decision maker regarding pre-trial detention; and

WHEREAS, the City and Governor DeSantis share a common interest in supporting policies that uphold law and order, and maintain the safety and prosperity of our residents, visitors, and community at large; and

WHEREAS, the Mayor and City Commission endorse Governor DeSantis' Proposal to fortify public safety measures, including his statewide uniform bond schedule, and intent to uphold law and order throughout the State of Florida.

NOW THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby endorse the Governor's legislative proposal which, among other initiatives, petitions the Florida Supreme Court to adopt a statewide uniform bond schedule; requires detention hearings to be held prior to trial for many crimes; and ensures that judges are the ultimate decision-makers when it comes to pre-trial detention; and further, expressing support for the Governor's intent to uphold law and order throughout the State of Florida.

PASSED and ADOPTED this ____ day of February, 2023.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Pat Paul
City Attorney

1/30/23
Date

MAF