
INQ 16-100 Sosa

-----Original Message-----

From: Centorino, Joseph (COE)

Sent: Wednesday, March 30, 2016 12:27 PM

To: Castro, Vivian (DIST6) <vcastro@miamidade.gov>; Aguirre, Betty (DIST6)

<BETTYA@miamidade.gov>; Fernandez, Alejandro J. (DIST6) <ALEJANDRO@miamidade.gov>; Orbis, Jr Manuel (DIST6) <MANUELO@miamidade.gov>

Cc: Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE)

<perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>; Sanchez, Gerald (CAO) <gks@miamidade.gov>

Subject: INQ 16-100 Rebeca Sosa, Miami-Dade County Commissioner (DISTRICT 6) (Voting Conflict of Interest)

Ms. Castro:

You have inquired on behalf of Commissioner Rebeca Sosa, Miami-Dade County Commission (DISTRICT 6) regarding whether she may have a voting conflict of interest in connection with her sponsorship of a Resolution before the Commission asking the Mayor to collaborate with the State Attorney's Office and the Miami-Dade County Public Schools to develop a curriculum to educate students regarding human trafficking. The question is asked in light of Commissioner Sosa's fulltime employment with the Miami-Dade Public Schools, at Lindsey Hopkins Technical Education Center, as Curriculum/Program facilitator for services related to the countywide South Florida Workforce one-stop delivery system.

I have reviewed the proposed Resolution and considered any issues that may arise under Subsection 2-11.1(d) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance. As we have indicated in prior opinions to Commissioner Sosa, her employment by a government organization does not fall within the prohibition in that subsection that would automatically disqualify her from participating in or voting on a matter that could affect her employer. Further, based upon my consideration of the nature of the resolution and the services contemplated under it, it does not appear to me that Commissioner Sosa stands to personally profit or be enhanced by the measure. If there were a reasonable possibility that she would profit or be enhanced in her position at Lindsey-Hopkins, then she would have a voting conflict under the ordinance. Here the motivation for this proposal appears to be consistent with her position as a Miami-Dade County Commissioner in directing development of a worthy program to educate students on an important social and community issue. I do not see any conflict here, based upon the information with which I have been provided.

Accordingly, it is my opinion that Commissioner Sosa may sponsor and vote on the Resolution in question.

Sincerely,

Joe Centorino

Joseph M. Centorino
Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
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-----Original Message-----

From: Castro, Vivian (DIST6)
Sent: Tuesday, March 29, 2016 12:52 PM
To: Centorino, Joseph (COE) <CENTORI@miamidade.gov>
Cc: Aguirre, Betty (DIST6) <BETTYA@miamidade.gov>; Fernandez, Alejandro J. (DIST6) <ALEJANDRO@miamidade.gov>; Orbis, Jr Manuel (DIST6) <MANUELO@miamidade.gov>
Subject: Conflict of interest opinion: Commissioner Sosa's proposed resolution concerning Human Trafficking Awareness Curriculum in the Public Schools

Good afternoon, Mr. Centorino:

Commissioner Sosa is working on the attached resolution asking the Mayor to collaborate with the State Attorney's Office and the Miami-Dade County Public Schools to develop a curriculum to educate students regarding human trafficking. Before proceeding any further, the Commissioner is respectfully asking that your office review this proposal for any potential conflicts of interest as she is employed by Miami-Dade County Public Schools.

Thank you in advance for your assistance,

Vivian

Vivian Castro
Legislative Director
Office of Commissioner Rebeca Sosa
District 6 Office: 305-267-6377 1000 SW 57th Avenue, Suite 201, Miami, FL 33144
Downtown Office: 305-375-5696 111 NW 1st Street, Suite 220, Miami, FL 33128
Twitter I Facebook I Website I Newsletter Sign-up

Approved _____ Mayor

Agenda Item No.

Veto _____

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OF
COUNTY MAYOR'S DESIGNEE TO COLLABORATE WITH
THE STATE ATTORNEY'S OFFICE AND MIAMI-DADE
COUNTY PUBLIC SCHOOLS TO DEVELOP A
CURRICULUM TO EDUCATE STUDENTS ON HUMAN
TRAFFICKING

WHEREAS, human trafficking is a form of modern-day slavery where individuals are often sold or forced into labor or sexual exploitation, which includes, but it not limited to, domestic servitude, restaurant work, janitorial work, sweatshop factory work, migrant agricultural work, prostitution, and work in the sexual entertainment industry; and

WHEREAS, the reprehensible individuals who profit from this deplorable practice often prey upon and manipulate the most vulnerable in our society by making victims fear that they may suffer from serious physical harm or legal coercion if they attempt to seek help or escape their conditions; and

WHEREAS, the victims of human trafficking are often children; and

WHEREAS, for example, a 2001 study conducted by the University of Pennsylvania estimated that between 244,000 and 325,000 children in America are at risk each year of becoming victims of commercial sexual exploitation; and

WHEREAS, the children used for commercial sex trafficking are, on average, no more than 12-13 years old and are often victims of prior physical, psychological, and sexual abuse, poverty, unaddressed trauma, and/or low self-esteem; and

WHEREAS, a 2011 report by the Department of Justice's Bureau of Judicial Statistics also found that nearly half of all incidents of sex trafficking in the United States involve victims under the age of 18; and

WHEREAS, the need to address human trafficking is particularly significant in Florida because it has the third highest call volume among all states to the National Human Trafficking Hotline; and

WHEREAS, this Board has continuously strived to raise awareness and address all forms of human trafficking by, for example, urging the Florida Legislature to enact new or stricter penalties for improperly disclosing the location of a foster home, safe house, or group home, and for threatening or intimidating foster home parents or staff at safe houses or group homes (R-75-14) and to create a new specialty license plate whose annual fees will be used to provide funding to assist sexually abused, exploited, or trafficked victims (R-353-15), or by directing the County Mayor to place human trafficking awareness signs in public areas at County-owned facilities (R-236-16); and

WHEREAS, those efforts can be greatly assisted by developing and implementing a curriculum that will educate students in Miami-Dade County about human trafficking because the students will then be more aware of the problem, less vulnerable of becoming victims, and more informed on how to seek out help for themselves or others,

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

Section 1. The County Mayor or County Mayor's designee is hereby directed to collaborate with the State Attorney's Office and Miami-Dade County Public Schools to develop a curriculum to educate students on human trafficking.

Section 2. The County Mayor or County Mayor's designee is further directed to submit a status report to this Board within 90 days of the effective date of this resolution describing the efforts undertaken to develop said curriculum. The completed report shall be placed on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this day of _____, 2016. 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

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. _____

Michael B. Valdes