

RESOLUTION NO. 2010-37

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, OPPOSING ANY LEGISLATION FOR THE 2010 STATE LEGISLATIVE SESSION THAT RELEASES DANGEROUS FELONS EARLY OR PLACES ANY ADDITIONAL CONSTRAINTS ON THE SENTENCING OF CONVICTED FELONS TO PRISON BY JUDGES THAT WOULD SACRIFICE PUBLIC SAFETY IN ORDER TO SAVE MONEY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the highest obligation of government is to protect its citizens, and while the economic situation may make it necessary to reduce State Government spending, the State must ensure that the citizens of Florida are protected from criminals regardless of any challenges being faced, and

WHEREAS, in the early 1980's, when Florida was experiencing difficult economic challenges as it is now, one way the State Government addressed a lack of revenues was to enact various legislative initiatives to release dangerous convicted felons from prison early, and

WHEREAS, as a result, countless violent repeat criminals who had been arrested and convicted of serious violent felony crimes, were being allowed back into our communities to commit even more crimes and victimize innocent persons, and

WHEREAS, inmates were receiving large amounts of early release "gain time" which resulted in prisoners serving a mere fraction of their prison sentences, and

WHEREAS, as a result, Florida's violent crime rate skyrocketed, and as an example in 1986, the Brevard County's murder rate was three times greater than what it was in 2008 in comparison, and

WHEREAS, Florida was getting a national and even international reputation for violent crime and earned the highest violent crime rate in the nation, and

WHEREAS, Florida's tourism trade and economic recovery were negatively impacted by the early prison releases and surging violent crime rates, and

WHEREAS, as a result of this crime wave so impacted our State and the quality of life for our citizens, in 1992 a group of concerned State Legislators sponsored key legislation to

stop early prison releases, and

WHEREAS, the initiative to keep dangerous convicted criminals in prison by requiring them to serve at least 85% of their sentence is known by law enforcement professionals as the most critical single factor in reducing the crime rate in Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The Town Council hereby requests the Florida Legislature to maintain funding to Florida's prisons to continue to keep dangerous convicted criminals in prison for at least eighty-five percent (85%) of their sentences.

SECTION 2. The Town Council hereby opposes any legislation that releases dangerous felons early, or places any additional constraints on the sentencing of convicted felons to prison by judges that would sacrifice public safety in order to save money.

SECTION 3. A copy of this resolution is to be delivered to the Brevard County Sheriff, each member of the Brevard County Legislative Delegation, and to the Mayor and Police Chief of each Brevard County municipality.

SECTION 4. This resolution shall take effect immediately upon the enactment date.

This Resolution was moved for adoption by Council Member Rivet. The motion was seconded by Council Member Vail and, upon being put to a vote, the vote was as follows:

Council Member Nancy Borton	<u>Excused</u>
Council Member Brian Vail	<u>Aye</u>
Council Member Steven (Steve) Rivet	<u>Aye</u>
Council Member Jeffrey (Jeff) McKnight	<u>Aye</u>
Council Member Marisa Acquaviva	<u>Aye</u>

This Resolution was then declared to be duly passed and adopted this 1st day of February, 2010.

TOWN OF MALABAR

By:

Thomas M. Eschenberg

Mayor Thomas M. Eschenberg, Chair

Approved as to Form and Content:

Karl W. Bohne, Jr.

Karl W. Bohne, Jr., Town Attorney

ATTEST:

Debby K. Franklin

Debby K. Franklin
Town Clerk/Treasurer

(seal)