

THE VOICE OF LAW ENFORCEMENT

DADE COUNTY POLICE BENEVOLENT ASSOCIATION, INC.

March 16, 2015

Mr. Robert Cuevas, County Attorney
Stephen P. Clark Building
111 N.W. 1st Street, Suite
Miami, Florida 33128

RE: Human Rights Ordinance

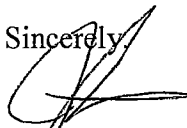
Dear Mr. Cuevas:

It has come to our attention that you, as the County Attorney, and/or the County Attorney's Office as an entity have taken the position whereby you cannot opine as to whether a violation of the Human Rights Ordinance would occur in specific scenarios (for purposes of clarification, in all the scenarios, the terms male and female are interchangeable), to wit:

1. If an officer arrests a biological male subject and said subject requests to be taken to a woman's correctional facility, and the officer refuses, has this officer violated the above referenced ordinance?
2. Can a biological male walk into a female only spa and observe women disrobe, change and shower?
3. Can a biological male request for a female officer or agent to conduct a frisk on him?
4. Can a biological male enter into a female only public bathroom with several stalls where children use the restroom?
5. Can a biological male follow a female child into the multi-stall female only bathroom?
6. If a private business owner or public parks manager asks a biological male to leave a female only restroom, is he violating the ordinance?

You state that an opinion cannot be offered because the Human Rights Commission has not been presented with any of the above-mentioned scenarios. As the representative of our law enforcement officers who would be dealing with these issues, I find it troubling not to give our officers clear and unambiguous direction. How are they to avoid unintentionally violating an ordinance or someone's rights if their own employer, Miami-Dade County, cannot give them direction?

Sincerely,


John Rivera
President

Cc: Honorable Frank Artiles
Florida House of Representatives, District 118

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