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Miami Police Chief settles ethics complaint

Miami's Police Chief has violated the Conflict of Interest and Code of Ethics Ordinance by failing to report free tickets he was given to a concert last fall as gifts. The Miami-Dade Commission on Ethics & Public Trust (COE) today accepted Chief Rodolfo Llanes' stipulation to Probable Cause, that he received four tickets to see Marc Anthony at American Airlines Arena in October 2015 from the singer's production office. Chief Llanes explained he and Anthony became friends after Anthony donated \$25,000 to the Police Athletic League and was the keynote speaker at the PAL dinner. Chief Llanes also stated that the value of the tickets was printed as "0," so he didn't think he needed to report them as gifts. The investigation determined that four seats to that show would cost between \$256 and \$820 for anyone else. The Chief has since reported the gift. The complaint (**C 16-20**) was dismissed and a Letter of Instruction will be issued to him.

Ethics Commissioners supported a staff recommendation that newly-appointed Public Health Trust (PHT) board member Albert Dotson *not* be deemed eligible to serve on the Board of Trustees – the entity that oversees the Jackson Health System – unless he ceases to lobby before the Miami-Dade Board of County Commissioners (BCC). Dotson sought the opinion to determine if he would have a conflict voting on issues that could affect the County-owned medical organization while he and his partners continue to try to influence the BCC on other, non-health related matters. Both a County resolution and the By-Laws of the PHT require Board Trustees to abide by a "heightened standard" of ethics when it comes to the potential or even perception of a conflict of interest. Because the PHT Trustees have a unique relationship with the BCC – including sitting together in some meetings – the perception of favorable treatment could arise when Mr. Dotson appears before the BCC in another capacity, such as on a contested procurement award. Therefore, the Ethics Commission opines in **RQO 16-03** that he would have to refrain from lobbying before the BCC to remain on the PHT Board. Mr. Dotson has already resigned from the position.

A division chief in Miami-Dade's Department of Regulatory and Economic Resources pled no contest to a charge that she asked employees in her unit to perform work on her personal projects and agreed to settle an ethics complaint (**C 16-08**) filed against her. Mallika Muthiah, Chief of Air Quality Management, had two employees work on invitations to her son's wedding and asked a third to copy a CD for her on his home equipment. After being confronted with the allegations, Muthiah said she didn't think the projects would take up much time, but realized she violated the "Exploitation of official position" section of the Conflict of Interest and Code of Ethics Ordinance. The COE approved a settlement in which Muthiah agrees not to contest the allegation and accept a Letter of Reprimand.

The Ethics Commission approved a Letter of Instruction following the May settlement to a complaint (**C 16-13**) against Miami-Dade Firefighter Angel Luna, who admitted to violating outside employment rules for several years by not seeking permission for outside employment each year or filing an annual financial disclosure form, as required. The Letter noted that Mr. Luna received ethics training at least twice on those rules, so there is no excuse why he "failed to follow this simple requirement." While he has come into compliance and paid a fine, the Letter hopes to impress on Mr.

Luna and other public employees the importance of complying with the rules that mandate “transparency and accountability to protect the public trust.”

The COE dismissed a complaint (**C 16-18**) filed against South Miami Mayor Phillip Stoddard as Not Legally Sufficient because it did not identify violations of the Conflict of Interest and Code of Ethics Ordinance. The complainant had accused the mayor of misusing a photo of him with two South Miami police officers as part of his recent reelection campaign material without the permission of the policemen. The flyer made no mention of his support by police.

Also dismissed as Not Legally Sufficient was a complaint (**C 16-22**) filed against Miami Gardens Mayor Oliver Gilbert, the members of the City Council and several administration officials, complaining about flooding in the Coconut Cay community and the failure of the developer to build a promised recreational center. None of the allegations fall under the Conflict of Interest and Code of Ethics Ordinance and the Ethics Commission has no jurisdiction over a private developer.

A two-part complaint (**C 16-23**) filed against Palmetto Bay Vice Mayor John Dubois was also dismissed as Not Legally Sufficient. One part alleges that the Vice Mayor violated election laws by not providing the required disclaimer for campaign material on an email he disseminated about a proposed development. The Ethics Commission does not enforce election laws. Another issue accused Dubois of violating the Florida Sunshine Law, which under the jurisdiction of the State Attorney.

The Ethics Commission was created in 1996 as an independent agency with advisory and quasi-judicial powers. It is composed of five members, serving staggered terms of four years each. Through a program of education, outreach and enforcement, the Commission seeks to empower the community and bolster public trust.

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