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November 6, 2000

Laronda Wimberly
Department of Elections
111 N.W. First Street
Suite 1910
Miami, FL 33128

RE: REQUEST FOR ADVISORY OPINION 00-155

Dear Ms. Wimberly:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on November 2, 2000 and rendered its opinion based on the facts stated in your memorandum.

You requested an opinion regarding your ability to work as a consultant for candidates.

In your letter, you advised the Commission that you work as a computer technician for the Department of Elections. Your duties include providing statistical information regarding voters and voting patterns to candidates and tabulating election results. Some candidates require assistance in transferring statistical information from the CD-ROM format to a useable form for campaign purposes. On occasion, a candidate will ask you to help them in extracting the information on your own time using your computer resources and equipment. You would like to know if you may provide this service and charge candidates for the time and work necessary to extract the information.

The Commission found the Conflict of Interest and Code of Ethics ordinance prohibits you from serving as a consultant to candidates. Section 2-11.1(j) provides that no employee shall accept other employment which would impair his or her independence of judgment in the performance of his or her official duties. If you acted as a consultant to private candidates, it would interfere with the service that you currently provide to the public. Further, it would be a conflict for an Elections Department employee who participates in the tabulation of election results to work for any candidate. Therefore, you may not pursue outside employment as a consultant for candidates.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

If you have any questions regarding this opinion, please call the undersigned at (305) 579-2594 or Ardyth Walker, Staff General Counsel at (305) 579-2653.

Sincerely Yours,



ROBERT MEYERS
Executive Director