

POLITICAL CAMPAIGN ETHICS CONFERENCE
St. Thomas University Law School
May 16, 2014

SPONSORS: Miami-Dade Commission on Ethics and Public Trust
St. Thomas University Center for Ethics

CONFERENCE PROGRAM

7:45 – 8:15 AM **BREAKFAST**

8:15 – 8:30 AM **WELCOME AND INTRODUCTIONS**

8:30 – 9:25 AM **Voting Rights: Foiling Fraud, Protecting Access**
A presentation of contrasting views, balancing the necessity to impose anti-fraud measures, such as greater restrictions on voter ID, with the need to protect access to voting for minorities and others who may be deterred or impeded from exercising voting rights.

Moderator: Charlton Copeland, Professor, University of Miami Law School; former Chairman, Miami-Dade Commission on Ethics and Public Trust

Panelists:

Al Cardenas, Esq., Squire Sanders, LLC; Chairman, American Conservative Union; former Chairman, Republican Party of Florida; former Executive Committee Member, Republican National Committee;

Dan Gelber, Esq., Gelber, Schacter, Greenberg, P.A.; former Florida State Senator and State Representative (Democratic House Minority Leader, 2006); former Assistant U.S. Attorney, Southern District of Florida

Charles Zelden, Ph.D., Professor of History, Nova Southeastern University; Author, *Battle for the Black Ballot*; *Bush v. Gore: Exposing the Hidden Crisis in American Democracy*; *The Supreme Court and Elections: Into the Political Thicket*; *Voting Rights on Trial: A Sourcebook with Cases, Laws, and Documents*

9:30 – 10:20 AM **Absentee Ballot Fraud: What happened in the 1997 Miami Mayoral Election and what lessons have we learned since?**

A review of the historical circumstances surrounding the absentee Ballot fraud that caused the overturning of the 1997 City of Miami

mayoral election. The discussion will include an update on changes made or not made since that election affecting absentee voting in state and local elections.

Moderator: Joseph Centorino, Esq., Executive Director and General Counsel, Miami-Dade Commission on Ethics and Public Trust; former Chief, Public Corruption Unit, Miami-Dade State Attorney's Office

Panelists:

Kendall Coffey, Esq, Coffey Burlington, Attorneys at Law; former U.S. Attorney, Southern District of Florida

Patricia Mazzei, Government and Political Reporter, *Miami Herald*

Xavier Suarez, Esq., Miami-Dade County Commissioner; former Mayor, City of Miami

10:20 – 10:30 AM

BREAK

10:30 – 11:20 AM

The Third Rail: Ethnic and Racial Innuendo in Political Campaigns

A candid discussion on ethnic, racial and gender-based overtones in political campaigns, and what can and should be done about these practices by candidates, campaign staff and media.

Moderator: Helen Ferre, Political Analyst, Univision Network "Destino 2012"; Moderator, WPBT2 Public Affairs Series "Issues"; Opinion Editor, *Diario Las Americas*; Columnist, *Miami Herald*

Panelists:

Lincoln Diaz-Balart, Esq., Attorney, Diaz-Balart, PLLC; former U.S. Congressman

George Knox, Esq., Visiting Professor of Law, Florida International University Law School; Director of Non-Litigation Advocacy Programs, FIU Center for Professionalism and Ethics; former City Attorney, City of Miami

Jimmy Morales, Esq., City Manager, City of Miami Beach; former Miami-Dade County Commissioner

11:20 – 11:40

Legislative Update: 2014 Florida Legislative Session

A summary of legislation passed during the 2014 session of Florida legislature affecting political campaigns and government ethics.

Sen. Jeff Clemens, (D- Lake Worth), Member, Florida Senate Committee on Ethics and Elections

11:45 AM – 12:25 PM

BUFFET LUNCH – Law School Breezeway

12:30 – 1:00 PM

LUNCHEON SPEAKER: Chuck Malkus, President, Malkus Communications Group; Author: ***The Ultimate Ponzi: The Scott Rothstein Story***

The back story of Broward County Ponzi schemer Scott Rothstein and how he and his law firm used campaign and philanthropic contributions to penetrate and influence state and local government in Florida.

1:05 – 1:55 PM

**Campaign Cash and the Citizens United Debate:
Free Speech or Corrupt Influence?**

A one-on-one debate over the merits of the U.S. Supreme Court decision in the Citizens United case, its impact on political campaign fundraising, and its implications for government ethics.

Moderator: Robert Meyers, Director, St. Thomas University Center for Ethics; Of Counsel, Weiss Serota Helfman; former Executive Director, Miami-Dade Commission on Ethics and Public Trust

Panelists:

John Bonifaz, Co-founder and Executive Director, Free Speech for People, an organization committed to overturning *Citizens United*; former Legal Director, Voter Action; former General Counsel, National Voting Rights Institute

James Bopp, Esq., The Bopp Law Firm, P.C.; Legal Advisor for Citizens United; former Republican National Committeeman for State of Indiana; General Counsel, National Right to Life

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2:00 – 2:45 PM

BREAKOUT SESSIONS:

A. Campaign Consultants: Value or Voodoo

An examination of the use of professional campaign consultants and their impact on campaign ethics. Why are they necessary? What should candidates beware of? How can they be controlled?

Moderator: Katy Sorenson, President and CEO, The Good Government Initiative; former Miami-Dade County Commissioner

Panelists:

Vanessa Brito, Owner and Director, MYami Marketing; President, Miami Voice PAC

Daryl Glenney, Political Consultant, Palm Beach County; former Senior Associate, Matt Reese & Associates (Washington, D.C.); former Deputy Director, Democratic

National Committee; former Chief of Projects, Federal Election Commission

Robert M. Levy, Political Consultant, Robert M. Levy & Associates

B. Handling Election Media: Sparks, Snarks & Sharks

An insider's view of how the media perceives and approaches political campaigns, how candidates can maintain positive relationships with the fourth estate, and the ethical responsibilities of each side.

Moderator: Robert Steinback, Investigator, Miami-Dade Commission on Ethics and Public Trust; former *Miami Herald* columnist

Panelists:

Marc Caputo, Political Writer and Columnist, *Miami Herald*

Buddy Nevins, Website editor, Browardbeat.com; former *Sun-Sentinel* Political Columnist

Irene Secada, Political Campaign Consultant and Media Adviser

C. The Florida Elections Commission: Investigations and Enforcement Procedures

An outline of the jurisdictional authority of the State of Florida Elections Commission, its procedures for complaints, investigations and enforcement, as well as suggestions for how candidates can best handle the investigative cloud.

Moderator: Norman Ostrau, Esq., Former Chairman, Florida Elections Commission

David Flagg, Investigative Manager, Florida Elections Commission

Eric Lipman, Esq., General Counsel, Florida Elections Commission

2:45 – 3:00 PM

BREAK

3:05 – 3:50

BREAKOUT SESSIONS

A. The Election Supervisor's Guide for Candidates

An overview of the role of the Supervisor of Elections Office in managing elections to insure transparency and fairness, as well as a nuts and bolts guide to the essential legal requirements for political campaigns and campaign treasurers.

Moderator: Oren Rosenthal, Esq., Assistant Miami-Dade County Attorney

Panelists:

Dr. Brenda Snipes, Supervisor of Elections, Broward County
Carolina Lopez, Deputy Supervisor of Elections, Miami-Dade County

B. Ethical Campaign Practices: Can Nice Candidates Win?

An appraisal of the effectiveness and limits of fair campaign practice regulations. Is it possible to balance free speech against false statements and personal attacks?

Moderator: Miriam Ramos, Esq., Deputy General Counsel, Miami-Dade Commission on Ethics and Public Trust

Panelists: Joseph Geller, Esq., Greenspoon Marder; former Mayor, North Bay Village; former Chair, Miami-Dade Democratic Executive Committee

J.C. Planas, Esq., Kurkin Brandes, LLP; former member, Florida House of Representatives, District 115

Katy Sorenson, President and CEO, The Good Government Initiative; former Miami-Dade County Commissioner

C. Case Study: Prosecuting the Phantom Contributor

A case study presentation of the investigation and prosecution in Miami-Dade County of the case of State vs. Nilo Juri by those who were directly involved, illuminating the pitfalls of a common but illegal fundraising scheme.

Moderator: Larry Lebowitz, Investigator, Miami-Dade Commission on Ethics and Public Trust; former investigative reporter, *Miami Herald*

Presenters:

Carol Jordan, Esq., Special Assistant State Attorney, Office of the Miami-Dade Inspector General

Marie Perikles, Esq., Special Assistant State Attorney, Office of the Miami-Dade Inspector General

Shelby Williams, Special Agent, Office of the Miami-Dade Inspector General

3:55 – 4:55

Bush v. Gore in Retrospect: Could it happen again?

A first-hand account of what led to the electoral debacle of 2000 and its long-term impact on the integrity of American law and politics.

Moderator: Justice Gerald Kogan, former Chief Justice, Florida Supreme Court

Panelists:

Joseph Klock, Jr., Esq., Rasco, Klock, Perez & Nieto, P.L.; lead attorney for Secretary of State Katherine Harris in state and federal

court cases, including appeal to the U.S. Supreme Court, arising out of the 2000 Presidential Election

Benedict Kuehne, Esq., Law Offices of Benedict P. Kuehne, P.A., Election law attorney and counsel for Florida Democratic Party, 2000 Presidential Election

Theresa Lepore, former Supervisor of Elections, Palm Beach County

Norman Ostrau, Esq., Director, Florida Atlantic University Public Ethics Academy; former Chairman, State of Florida Ethics Commission; former Assistant Broward County Attorney assigned to election issues in 2000 Presidential election; former State Representative

4:55 – 5:00

CLOSING REMARKS, Distribution of Certificates