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Miami-Dade County Commission on Ethics and Public Trust

Memo

To: Mike Murawski, ethics advocate
From: Breno Penichet, ethics investigator
Date: April. 24, 2008
Re: K08-033 Hialeah Gardens Police Department

Background: COE opened a case looking into whether The City of Hialeah Gardens Police Administration used their position to influence a union vote. The case was initiated following a March 11, 2008 Fax from "All Sworn Officers" in which they claimed the Chief of Police, Captain M. Zardon and The Mayor made veiled threats during a several Months time period when the rank and file was in the process of choosing a new police union to represent them and negotiate a new contract.

Findings: A review of the letter sent by the officers outlines several incidents involving the above administrators. In the letter there are circumstances when the Mayor makes comments to officers that he is a strong Mayor and "His will only will be done".

Captain Zardon also made vulgar and offensive comments, threatening that the officers would be punished if the vote goes against the City. The Chief has also made changes that appear to be more of a punishment than to make the police department run more efficiently. (Refer to Letter)

According to the letter there is a hostile work environment in the department that can have an adverse effect as to the way the officers perform their work.

On March 18, 2008 COE Investigators Art Skinner and Breno Penichet met with several officers representing the Hialeah Gardens Police Dept. rank and file. During the meeting all the information in the letter was discussed also the change in policy and the changing in working hours, also discussed was the change in union

representation and the status of the negotiations. The Officers were referred to PERC which is the governmental entity in this case that has the jurisdiction to address the complaints enumerated in the officer's letter. The officers were provided the conflict of Interest and Code of Ethics Ordinance for future reference and they advised that if any conduct that is observed that falls within the ordinance they will contact the COE.

Conclusion: Accordingly, it is recommended that the above-cited be closed. It does not appear that any Ordinance within our jurisdiction has been violated.