

# COMMISSION ON ETHICS & PUBLIC TRUST



## REPORT OF INVESTIGATION

K # 11-063

Date Opened: May 4, 2011

Date Closed: April 12, 2012

Name of investigator: Kennedy Rosario

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### **Allegation:**

This investigative inquiry is predicated from information received from an anonymous source alleging that Miami-Dade Fire Rescue (MDFR) Division Chief Jerome Byrd, Jr. (Byrd) did the following in violation of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance:

1. Had unauthorized outside employment via his State of Florida corporation, Black Shield Entertainment.
2. Did not file financial disclosures as it pertains to an outside employment with St. Thomas University as a Professor/Instructor.
3. Used his assigned County vehicle to perform his outside employment duties.

### **Investigation:**

MDFR Internal Affairs was consulted as to policies regarding County/MDFR vehicle usage. Inquiries were also made to determine whether Byrd was granted permission for his outside employment.

A database search of the Florida Department of State Division of Corporations revealed an inactive and administratively dissolved (09/25/2009) corporation named Blackshield Entertainment, LLC (BSE), listing Byrd as the sole officer.

On September 1, 2011 COE Investigators met with Byrd, discussed with him the above cited allegations and requested a written response.

On September 6, 2011 Byrd, via an electronic communication, reiterated his September 1, 2011 verbal statement, to wit:

1. That he “never received any compensation from BSE”...the company “was formed as a business venture that never came to fruition.”
2. His employment “with St. Thomas University was disclosed on the proper County forms and the employment is that of a virtual (online) professor. There is no need to use my County assigned vehicle to commute to the University”.

A review of documents received from MDFR indicated that:

1. Byrd filed a Request for Outside Employment form listing St. Thomas. Said request was approved by the MDFR Director on October 25, 2010.
2. Byrd also filed a 2010 Source of Income Statement listing St. Thomas as a source of income.

During the interview, Byrd stated he served as an Adjunct Professor in the School of Leadership Studies under Dr. Hilroy Thomas, Ed.D. Efforts were made to contact Dr. Thomas over a period of many months; finally, COE Investigators were able to interview Dr. Thomas at his St. Thomas office.

Dr. Thomas corroborated Byrd’s description of his “virtual” classroom adding that all his communication with Byrd was done via e-mail or telephone, further emphasizing that Byrd had no need to be physically present at the university to complete his tasks.

Given the amount of time that ensued between Byrd's COE interview and Dr. Thomas' corroboration interview, it was noted that Byrd had exceeded the usual one year authorization for his outside employment. Byrd was advised of the need to re-file his Request for Outside Employment form. On April 12, 2012 this writer, via fax, received Byrd's 2011 Outside Employment Statement as well as his 2011 Statement of Financial Interests.

**CONCLUSION:**

MDFR Division Chief Jerome Byrd, Jr. is currently, and at the time of the anonymous complaint, in compliance with his outside employment requirements. Therefore, this case is being close without further action.