

# MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



## REPORT OF INVESTIGATION

#K12-117

Date Opened: 08/08/12

Date Closed: 08/10/12

Investigator: Sylvia Batista

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On August 7, 2012, the COE received an e-mail from Kimberly Craig (Craig), a Miami-Dade County Internal Services Department employee. Craig reported that while at the South Dade Regional Library poll place she saw a campaign worker who appeared to be a Miami-Dade County Fire Fighter handing out fliers in support of Mayor Carlos Gimenez and other candidates. Craig was handed a flier by the subject's young son who told her to vote for Gimenez. The copy of the flier given to her listed all of the candidates supported by the South Florida Council of Fire Fighters Union (the Union).

The COE's issue relates to a possible violation of the limitations on political activities of County and Municipal Officers and Employees imposed by Section 104.31, Florida Statute as well as Section 2-11.1(g), *Exploitation of official position prohibited* of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance.

**Investigation:**

A photograph of a firefighter campaigning at the South Dade poll place, while wearing a bright yellow union t-shirt, was delivered to the cellular phone of a COE investigator. The back of the t-shirt worn by the campaign worker had the words “Metro Dade Firefighter.” The person in the photograph is believed to be the firefighter seen campaigning outside the poll place by Craig.

**08/10/12 – Kimberly Craig, Procurement Contracting Officer 1, Internal Services Department –**

Craig was contacted in connection with the information provided. She said that the firefighter she saw campaigning was wearing a bright yellow t-shirt with the words “Metro Dade Firefighter” on the back. Ms. Craig was given a description of the shirt being worn by the subject in the photograph and was asked whether the t-shirt being worn by the firefighter she saw fits the description of the shirt in the photograph. Craig said that the t-shirt worn by the firefighter she spotted campaigning was also a bright yellow shirt and it might be a union shirt.

Craig advised that on 8/9/12 she was at the Coral Reef Library located next to a Miami-Dade Fire station. She reported that she saw four (4) fighters wearing the same yellow t-shirt bringing out several chairs from the fire station and placing them next to the poll workers. Craig said she does not know whether the firefighters were on or off-duty at the time and she does not know the names of any of the firefighters that she saw. She did state that the chairs they were using were county property.

**Conclusion:**

The firefighters were wearing their union t-shirts rather than any County-issued shirt or uniforms which is allowable. The fact that they were wearing a

union t-shirt may indicate that they were campaigning while off-duty. It is impossible to ascertain whether this was, in fact, the case since the identity of the firefighters is not known. Thus, this matter can be closed without further action. Should the identity of the firefighters ever become known, the case may be re-open.