



**Miami-Dade Commission on Ethics & Public Trust**

**Investigative Report**

**Investigator:** Larry Lebowitz

<b>Case No.</b> PI 13-005	<b>Case Name:</b> Pierre AB ballots	<b>Date Open:</b>	<b>Date Closed:</b>
<b>Complainant(s):</b> Jacques Despinosse	<b>Subject(s):</b> Andre Pierre	<b>06/13/13</b>	<b>06/13/13</b>

**Allegation(s):**

Despinosse, who was running for North Miami city council Seat 3, Aime, claims that Mayor Andre Pierre picked up two absentee ballots from a couple that know both Despinosse and Pierre, in violation of the new county ordinance governing the handling of absentee ballots. Pierre was informally supporting Despinosse's opponent – and the eventual winner – Philip Bien-Aime.

**Applicable Law:**

County Ordinance 12-14.

**Investigation:**

*Interviews*

- 1) Francois and Clermif Louis, 230 NE 121<sup>st</sup> Street, North Miami.
- 2) Tanjia Alexander, State Attorneys Office
- 3) Rosy Pastrana, Supervisor of Elections Office

See attached email chain for more detail.

**Conclusion(s):**

The evidence substantiates a technical violation, at best. Code only permits an individual to request, possess, hold or return up to two absentee ballots and one of those two ballots must be his own. Voters did not provide written permission for Pierre to handle, mail, or cast these two ballots.

Mitigating factors:

- 1) Pierre returned the ballot even though it was filled out for a candidate (Despinosse) he was opposing.
- 2) Louis, without provocation, said he and his wife wouldn't want to cooperate with any investigation that had the potential of causing problems for Pierre.