



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Sylvia Batista

Case No.: C14-018/ K14-019	Case Name: Demps v. Sloan-Simpkins	Date Open:	Date Completed:
Complainant(s): JL Demps, Jr.	Subject(s): Phyllis Sloan-Simpkins.	02/20/14	03/31/14

Allegation(s):

JL Demps, Jr. filed a complaint with the COE alleging that Phyllis Sloan-Simpkins, a firefighter employed by the MDR department (Sloan-Simpkins), is in violation of Sec. 2-11.1(m) for appearing before the Goulds CAHSD/PHCD Community Advisory Committee (the “Committee”) on behalf of Majestic’s Youth & Arts Academy (Majestic). In support of the allegation, complainant attached a copy of an ethics opinion letter provided by the COE to Sloan-Simpkins on 12/30/10. In the letter, Sloan-Simpkins is told that she is prohibited from making presentations on behalf of Majestic before any county board or agency. Complainant attached copies of the Committee Minutes which reflect that Sloan-Simpkins appeared on behalf of Majestic before the Committee on 10/10/12, 10/09/13 and 01/08/14.

Relevant Law:

Conflict of Interest and Code of Ethics Ordinance, Sec. 2-11.1(m) *Prohibition on appearances before County boards by certain individuals on behalf of third parties.*

Investigation:

Interviews/Contacts

03/31/14 - Phyllis Sloan-Simpkins, Fire Fighter, Miami-Dade Fire Rescue Department –

Sloan-Simpkins met with COE investigator at the COE office. Sloan-Simpkins was informed of the reason for the inquiry. Sloan-Simpkins said that she remembers getting the ethics opinion from COE former staff attorney, Victoria Frigo. Sloan-Simpkins said she was not clear on part of the opinion letter which said she could not make any presentations on behalf of Majestic. She remembers that Victoria Frigo told her she could do business of any kind, except she could not do business with the MDFRD.

Sloan-Simpkins was shown copies of the minutes of the three Committee meetings held on 10/10/12, 10/09/13 and 01/08/14 that she allegedly attended. Sloan-Simpkins said that she did attend the meetings and made presentations before the board on behalf of her non-profit corporation Majestic, but did not wear her FF uniform or drive a FR vehicle. She explained that if she does not have time to change, she puts on the purple Majestic t-shirt over her uniform. The only time that she uses the FR vehicle is when she is going to do something work related. Sloan-Simpkins said that her shift ends at 4:00 p.m. therefore, she has never had to leave work early to attend a meeting since the meetings do not start until 6:00 p.m.

Sloan-Simpkins said that in 2012, when she first brought Majestic to Goulds, she tried to partner with the Demps since they were also involved in a non-profit organization for kids. She thinks the Demps' organization is called the Optimist Foundation. However, the Demps were not interested. Mrs. Demps proposed to do grant writing for her for \$80,000 a year. Of course, she could not pay anyone. The Demps have been at the park in Goulds carrying signs telling people not to join Majestic.

Sloan-Simpkins said that she has someone whom she wants to use to make presentations on behalf of Majestic.

Document/Audio/Video Review:

03/07/14 – Attached in support of the complaint is the COE opinion dated 12/30/10 wherein Sloan-Simpkins is advised that she is prohibited from appearing before any County board or agency to make a presentation on behalf of Majestic. In the letter, Sloan-Simpkins is also reminded of the County's prohibition on exploiting one's official position in order to secure a privilege or exemption for themselves or others.

03/07/14 – The COE received an e-mail from complainant JL Demps, Jr. (Demps) attaching better copies of the minutes of the Committee meetings where Sloan-Simpkins made presentations on behalf of Majestic. Demps also attached a copy of a News Release regarding the 02/13/14 town hall meeting hosted by Commissioner Dennis Moss urging the community and law enforcement to work together. Sloan-Simpkins is seen in a photo taken during her presentation at the town hall meeting wearing a purple t-shirt.

03/07/14 - Review Minutes of the monthly meetings of the Committee held on 10/10/12, 10/09/13, and 01/08/14. The Minutes reflect that Sloan-Simpkins appeared at each meeting and made presentations on behalf Majestic in violation of Sec. 2-11.1(m), and in disregard of the 12/30/10 ethics opinion from the COE.

Notable is an appearance made by Mrs. Enid Demps at the 10/10/12 Committee meeting. Mrs. Demps advocated on behalf of complainant's nonprofit organization, Optimist Foundation of Greater Goulds. Mrs. Demps is married to complainant and is presently a member of the Committee.

03/11/14 – Review sign-in sheets for monthly meetings of Goulds Coalition of Ministers & Lay People, Inc. (GCMLP). The sheets reflect that Sloan-Simpkins signed in for the 12/11/12, 08/13/13 and 10/08/13 meetings. It is alleged by Demps that Sloan-Simpkins requested funds for Majestic at these meetings. It is further alleged by Demps that Sloan-Simpkins wore her county firefighter's uniform and drove a MDRF SUV to the 08/13/13 meeting.

03/11/14 – A public records request was submitted to Alton Sears requesting copies of audio recordings of the Committee meetings held on 10/10/12, 10/09/13, and 01/08/14. Mr. Sears is the Community Service Personnel in the CAHSD department.

03/14/14 – A public records request is submitted requesting respondent's work schedule, hours, and leave slips submitted during the relevant time periods.

03/18/14 - Demps was advised that the town hall meeting and the meetings before the GCMLP do not qualify as county board or agency meetings. Demps advised that he would file a second complaint on the issue of her appearances in uniform, using a county vehicle to drive to meetings, and conducting her private business on county time.

03/18/14 – Review of Sloan-Simpkins' PARs indicate that each of the three Committee meetings where Sloan-Simpkins made presentations were called to order after 6:00 p.m. and adjourned between 8:00 and 9:00 p.m. Sloan-Simpkins' work schedule is Monday through Friday from 8:00 a.m. to 5:00 p.m. Sloan-Simpkins did not appear at the subject Committee meetings during her county working hours.

03/21/14 – Alton Sears provided copies of audio recordings of the Committee meetings held on 10/09/13 and 01/08/14. Mrs. Sears informed that the recording of the 10/10/12 Committee meeting could not be located. The audio recordings of the Committee meetings were impossible to decipher.

Conclusion(s):

Sloan-Simpkins made presentations before the Goulds CAHSD/PHCD Community Advisory Committee on behalf of her private non-profit organization, Majestic's Youth & Arts Academy, on three separate occasions putting her in contempt of the opinion provided by the COE.

The matter is turned over to the Advocate for a Probable Cause recommendation.