



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

**Investigative Report**

**Investigator:** Karl Ross

<b>Case K14-110</b>	<b>Case Name: Pete Cabrera</b>	<b><u>Date Open:</u></b>	<b><u>Date Closed:</u></b>
<b>Complainant(s):</b> Doral Councilwoman Bettina Rodriguez- Aguilera	<b>Subject(s):</b> Pete Cabrera, candidate for Doral City Council	Oct. 30, 2014	<b>CASE CLOSED</b> Date: 10/15/2015

**Allegation(s):**

In an Oct. 30 e-mail to COE Executive Director Joseph Centorino, Doral City Councilwoman Rodriguez alleged that her opponent, Pete Cabrera, offered improper inducements to student campaign workers in the form of inflated community service hours. She claimed that students working for Cabrera's campaign tried to lure away students working on her campaign by claiming that Cabrera would give them a higher amount of community service hours.

Councilwoman Rodriguez alleged that her political opponent – then candidate Pete Cabrera, (Cabrera won the election) – improperly awarded community service hours to students serving as volunteers on his political campaign. The alleged incident took place in front of the Miami-Dade County Elections Department offices on NW 87<sup>th</sup> Avenue on or about Oct. 26.

Councilwoman Rodriguez alleged that students supporting Cabrera “began taunting” her student volunteers and “suggested that if they would go to Cabrera’s campaign they would get 20 community service hours for every 5 they worked and other things.”

Ms. Rodriguez further stated Cabrera approached the students and that she did the same and got into an argument with him, alleging Cabrera behaved in a “hostile, intimidating” manner.

Former Councilwoman Rodriguez also forwarded to COE an e-mail from the mother of one of her student volunteers in which she claims her daughter “had to witness the bribes that the students from Candidate Cabrera were trying to entice upon them [sic].”

**Relevant Ordinances:**

Councilman Cabrera was not an elected official at the time of the alleged misconduct, so the Miami-Dade Ethics code would not have been applicable at the time.

**Investigation:**

*Interviews*

Bettina Rodriguez-Aguilera  
Phone: (305)316-3746

On Oct. 31, 2014, Councilwoman Rodriguez was interviewed regarding the alleged incident in front of the Doral headquarters of the Miami-Dade County Elections Department on NW 87<sup>th</sup> Avenue. She advised the principal of Ronald Reagan Sr. High School, Juan Carlos Silvia, looked into the matter, and found the allegations against Cabrera “were all true.”

Rodriguez said that, as a result, students are no longer allowed to receive community service hours in exchange for volunteering on political campaigns. She advised both she and Cabrera will be holding press conferences this afternoon, with Cabrera allegedly claiming his “civil rights were violated” as a result of the incident and subsequent inquiry.

Rodriguez recited a statement from District 5 School Board member Susie Castillo, expressing her “disgust” over the matter and criticizing Cabrera for his alleged conduct. She advised she would forward a copy of her press release to COE for review.

Juan Silva, principal  
Ronald Reagan Sr. High School, 8600 NW 107<sup>th</sup> Ave  
Dec. 16, 2014

Mr. Silva advised that the dispute over community service hours was brought to his attention, and that he did conduct an inquiry. He said that he interviewed the student organizer who was recruiting students for the Cabrera campaign and that she admitted to him that students were receiving 20 community service hours for one day’s worth of service. He said the student – a senior at the school – also showed him a Facebook feed in which students were invited to come out to volunteer on the campaign on Sunday Oct. 26 in exchange for 20 hours of credit toward meeting the school district’s community service requirement.

Mr. Silvia said the same student put signs up around school telling students they could earn community service hours, without specifying they would be working on a political campaign.

He said the community service hours are turned in on worksheets submitted to the students' guidance counselors. He said the students are not required to report with any specificity when the community service hours were earned. So no exact schedule is provided. He said he did observe that the students who volunteered for the Cabrera campaign seemed to be given far more community service hours than those volunteering on the Rodriguez campaign.

Based on his findings, Mr. Silva said he contacted the school district's legal department, and sought an opinion as to whether students should be allowed to receive credits for working on political campaigns. He said he was advised that the students would not be eligible, and as a result decided to put a stop to this practice, leading to protest by now Councilman Cabrera.

Mr. Silva said that, as a result of this action, Cabrera held a press conference across the street from the school, and accused him of "interrogating the kids" and preventing them from learning about the political process. He said about 20 to 30 kids participated in each of the respective campaigns of Councilman Cabrera and former Councilwoman Rodriguez. He said he would need permission from his board of directors to release the name of the female student who served as the main recruiter for Cabrera's campaign and any forms relating to the community service hours that were turned into the guidance counselors.

On January 7, 2015, a follow-up text message was sent to Principal Silva regarding the request for information relating to the alleged inflation of community service hours.

On January 30, 2015, follow-up phone messages were left on Mr. Silva's cell phone and on the voice mail of his assistant, Maritza Nieblas.

On February 9, 2015, COE left a message on Mr. Silva's cell phone and with his assistant's voice mail. He was advised a subpoena would be requested if calls were not returned.

On Feb. 9, 2015, COE spoke to Alicia Corraera, mother of student Angelica Maria Ballestas, and requested an interview with the minor. Ms. Corraera indicated this would be okay with her, stating that her daughter was active in student government and was willing to give a statement. She said her daughter would turn 18 in April. A statement was set for Feb. 17.

On Feb. 9, 2015, Mr. Silva replied to the messages and stating that he would like to have a subpoena in order to provide the requested information.

He stated that he did not make a summary of any investigative findings, but did issue a cease-and-desist directive after consulting the school board's attorney. He said he was advised of a state policy not to permit students to receive community service hours for political campaigns. He said he did observe that students volunteering for the Pete Cabrera campaign did have a "disproportionate" number of community service hours compared to the students who volunteered for his opponent's campaign. He said he did not quantify this disparity. "They were giving away a lot of hours," Silva said with respect to the Cabrera campaign.

Mr. Silva said the documents in question are Community Service Project Reports, and consist of a Summary and Activity Log for the hours worked on letterhead of the organization

awarding the hours. He said staff would have to review submittals to flag the reports issued by the political campaigns. He said he would like a subpoena to expedite the process. He also stated he would copy and send a copy of a flyer advertising the hours for the Pete Cabrera campaign, with contact information for a student representative of said campaign.

On Feb. 17, COE interviewed Reagan High Senior High student Angelica Ballestas, who said she was a senior at the school and finalist for the Silver Knight award. Ms. Ballestas, who said she plans on studying law and pursuing a career in politics, said she spent about three weeks as a volunteer for the Bettina Rodriguez political campaign.

She said she was present during an incident on Sunday Oct. 26 in front of the Miami-Dade Elections Department headquarters building on NW 87<sup>th</sup> Avenue in Doral. She said she was part of a group of about 10 students working for the Rodriguez-Aguilera campaign, handing out candy, glow sticks and "safety kits" to people showing up for early voting. She said Cabrera had a much larger group of as many as 30 student volunteers.

Ballestas said her group spent a long morning at the polling site, and that then Councilwoman Rodriguez-Aguilera told the group to take a break and to meet at Anthony's Pizza across the street for lunch. As they were leaving, she said then candidate Cabrera called over a group of the student volunteers consisting of about five boys, all of them underclassmen.

Ballestas said that when the students arrived at the restaurant for pizza, they told the other students they were going to work for the Cabrera campaign because the Rodriguez-Aguilera campaign "didn't give enough hours." They said they could get a lot more hours working for the Cabrera campaign. She said one of the other student volunteers – Victoria—asked, How many? And that the boys answered that they would get 100 to 200 hours for the day. She said one of the boys told the group, "This shows the only way to win is to play dirty."

Ballestas said this bothered her because she had no expectation of getting extra hours, other than the hours she worked, prompting her to complain to the principal of the school. She said that on or about the following week, she had a conversation with a male student who worked on the Cabrera campaign who told her that he received 100 hours for his involvement with the campaign, telling her that she should have done so too because it was "easy hours."

Ballestas advised that none of the students who spoke to Cabrera returned to the Rodriguez-Aguilera campaign. She said their names should be on a list kept by "Maricruz," who acted as a secretary for the Rodriguez-Aguilera campaign. She further stated that she never submitted her hours after the principal of the school declared such hours were not consistent with the schools policy for earning community service hours. She said most students are required to put in 60 hours and that those participating in the Cambridge Program must work 100 hours.

Luis Garcia, school board attorney  
Miami-Dade County Public Schools  
Phone: (305) 995-1304  
March 18, 2015

Returned phone messages from Mr. Garcia and his assistant, Carlota Noguera, about request for an extension for the delivery of subpoena items. COE was advised that each student at the school's files had to be individually searched and that 17 students who received community service hours relating to the political campaign had been found thus far. They noted that all personal identifiers would be removed from the documents.

On March 18, COE re-contacted Bettina Rodriguez-Aguilera and asked that she look for any list of student volunteers kept by her campaign. She said she would check her files.

***Document/Audio/Video Review:***

Media coverage of the campaign in the Miami Herald and other publications was reviewed, including the following article posted on 10/31/14,  
<http://www.miamiherald.com/news/local/community/miami-dade/doral/article3500921.html>

On March 31, 2015, COE received items in response to a subpoena issued by this agency for records detailing community service hours for students working on the Pete Cabrera political campaign. The names of the individual students were redacted.

The Community Service Project Reports awarded hours as follows:

- Student #1, 39 hours
- Student #2, 63 hours
- Student #3, 73 hours
- Student #4, 20 hours
- Student #5, 42 hours
- Student #6, 60 hours
- Student #7, 104 hours
- Student #8, 82 hours
- Student #9, 60 hours
- Student #10, 33 hours
- Student #11, 130 hours
- Student #12, 22 hours

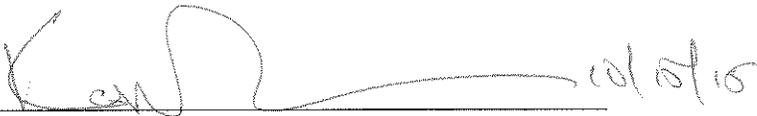
The average number of hours worked per student volunteer was 60.67 hours, and the period of time stated on the reports was late August through the end of October.

**Conclusion(s):**

Based on the available evidence, it cannot be determined whether the Pete Cabrera campaign inflated the number of community service hours for student volunteers. While the average number of hours allegedly worked by the volunteers seems high – more than 60 hours each – the hours were allotted over a period of as much as 10 weeks, and as a result the number of hours reported cannot be refuted without direct evidence to the contrary.

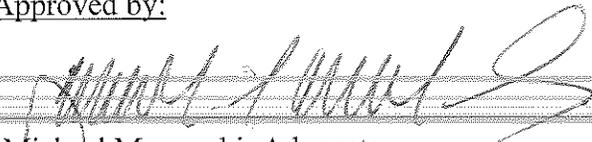
The fact that personal identifiers were redacted from the Community Service Project Reports further impedes the investigation in that it makes it difficult, if not impossible, to interview potential witnesses and corroborate the number of hours worked.

The results of this investigation were shared with the Miami-Dade County Office of the Inspector General, which has jurisdiction over Miami-Dade County Public Schools, and has authority to audit programs such as those requiring community service hours. The OIG advised on Oct. 13, 2015, that it did not open an inquiry relating to this matter. Accordingly, this matter should be closed with no further action.

Handwritten signature of Karl Ross, dated 10/15/15.

Karl Ross, COE Investigator

Approved by:

Handwritten signature of Michael Murawski.

Michael Murawski, Advocate

Handwritten signature of Joseph Centorino, dated 10/15/15.

Joseph Centorino, Executive Director