



Miami-Dade Commission on Ethics & Public Trust

Preliminary Inquiry Report

Investigator: Breno Penichet

Case PI 15-048	Case Name: Complaint letter from employee in CIAO	Date Open: October 26, 2015	Date Closed: November 9, 2015
Complainant(s): Jorge Roque	Subject(s): Carol Higgins	CASE CLOSED	
		Date: <u>12/14/2015</u>	

Allegation(s):

The COE received information in a letter from, an employee of the Miami-Dade Community Information and Outreach department (CIAO). The employee alleges wrongdoing by an Executive Producer. The employee advised that while searching a shared folder on MDTV computer system called "MDTV share" he located a folder maintained by the producer containing "2015 Freelance Projects" that appeared to have been done during working hours.

Relevant Ordinances:

Exploitation of official position, Sec. 2-11.1(g), Miami-Dade Conflict of Interest and Code of Ethics Ordinance.

Investigation:

Interviews

Mr. Jorge Roque (Roque) is a part-time videographer assigned to the Miami-Dade Community Information & Outreach Department (CIAO) also known as MDTV. Roque advised he was hired as a temporary employee and became a part-time employee as of July 2013.

Roque advised that on October 21, 2015, after completing an assignment he searched a shared folder on the MDTV computer system called "MDTV Shared" and located a folder maintained by Executive Producer Carol Higgins (Higgins) titled "2015Freelance Projects containing approximately 30 gigabytes of data.

Roque advised that he searched the files and found several freelance projects and various voice over projects which appear to have been either created or modified on weekdays during normal working hours in the past year. Roque advised that his review showed, the projects were created or modified for private clients such as Royal Caribbean Cruise Lines, Ryder and Baptist Hospital.

Roque also pointed out that some of the software used on the projects, such as Adobe Premiere, which is an editing software program, and Adobe Audition are programs used by his department to create videos and slideshows, along with audio projects. Roque did advise that he thinks Higgins may have some of the same software available to her in her home computer. Roque stated that he has brought this information to the attention of his department Director and Assistant Director. Roque also advised that he provided this information to the OIG including a thumb drive with all the pertinent files.

According to Roque, the Assistant Department Director Ms. Aimee Martinez (Martinez) is conducting an investigation.

Ms. Aimee Martinez
Assistant Director
Community Information and Outreach

Ms. Aimee Martinez (Martinez) CIAO / MDTV voluntarily agreed to meet with COE investigator Penichet and provide information regarding this investigation. Martinez advised that she conducted an administrative investigation as a result of Roque's allegations, in which she documented the findings. Martinez advised she reviewed the files and found that in fact there was evidence of work that was done during work hours by Higgins, for private clients. Martinez advised that she interviewed Ms. Carol Higgins (Higgins) the subject of the allegations, and Higgins did acknowledge the work was hers and tried to justify it by stating it was done during her lunch hour or break times. Martinez advised that Higgins then submitted her resignation effective October 30th 2015.

Martinez provided a final copy of the report the investigation submitted to Human Resources.

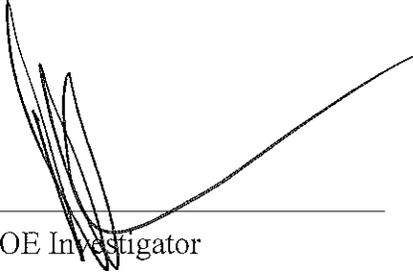
Document/Audio/Video Review:

1. E-Mail from Jorge Roque MDTV dated 10/27/2015, with original allegations.
2. Request for Outside Employment form signed by Higgins dated 01/21/2015, and approved.
3. OIG referral memo/ C# CR-1032-1516-P dated November 10th 2015.
4. News article reference investigative report by WSVN
5. Administrative report of investigation sent to Human Resources Director Arleen Cuellar, by Director Communications Department Inson Kim. Dated December 9th 2015.

Conclusion(s):

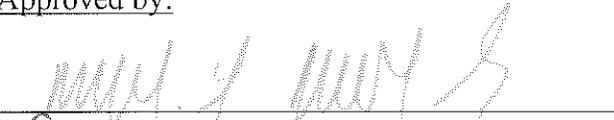
All the information obtained was discussed with Advocate Michael Murawski, who determined that no further action would be taken since Higgins resigned following an internal departmental investigation, and is no longer a County employee. Accordingly, it is recommended that the above case be closed.

(Signature)



Breno Penichet, COE Investigator

Approved by:



Michael Murawski, Advocate



12/16/15

Joseph Centorino, Executive Director