



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Nilda Olmo

Case: PI 16-12A	Case Name: Michael Harris	<u>Date Opened:</u> March 24, 2016	CASE CLOSED 4/8/16
Complainant(s): Internal Service Department	Subject(s): Michael Harris, Office of Management and Budget Department		

Date: _____

Allegation(s):

On March 23, 2016, the Commission on Ethics & Public Trust (COE) received a referral from the Miami-Dade County Office of the Inspector General (OIG) regarding the misappropriation and mishandling of Funds by Michael Harris (Harris), Ref. IG15-09-B.

Relevant Law:

Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Sec. 2-11.1 (g) *Exploitation of official position prohibited.* No person included in the terms defined in Subsection (b) (1) through (6) and (b) (13) shall use or attempt to use his or her official position to secure privileges or exemptions for himself or herself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.

Investigation:
Records Review

According to the information provided by OIG, Harris has been employed with Miami-Dade County since 2006, when he started with the Finance Department. In 2010, Harris transferred to the Internal Services Department (ISD) Parking Division, as an Account Clerk. His responsibilities included collecting and processing parking fees paid by monthly parking patrons. Approximately 4 years later in August 2014, he transferred to the Office of Management and Budget Department (OMB) holding the position of Account Clerk. When the investigation was initiated, Harris was working at OMB.

As noted in the OIG report, at the request of ISD, the OIG worked in conjunction with Miami-Dade Police Department and Miami-Dade State Attorney's Office initiating an investigation into the mishandling of funds by the ISD Parking Office staff. The report referred to the COE focuses particularly on Harris. Evidence relating to the crime of theft was provided to the Miami-Dade State Attorney's Office, and after consulting with the prosecutors, Lead Detective and OIG Investigator, they determined that due to the lack of reliable accounting records from the Parking Office as well as the equal opportunity all of the employees had to steal the money, the charge of theft could not be proven beyond a reasonable doubt, against Harris. However, there was enough evidence showing Harris did violate various employment personnel rules. Furthermore, evidence also showed that Harris was helping himself to "pay-day-loans" at the County's expense. According to Harris he did pay back the money "borrowed".

It was determined by the OIG investigations, that Harris misused his position for personal gain and recommended that the OMB Director review their findings and consider administrative action against Harris. OIG requested that administrative action be taken and ISD provide them with its determination within 30 days.

Attachments:

- OIG final report, to include Harris's response with attachments.
- Jennifer Moon, Director-OM, Letter of Suspension and DAP on Harris.

Interviews:

Upon review of the above-captioned referral, this Investigator contacted Erika Lucian, Administrative Operations Specialist for OMB. I was informed that they were in the process of determining what actions would be taken toward Harris and once a Disciplinary Action Report (DAP) was available, it would be provided to us.

On March 30, 2016, in response to the OIG final report, OMB provided us with the DAR and letter of Suspension for Harris. Harris was suspended for one day without pay. Furthermore, he was advised that any other violations of Miami-Dade County Personnel Rules and policies may result in severe disciplinary action, "up to and including dismissal from County services."

Conclusion:

In light of the disciplinary action taken against Harris, no further action will be taken on this matter.

(Signature)

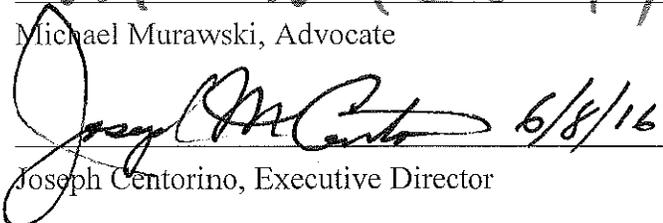


Nilda Olmo
COE Investigator

Approved by:



Michael Murawski, Advocate



Joseph Centorino, Executive Director