



Miami-Dade Commission on Ethics & Public Trust

Report of Inquiry

Investigator: Sylvia Batista

Case: PI 16-023	Case Name:	<u>Date Opened:</u>	<u>Date Closed:</u>
Complainant(s): Anonymous,	Subject(s): Malory Roger.	05/23/16	CASE CLOSED

Date: 7/5/2016

Allegation(s):

On or about 05/20/16, the COE received an anonymous complaint regarding Malory Roger (Roger), a former Special Projects Administrator II at the Miami-Dade County Community Action and Human Services Department. Roger left the county in August of 2015. While employed by the County, Roger was involved with the award and administration of a \$58 million federal grant awarded to Partners for Better Opportunities (P4BO), a private entity. The grant was to be used for an Early Head Start program and free child care. Roger was involved in the approval process leading to the grant. Her job included signing off on the pay packages submitted by the grantee to the County to account for the expenditure of the grant.

Roger is alleged to have left the County sometime after the grant award to P4BO and immediately proceeded to contract with that organization preparing documentation for payment packages submitted by that organization, to her previous employing agency. It is alleged that Roger has created her own company for the contracting that she is doing, and has also established her own day care center.

Relevant Law:

Conflict of Interest and Code of Ethics Ordinance, Section 2-11.1(q) *Continuing application for two years after county service.*

Prohibits a former County employee from lobbying the County for two years after his or her County service; and

Conflict of Interest and Code of Ethics Ordinance, Section 2-11.1(h) *Prohibition on use of confidential information.*

Prohibits employees from disclosing confidential information acquired by reason of an employee's official position with the County, or from using such information directly or indirectly for his or her personal gain or benefit.

Investigation:

Document Review and Research -

08/18/15 – E-mailed Inquiry from Roger to the COE requesting an ethics opinion as to whether she can do contractual work with County vendors within two years after she has departed her County employment. Roger explains that in her current situation, she manages the Head Start and Early Head Start grant financially and does business with delegate agencies. Since she announced her departure, a few of the agencies wish to contract with her so that she can assist them with their financial books and conduct training of fiscal staff. She would be doing this under her personal business after her imminent departure from the County. She will not be lobbying.

08/19/15 – E-mailed reply to inquiry (INQ 15-184) from COE Staff Attorney Martha Perez (Perez) to Roger. Perez advised that Section 2-11.1(q) of the County's Ethic Code prohibits a former County employee from lobbying the County for a contract, either for herself or on behalf of an employer, for two years after his or her County service has ended. However, the Ethics Code would not prohibit a former employee from working for a County vendor or becoming a County vendor herself for two years after her separation from the County.

In her reply, Perez cautions Roger that Section 2-11.1(h) of the County's Ethics Code prohibits employees from disclosing confidential information acquired by the employee's official position with the County, or from using such information directly or indirectly for his or her personal gain or benefit.

Interviews:

06/27/16 – Malory Roger, President of The Roger Institute, Inc. -

Roger was contacted by the COE investigator and asked to come in to answer a few questions in connection with the inquiry. Roger was informed of the inquiry being conducted by the COE which resulted from an anonymous informant. Roger said that she believes that she knows who the anonymous person who called the COE is. Roger explained that when word got out that she was leaving her County position to go on her own, several not-for-profit firms who she was dealing with contacted her and asked for her help. Some of these not-for-profits became her clients. More recently, some of those clients have told her that the woman presently filling her position, Marie Joseph, has emphatically offered to provide them the same services provided by Roger at no charge.

Roger said that she has brought this information to the attention of Cathleen Armstead and the Director of the Department, Lucia Raiford-Davis.

Roger agreed to come into the office to provide a more thorough statement.

06/29/16 – Malory Roger, President of The Roger Institute, Inc. –

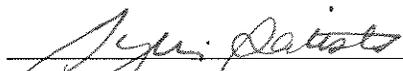
Roger met with the COE investigator as requested. Roger explained that the grant given to P4BO was for \$4 million. Roger said that she did not receive any funds for any purpose since she resigned her County position in August of 2015. Roger advised that she has not done any lobbying at the County since she resigned her position. Roger further said that she has gotten all of her present clients on her own—they were not former County clients. All of the contracts that she presently has are dated from after she resigned her position with the County.

Roger explained that in her present business, The Roger Institute, she helps her customers get their finances organized. Roger said that she helps them gather invoices and proof of payments pursuant to the specific requirement of the governmental entity.

Roger began a childcare business in 2012 and another in 2016. Neither one of her daycare businesses have received funds from the County. Her childcare businesses receive money from the United Way program, Early Learning Coalition and School and Childcare Food Program. The name of her childcare business is Un Monde Nouveau, Inc.

Conclusion(s):

The investigation did not uncover any violations of the Conflict of Interest and Code of Ethics ordinance and should be closed.

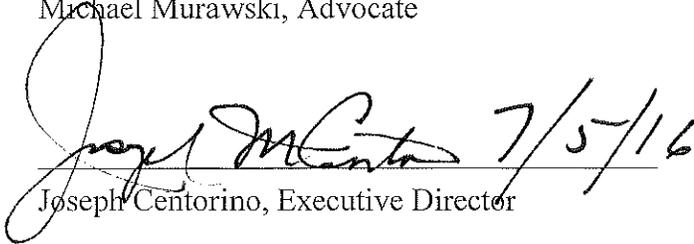


Sylvia Batista, COE Investigator

Approved by:



Michael Murawski, Advocate



Joseph Centorino, Executive Director