



CASE CLOSED
Date 12/3/2016

Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Karl Ross

Case: PI 16-031	Case Name: Nadine Lewis Sevilla	<u>Date Open:</u>	<u>Date Closed:</u>
Complainant(s): City employee	Subject(s): Nadine Lewis Sevilla	June 27, 2016	

Allegation(s):

It was alleged that North Miami Beach HR Director Nadine Lewis Sevilla may have exploited her official position by preparing a personal document on her city computer.

It was further alleged that Lewis Sevilla may have further incurred in a violation of law by ordering a subordinate to falsify a real estate document.

Relevant Ordinances:

Miami-Dade County Code, Sec. 2-11.1(g), Exploitation of official position prohibited, stating in applicable part that no person ... "shall use or attempt to use his official position to secure special privileges or exemptions for himself or others ..."

Investigation:

Interviews

A North Miami Beach City employee was contacted by this investigator on or about June 28 to discuss the allegations against Ms. Lewis Sevilla. She was asked whether there was more to the alleged exploitation than the isolated use of a city computer for personal business, with respect to the rental agreement Lewis Sevilla was alleged to have prepared. The employee advised that she was not aware of any further use or misuse of the computer aside from the preparation of the lease.

She further advised that the employee who was allegedly asked to sign the agreement on behalf of Lewis Sevilla's husband was fearful of losing her employment should she be required to give a statement to investigators.

Asked whether she had knowledge of any fraudulent intent on the part of Lewis Sevilla with respect to the rental agreement, or whether the employee in question was directed to sign the lease for the sake of convenience-- as opposed to something being done with the intent of harming the husband's interests--she responded that, as far as she knew, there was no intent to defraud the husband or harm his interests with respect to the alleged falsification of the husband's signature.

Conclusion(s):

Based on the follow-up interview with the complainant, there does not appear to be sufficient justification to proceed with this inquiry as incidental personal use of a computer typically does not rise to a level warranting formal enforcement action by this agency – unless it can be demonstrated that there is part of a pattern of more widespread abuse or can be shown to be connected with a financial interest.

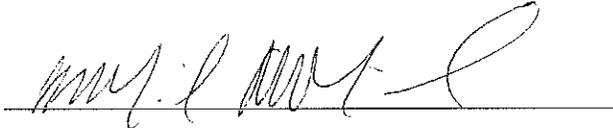
The employee was further advised that falsifying a signature on a business document – as she had alleged – could be a potential criminal matter but was not within the purview of this agency. She was advised that, absent any fraudulent intent, criminal charges were unlikely but that she was free to refer the matter to the state attorney's office if she so desired.

The employee indicated she understood the risks and limitations of making a formal inquiry into the allegations referenced in her June 27 email. She was asked to re-contact COE with additional information should she believe any abuse or misconduct was ongoing.

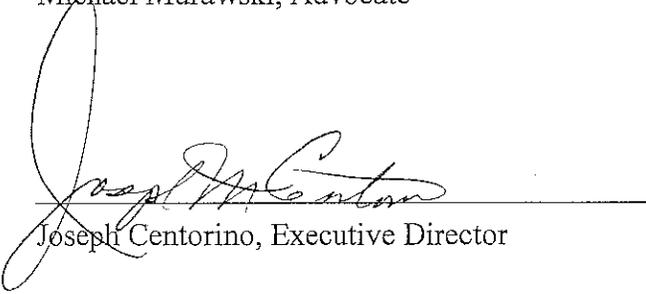
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Karl Ross, COE Investigator

Approved by:

A handwritten signature in cursive script, appearing to read "Michael Murawski", written over a horizontal line.

Michael Murawski, Advocate

A handwritten signature in cursive script, appearing to read "Joseph Centorino", written over a horizontal line.

Joseph Centorino, Executive Director