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MIAMI-DADE COUNTY, FLA.
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MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: RANDOLPH AIKENS /

C 12-28

**PUBLIC REPORT
AND
FINAL SETTLEMENT ORDER**

The advocate for the Miami-Dade Commission on Ethics filed this complaint against Randolph Aikens, a code enforcement officer with the City of Opa-locka. The complaint alleged that Aiken had been engaged in unauthorized outside employment and had not filed outside employment income statements from at least 2009 forward. If true, respondent's actions could violate Section 2-11.1 (k) of the County Ethics Code, *Prohibition on outside employment and disclosure requirements*.

The Ethics Commission learned that Aikens owned a private security company, Executive Protection Security Enforcement (EPSE), which was providing security services at Opa-locka's Sherbondy Village Community Center. Further investigation indicated that respondent Aikens had been sleeping during regular business hours when he should have been working as a city code enforcement officer. Instead, he was purportedly working nights in his private capacity as the owner-employee of the EPSE security company at the Sherbondy Village Community Center. From at least 2009 forward, respondent Aikens had not obtained permission to engage in outside employment and had not disclosed outside employment income annually.

Pursuant to the Code of Miami-Dade County at Sec. 2-1068, the jurisdiction of the Ethics Commission extends "to any person required to comply with the County or municipal

Code of Ethics Ordinances....” The County Ethics Code at Sec. 2-11.1(a) extends the jurisdiction of the County Ethics Ordinance to municipal employees.

On July 18, 2012, the advocate filed this complaint with the Ethics Commission charging respondent with three counts of failing to file outside employment income statements for work provided through his private security company to the Sherbondy Village Community Center.

On September 25, 2012, as part of a settlement agreement, Aikens pled no contest to the second and third counts filed against him (*i.e.*, failure to file outside employment income statements in 2011 and 2012). He also agreed to pay a fine of \$1,000, to pay investigative costs of \$500, and to accept a letter of instruction in this matter. In return, the Ethics Commission agreed to dismiss the first count against Aikens (failure to file an outside employment income statement in 2010) upon receipt of payments totally \$1,500 within 30 days.

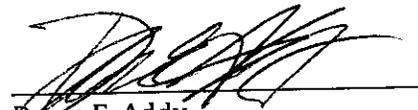
Therefore it is:

ORDERED AND ADJUDGED THAT the complaint against Randolph Aikens is hereby settled.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on September 25, 2012.

MIAMI-DADE COUNTY COMMISSION ON ETHICS &
PUBLIC TRUST

By:



Dawn E. Addy
Chair

Signed on this date:

10/30/2012