

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST

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MIAMI-DADE COUNTY, FLA.
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FILE COPY

In re:

C 19-33-09

Lawrence "Larry" Roth

PUBLIC REPORT AND FINAL ORDER

The complainant, William Rea (Rea), a candidate for the City of Homestead Council, filed this complaint against City of Homestead Councilmember and political opponent, Larry Roth (Roth), alleging that Roth violated §§165.043 and 496.415, Fla. Stats., by using the City trademark logo and City official website photograph on campaign material which was circulated through his personal Facebook page.

The Ethics Commission does not have jurisdiction over Florida Statutes. This allegation was investigated under an alleged violation of Section 2-11.1(g) of the County Ethics Code, *Exploitation of official position*.

Investigation revealed that the material appearing on the Facebook site was not campaign material but rather, a flyer for Bahamas relief efforts, depicting the pictures of nine government officials and their respective governmental seals, which was created by the office of a State Representative, not Roth. Furthermore, the photo depicted on the flyer was not obtained by Roth and is readily available by the general public. Therefore, there is no evidence to sustain a violation of the County Ethics Code.

On November 13, 2019, the Ethics Commission accepted the Staff Attorney's recommendation and dismissed the complaint for lack of probable cause.

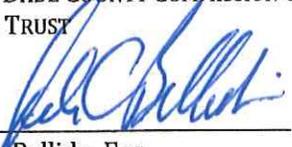
Wherefore it is:

ORDERED AND ADJUDGED that COMPLAINT C 19-33-09 against Respondent Larry Roth is hereby concluded.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on November 13, 2019.

MIAMI-DADE COUNTY COMMISSION ON ETHICS &
PUBLIC TRUST

By:


Nelson Bellido, Esq.,
Vice-Chairman

Signed on this date: 11/19/2019