

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
CLERK OF THE BOARD

2019 NOV 21 AM 11:45

In Re: CLERK, CIRCUIT & COUNTY CT
MIAMI-DADE COUNTY, FLA.
#1



FILE COPY

C 19-37-09

Scott Demby

PUBLIC REPORT AND FINAL ORDER

The complainant, Javier Diaz (Diaz), a City of Doral police officer, filed this complaint against Sergeant Scott Demby (Demby) alleging that Demby retaliated against him for "blowing the whistle" by reporting inappropriate conduct of a supervisor. Specifically, the alleged retaliation consisted of Demby issuing a memorandum to Diaz's file "insinuating that [Diaz] did not follow policy."

The Ethics Commission determined that the complaint alleges whistleblower retaliation in violation of Section 2-56.28.17 of the Miami-Dade County Code of Ordinances (the Employee Protection Ordinance), which extends protection from prohibited adverse personnel action committed against County employees, not municipal employees.

A legally sufficient complaint exists where there are allegations of violations within the jurisdiction of the Ethics Commission. The allegations set forth herein do not rise to actions enforced by or within the legal authority of the Ethics Commission.

On November 13, 2019, the Ethics Commission accepted the Staff Attorney's recommendation that the complaint was not legally sufficient and dismissed the complaint.

Wherefore it is:

ORDERED AND ADJUDGED that COMPLAINT C 19-37-09 against Respondent Scott Demby 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

Final Order

In re: Demby

C19-37-09