



Via First Class Mail
and
email at jskinner@goldenbeach.us

December 9, 2010

ETHICS COMMISSIONERS

Kerry E. Rosenthal, CHAIRPERSON
Dawn E. Addy, VICE CHAIRPERSON
Charlton Copeland
Judge Seymour Gelber
Nelson Bellido

ROBERT A. MEYERS
EXECUTIVE DIRECTOR

MICHAEL P. MURAWSKI
ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

James N. Skinner, Chief of Police
Golden Beach Police Department
One Golden Beach Drive
Golden Beach, FL 33160

Re: **INQ 10-190**

Dear Chief Skinner:

In correspondence to our office on November 17, 2010, you requested ethics opinions on the following topics:

ISSUE 1: You asked if a Town police officer could engage in outside employment through his privately owned company that schedules police officers for off-duty or extra-duty employment.

Under the County Ethics Code, a government employee may engage in outside employment, but only with the permission of his/her supervisors and only if the outside employment does not impair the employee's independence of judgment in the performance of his/her public duties. *See* County Ethics Code at Sec. 2-11.1 (j).

Please note, however, that the Ethics Code prohibits a government employee from transacting business with the department he/she works for. Therefore, a Town of Golden Beach police officer cannot enter into contracts directly with the Town of Golden Beach Police Department, but he/she may enter into contracts with individual police officers employed by the Town of Golden Beach Police Department as well as with police officers and police departments in jurisdictions other than Golden Beach. *See* County Ethics Code at Secs. 2-11.1 (c) and (d).

Sec. 2-11.1 (k) of the Ethics Code requires that all municipal employees engaged in outside employment file outside employment statements with their respective municipal clerks by July 1st of each year.

ISSUE 2: You asked if the Ethics Code prohibits a supervisory rank Town police officer from working off-duly or extra-duty employment in a subordinate role to a lesser rank Town police officer.

The County Ethics Code does not address this issue.

ISSUE 3: You asked if the Ethics Commission recommends for or against extra-duty employment being contracted through the local government unit that employs the officer.

Again, the Ethics Code does not address this issue, and, consequently, the Ethics Commission has not opined on it.

I'm sorry that we could not address all of your questions. Please do not hesitate to contact us again if we can clarify any of those issues that fall within the scope of the Ethics Commission.

Sincerely,



VICTORIA FRIGO
Staff Attorney

Copies: Alexander Diaz, Town Manager, at alexdiuz@goldenbeach.us
Steve Helfman, Town Attorney, shelfman@wsh-law.com