



**NORTH MIAMI - NMB**

## North Miami Beach Commissioner Frantz Pierre guilty of 'appalling' ethics violation

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At the end of a five-hour hearing, North Miami Beach Commissioner Frantz Pierre was found guilty Thursday of exploiting his official position when he attempted to leverage his seat on the City Commission to avoid being cited for code violations at his home.

In a unanimous decision, the Commission on Ethics and Public Trust found that in 2015 Pierre had attempted to intimidate a female compliance officer with his official title, and threatened her job should she not look the other way when passing his residence.

"He intentionally used his position to frighten this woman," said Vice Chair Nelson Bellido in his final remarks. "That is appalling."

The commission slapped Pierre with the harshest penalty an ethics violation of that sort can incur: a \$1,000 fine, a formal letter of reprimand, and responsibility for up to \$500 of costs incurred in the case.

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"This is not a trivial matter," said Joseph Centorino, the ethics commission's executive director. "Any time an elected official uses his office to attack public servants in an attempt to avoid being held accountable for any legal violation, the public trust is seriously undermined."

The decision is another blow to the embattled commissioner, who lost his seat in January due to chronic absenteeism resulting from an ongoing health condition. He was reinstated to the commission in early May, pending a court decision on wrongful removal. Pierre also remains under criminal investigation by public-corruption investigators in a separate matter.

The ethics commission's verdict was based almost entirely on the testimony of Tasheema Lewis, a former code enforcement officer for North Miami Beach, who calmly responded to questions for nearly two hours Thursday.

According to her testimony, in February 2015, less than two months into the job, Lewis noted two code violations at Pierre's residence in North Miami Beach — a car with a flat tire in the driveway and a moldy, dilapidated fence that had a few boards loose. The owner was given 15 days to rectify the problems. After a second inspection found that the violations still had not been taken care of, a hearing was scheduled and a notice was sent to Pierre.

On April 30, 2015, she returned to Pierre's home to deliver a notice of hearing and was confronted by Pierre's wife. Marie Pierre was "visibly upset" and told Lewis she was harassing the home of the commissioner as part of an ongoing scheme to discredit him. Lewis said she had never heard of such a thing and was just doing her job delivering a notice. Then, according to Lewis' testimony, Frantz Pierre stepped forward, introducing himself as a commissioner.

"If you want to keep your job, when you drive down this street, don't even look in this direction," Lewis remembers him saying. According to her testimony, Pierre went on to say that he could have the city manager fired as well.

"I was stunned," said Lewis. As she got into her car and drove away, she said Pierre pulled the notice of hearing from his door, crumpled it, and threw it in the direction of her car. She reported the behavior to her supervisor and wrote up the incident in an email less than an hour later, creating a contemporary record of what had occurred..

But Pierre's attorneys say the councilman wasn't there. They claimed it wasn't Pierre who spoke to Lewis that day. Pierre declined to testify on his own behalf.

The defense attorney, Michael Davis, called witnesses who claimed to have known Pierre was not at his house on April 30. But none of those witnesses could confirm that they had been with Pierre the whole day either.

But if he had been there, Davis argued, Pierre's actions should be seen as "exasperation" not "exploitation" from what the defense said was constant code violation harassment during election seasons. April 30 of that year was the first day of early voting for the City Commission seat.

The ethics commission tore down both arguments.

"I do believe he [Pierre] was there. And I do believe Tasheema Lewis," said commission chairman H. Jeffrey Cutler, saying Lewis clearly had no axe to grind with the commissioner and presented as a credible witness. "And I have a problem with the concept that he [Pierre] wasn't there, but if he was he was just frustrated."

Cutler called Pierre's actions a clear and intentional attempt to exploit his position. The council voted 3-0 against Pierre.

Just as sentencing was about to start, Pierre, who sat silently for nearly five hours with his hands folded in his lap, expressed a desire to speak on his own behalf.

"I am surprised," Pierre said about the decision. He denied being at the house on April 30 or communicating with Lewis. "I never saw her in my life."

Bellido called Pierre's continued denial "disturbing" and advocated for the harshest penalties the commission could bring despite this being the councilman's first offense. Commissioner Carol Zeiner echoed the sentiment and made the motion for sentencing.

After the hearing, Pierre told a Herald reporter that every election cycle the city uses code violations in an attempt to embarrass him, and said this was just another example of that age-old trend. "We will appeal," Pierre said.

To appeal the ethics commission's decision, Pierre would have to file a petition with the circuit court, something Davis said the defense will consider.

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