
From: Diaz-Greco, Gilma M. (COE)
Sent: Friday, February 20, 2015 8:49 AM
To: Sanchez, Rodzandra (COE)
Subject: FW: Patrice Gillespie Smith, Community Image Manager, Community Advisory Board (Political Campaign Activities) INQ 15-26
Attachments: Political Activity Memo 2014.docx

[INQ 15-26 Gillespie Smith](#)

From: Diaz-Greco, Gilma M. (COE)
Sent: Friday, February 20, 2015 8:48 AM
To: Gillespie Smith, Patrice (MDPR)
Cc: Centorino, Joseph (COE)
Subject: Patrice Gillespie Smith, Community Image Manager, Community Advisory Board (Political Campaign Activities) INQ 15-26

Dear Ms. Gillespie Smith:

You inquired regarding limitations in engaging in political campaign activities. As background, you are a County employee and you would like to participate in a friend's political campaign for an elected position in the city of Miami Shores.

Generally, County employees have a right to engage in political campaign activities, but they must not use their official authority to influence another person's vote or to affect the outcome of an election. Further, political campaign activities may not be conducted while on duty, and must not involve the use of public resources in support of any political campaign, including office stationery, telephones, computers, or vehicles.

Consequently, the County Ethics code would not prohibit you from participating in your friend's campaign as long as you do not use your official authority to influence or affect the outcome of the election, and you do not use County time or resources in the campaign. I have attached the Limitations on Political Activities of County and Municipal Officers Memorandum which addresses this issue in detail.

Please contact us if you have any further questions.

Best regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney



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MEMORANDUM

TO: All County and Municipal Elected Officials and Employees

FROM: Joseph Centorino, Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust

RE: Limitations on Political Activities of County and Municipal Officers
and Employees

DATE: October 2014

This memorandum is issued for the purpose of underscoring limitations on the political activities of all county and municipal officers and employees during the current election season. The following limitations are imposed by Florida Statute 104.31, by the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, and other state laws, local ordinances and previously-issued administrative orders:

- While all local officials and employees have a right to engage in political campaign activities, they must not use their official authority to influence another person's vote or to affect the outcome of an election.
- County and municipal staff wishing to be involved in political campaigns should limit such activity to off-duty hours.
- Political campaign activities may not be conducted while on duty, and must not involve the use of public resources in support of any political campaign, including office stationery, telephones, computers, or vehicles. This is consistent with the requirement that taxpayers' monies must be used exclusively for public purposes.

- No public official or employee may coerce any public employee or member of the public to support any candidate or to contribute to a political campaign.
- No one may solicit or accept a political contribution in a government building, unless that building has been rented for the purpose of holding a campaign fund raiser.

Violations of these provisions may result in criminal charges, civil ethics or election violations, and/or administrative action.

The prohibition against on-duty political activity does not prohibit casual political discussions in the workplace. Voluntary non-coercive speech of a political nature, like other non-work related discussions on matters of public interest, is protected by the First Amendment provided that it does not interfere with the proper functioning of the workplace and the efficient provision of public services.

Any public employee having knowledge of any violations of these prohibitions, or of any other illegal or improper activities in connection with the elections, should report these matters at once. Agencies having jurisdiction over election complaints include the following:

Miami-Dade Commission on Ethics & Public Trust

305-579-2594 office
786-314-9560 hotline
ethics@miamidade.gov
ethics.miamidade.gov

Florida Elections Commission

850-922-4539 office
To file a complaint, visit: www.fec.state.fl.us

Miami-Dade Office of the State Attorney, Public Corruption Unit

305-547-0664 office
305-547-3300 hotline
www.miamisao.com

Miami-Dade Police Dept., Public Corruption Investigations Bureau

305-599-3121 office
pcibinfo@mdpd.com