
FW: 16-127 Sanchez

From: Centorino, Joseph (COE)

Sent: Friday, April 22, 2016 3:55 PM

To: Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>

Subject: 16-127 Gerald Sanchez, Assistant County Attorney, Miami-Dade County (Exploitation)

Gerald Sanchez, Miami-Dade Assistant County Attorney inquired on behalf of a County Commissioner regarding whether an ethical issue would be raised if a County Commissioner sponsoring a movie night at a County venue were to invite a State Senator running for re-election to have a table at the event to distribute non-political materials to constituents connected to the State Senator's service. The event is a recurring type of sponsored event by the Commissioner and is conducted at County expense. No other official has ever been invited to the event. The State Senator in question is currently engaged in a re-election campaign which will conclude this November. The County Commissioner involved has endorsed the State Senator in the campaign.

I advised Mr. Sanchez, that, in view of the fact that it is a County-sponsored event; that it would be the first time that another official running for office has been invited; that the Commissioner is a political supporter of the other official; and that the official would be allowed to have the special privilege of distributing printed materials related to the official's service, even if non-political, while the official's re-election campaign is underway; the activity could be considered an Exploitation of Official Position under Section 2-11.1(g) of the County Code and should not occur. It would be permissible, however, for the State Senator to attend the event if it is open to the public, provided she does not utilize it to openly campaign for re-election.

Joseph M. Centorino

Executive Director and General Counsel

Miami-Dade Commission on Ethics and Public Trust

19 W. Flagler Street, Suite 820

Miami, FL 33130

Tel: (305) 579-2594

Fax: (305) 579-0273

ethics.miamidade.gov

