
INQ 16-38 Sosa

From: Centorino, Joseph (COE)
Sent: Tuesday, February 09, 2016 1:15 PM
To: Aguirre, Betty (DIST6) <BETTYA@miamidade.gov>
Cc: Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>; Sanchez, Gerald (CAO) <gks@miamidade.gov>
Subject: INQ 16-38 Rebeca Sosa, Miami-Dade County Commissioner, District 6 (Exploitation)

Ms. Aguirre:

You have inquired on behalf of Miami-Dade County Commissioner Rebeca Sosa (DIST 6) regarding restrictions on her ability to engage in campaign activities on behalf of other political candidates, in order to comply with Section 2-11.1(g) of the Miami-Dade Ethics Code (Exploitation of Official Position). In general, Commissioner Sosa is entitled to exercise her First Amendment Right to engage in political speech on her own behalf or on behalf of other candidates for public office, provided that she avoid any improper use of her public position, authority or influence, or the resources of her public office. Both Miami-Dade Commission on Ethics opinions (RQO 05-06, INQ 12-175, INQ 16-34) and State of Florida Commission on Ethics Opinions (CEO 91-38, CEO 90-71)CEO 89-45)) have found that it is permissible for a public official to use his or her official title in in the context of political campaign activity provided that public resources are not used in the communication. This would mean that Commissioner Sosa should not use her office telephones, fax equipment, computers, official stationery, staff time or other County devices or property, to engage in such political activity. However, she is permitted to use her private telephone, computer, stationery or other privately-funded means of communication to engage in such activity.

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