
INQ 16-84 Chatlos

From: Murawski, Michael P. (COE)
Sent: Monday, March 14, 2016 3:41 PM
To: Centorino, Joseph (COE) <CENTORI@miamidade.gov>
Subject: RE: Ethics Question INQ16-84 Daniel Chatlos

Dear Mr. Chatlos:

You inquired about the propriety of Commissioner Zapata having some of his aides distribute pamphlets promoting certain County programs in the vicinity of polling sites.

You were advised that such activity was permissible with certain caveats. One, the aides had to observe the restrictions laid out in Section 102.031 (4)(a) of the Florida Statutes requiring them to remain at least 100 feet from any polling place or polling room. Two, they could not distribute any campaign related material in favor of or against any candidate or issue on the ballot while they were on County time. Specifically, they could not distribute any campaign material or advocate for the re-election of Commissioner Zapata while they were on County time. (See generally the October 2014 memo on Limitations on Political Activities of County and Municipal Officers below)

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

From: Chatlos, Daniel (DIST11)
Sent: Tuesday, March 01, 2016 1:39 PM
To: Murawski, Michael P. (COE) <MURAWSK@miamidade.gov>; Centorino, Joseph (COE) <CENTORI@miamidade.gov>
Subject: Ethics Question

Mike,

I don't think we have ever met but Commissioner Zapata had a time sensitive question that he wanted me to ask Joe Centerino pertaining to early elections. I saw Joe's away message and left you a voicemail at your office.

Please give me a call back on my cell phone when you have a moment – 305-582-3636. Thanks,

Dan

Daniel Chatlos

Director of Policy and Legislation
Office of Commissioner Juan C. Zapata, District 11
Board of County Commissioners
[8785 SW 165th Avenue, Suite 203](#)
[Miami, Florida 33193](#)
(T) [305-375-5511](tel:305-375-5511) (District Office)
(T) [305-375-4128](tel:305-375-4128) (Government Center Office)
(F) [305-408-2585](tel:305-408-2585)
chatlos@miamidade.gov

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