

## Sanchez, Rodzandra (COE)

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**From:** Turay, Radia (COE)  
**Sent:** Tuesday, February 21, 2017 4:21 PM  
**To:** Sanchez, Rodzandra (COE)  
**Cc:** Diaz-Greco, Gilma M. (COE); Perez, Martha D. (COE)  
**Subject:** FW: INQ 17-49, Brain Olson, Technical Support Specialist, Miami-Dade County Information Technology Department (political activity)

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**From:** Turay, Radia (COE)  
**Sent:** Tuesday, February 21, 2017 4:21 PM  
**To:** Olson, Brian (ITD) <Brian.Olson@miamidade.gov>; Mazzorana, Shanda (ITD) <Shanda.Mazzorana@miamidade.gov>  
**Cc:** Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Lewis, Charlton (ITD) <Charlton.Lewis@miamidade.gov>  
**Subject:** INQ 17-49, Brain Olson, Technical Support Specialist, Miami-Dade County Information Technology Department (political activity)

Dear Mr. Olson,

You have inquired whether a conflict of interest exists between your County employment and you serving as the Miami-Dade Democratic Executive Committee Representative for Precinct #613, and/or serving in three of the organization's issue committees.

### Background

You are employed as a technical support specialist with the Miami-Dade County Information Technology Department (ITD).

You volunteered to be the Miami-Dade Democratic Executive Committee Representative for Precinct #613. You also volunteered to join the organization's "Counter Trump", "Education", and "Sea Rise/Environmental Protection" issue committees.

### Analysis

County employees are not prohibited from engaging in political activities outside the workplace, however they must adhere to some restrictions placed on government workers under County policy and State law. *See* Fla. Stat. 104.31; A.O. 7-2; and COE memorandum "Limitations on Political Activities of County and Municipal Officers and Employees" (September 2016).

Section 2-11.1(g) of the Ethics Code provides that "No person shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or adopted by the Board of County Commissioners". In previous Ethics Opinions this provision has generally been interpreted to require that employees engage in political activities during their own time- not during County working hours; prohibiting a County employee from using his or her County position or the resources of the County in any way in a political campaign; and prohibiting a County employee from attempting to coerce co-workers about taking political positions. *See* RQO 05-06; INQ 11-73; INQ 16-21; and INQ 16-141.

Based on the information that you have provided at this time, while it appears to be permissible under the Ethics Code for you to engage in political activities with the Miami-Dade Democratic Executive Committee, you must adhere to the

limitations proscribed in Fla. Stat. 104.31, A.O 7-2, and COE memorandum "Limitations on Political Activities of County and Municipal Officers and Employees" (September 2016).

As to your question regarding the effect of your political activities on your position as an election specialist with Miami-Dade Elections Department, please contact them directly regarding any departmental rules or restrictions that may apply.

This opinion only construes the Miami-Dade Ethics Code, and it is based on the facts as you have presented them to the Ethics Commission. Please contact us if these facts change.

Sincerely,

**RADIA TURAY**

Staff Attorney

Miami-Dade Commission on Ethics and Public Trust

19 W. Flagler Street, Suite 820

Miami, FL 33130

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Fax: (305) 579-0273

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**From:** Olson, Brian (ITD)  
**Sent:** Tuesday, February 21, 2017 1:35 PM  
**To:** Turay, Radia (COE) <[Radia.Turay@miamidade.gov](mailto:Radia.Turay@miamidade.gov)>  
**Subject:** RE: County Policy on Political Party Activity

Hello Radia,

I just heard from the person who answers the phones at the Miami-Dade Democratic party. She said most precincts run unchallenged and so the person is appointed. If 2 or more people apply for to be a captain for that precinct there is an internal election at the party's general meeting.

Brian

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**From:** Turay, Radia (COE)  
**Sent:** Tuesday, February 21, 2017 9:56 AM  
**To:** Olson, Brian (ITD)  
**Subject:** RE: County Policy on Political Party Activity

Good morning Mr. Olson,

Is it an internal election, or is it an election that you would have to run for, ie placed on a ballot by the elections department?

Thanks,  
Radia.

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**From:** Olson, Brian (ITD)  
**Sent:** Tuesday, February 21, 2017 9:53 AM  
**To:** Turay, Radia (COE) <[Radia.Turay@miamidade.gov](mailto:Radia.Turay@miamidade.gov)>  
**Subject:** RE: County Policy on Polical Party Activity

I believe yes. No one was in the position and I applied after the election period so the leader of the Miami-Dade Democratic Party signed off on my request for the position. I will confirm.

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**From:** Turay, Radia (COE)  
**Sent:** Monday, February 20, 2017 4:31 PM  
**To:** Olson, Brian (ITD)  
**Subject:** RE: County Policy on Polical Party Activity

Hello Mr. Olson,

I had a quick question: Is your position as Miami-Dade Democratic Committee Representative for precinct #613 an elected position?

Thanks,  
Radia.

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**From:** Olson, Brian (ITD)  
**Sent:** Tuesday, February 14, 2017 3:55 PM  
**To:** Turay, Radia (COE) <[Radia.Turay@miamidade.gov](mailto:Radia.Turay@miamidade.gov)>; Mazzorana, Shanda (ITD) <[Shanda.Mazzorana@miamidade.gov](mailto:Shanda.Mazzorana@miamidade.gov)>  
**Cc:** Lewis, Charlton (ITD) <[Charlton.Lewis@miamidade.gov](mailto:Charlton.Lewis@miamidade.gov)>  
**Subject:** RE: County Policy on Polical Party Activity

Thank you very much Shanda and Radia.  
I will read this and look forward to your response.

Brian

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**From:** Turay, Radia (COE)  
**Sent:** Tuesday, February 14, 2017 3:53 PM  
**To:** Mazzorana, Shanda (ITD)  
**Cc:** Lewis, Charlton (ITD); Olson, Brian (ITD)  
**Subject:** RE: County Policy on Polical Party Activity

Hello Shanda,

Please find below, the link to COE memorandum that outlines limitations on political activities of County and municipal officers and employees. I will also provide a formal response to the inquiry, but I believe the memorandum can provide you some guidance at this time.

[http://ethics.miamidade.gov/library/2016-publications-rqo/public\\_employee\\_political\\_activity\\_memo2016.pdf](http://ethics.miamidade.gov/library/2016-publications-rqo/public_employee_political_activity_memo2016.pdf)

Thanks,  
Radia.

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**From:** Mazzorana, Shanda (ITD)  
**Sent:** Tuesday, February 14, 2017 3:46 PM

**To:** Turay, Radia (COE) <[Radia.Turay@miamidade.gov](mailto:Radia.Turay@miamidade.gov)>

**Cc:** Lewis, Charlton (ITD) <[Charlton.Lewis@miamidade.gov](mailto:Charlton.Lewis@miamidade.gov)>; Olson, Brian (ITD) <[Brian.Olson@miamidade.gov](mailto:Brian.Olson@miamidade.gov)>

**Subject:** FW: County Policy on Polical Party Activity

Radia, take a look at the below email. I have advised that no campaigning can occur on County premises, during regular work hours and utilizing County resources. In terms of Brian's election duties, I am not aware of any conflict of interest guidelines. Can you advise if there is anything of which we should be aware?

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**From:** Olson, Brian (ITD)

**Sent:** Tuesday, February 14, 2017 3:20 PM

**To:** Mazzorana, Shanda (ITD) <[Shanda.Mazzorana@miamidade.gov](mailto:Shanda.Mazzorana@miamidade.gov)>

**Cc:** Lewis, Charlton (ITD) <[Charlton.Lewis@miamidade.gov](mailto:Charlton.Lewis@miamidade.gov)>

**Subject:** County Policy on Polical Party Activity

Hello Shanda,

I volunteered to be the member of Miami-Dade Democratic Executive Committee representative for my precinct, 613. I volunteered because I was upset with the recent election. I would like to join one or two party issues committees: I volunteered for the "Counter Trump", "Education" and "Sea Rise/Environmental Protection" issue committees. I understand that I cannot campaign or work on these issues on County time or using County resources. Is there any other County policy/rules that I need to be concerned about not breaking? I am also an election specialist for precinct 606. If I campaign, I plan not to campaign in that precinct. Should I be concerned with Elections Department rules on this act?

Please let me know. And please let me know if there are any questions.

Thank you.

**Brian Olson**

Miami-Dade County - Information Technology Department

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