

IN THE COMMISSION ON ETHICS AND  
PUBLIC TRUST, AN INDEPENDENT  
AGENCY AND INSTRUMENTALITY OF  
MIAMI-DADE COUNTY, FLORIDA

ETHICAL CAMPAIGN PRACTICES  
EXPEDITED HEARING PROCEDURE

CASE NO. C20-35-06

Gladys Mezrahi,  
Complainant

v.

Rachel Saltzman-Friedland  
Respondent

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**FINAL ORDER**

This CAUSE came on to be heard on Monday October 5, 2020 at 9:00 a.m., for a probable cause determination based on allegations made by Complainant, GLADYS C. MEZRAHI, a Commissioner in the City of Aventura, against RACHEL SALTZMAN-FRIEDLAND, a current candidate for City of Aventura Commissioner. The hearing was held “virtually” via the Zoom platform electronic audio-video as authorized by Ethics Commission Resolution 20-01.

MEZRAHI alleged that SALTZMAN-FRIEDLAND violated Section 2-11.1.1 (Ethical Campaign Practices Ordinance) Subsection (C)(1)(b) of the Mandatory Fair Campaign Practices provision of the ordinance (MFCP) and Subsections (D)(1) 2., 9. and 11. of the Voluntary Fair Campaign Practices provision of the ordinance (VFCP). Both parties were present at the hearing and were afforded adequate opportunity to be heard.

Essentially, MEZRAHI complained about a September 4, 2020 e-mail that SALTZMAN-FRIEDLAND sent to Aventura Commissioner Robert Shelley in reply to an e-mail Commissioner Shelley had sent to SALTZMAN-FRIEDLAND. In the September 4, 200 e-mail, SALTZMAN-FRIEDLAND made several statements, including but not limited to, allegations that MEZRAHI “posted misinformation about the issue of school on Yom Kippur all over social media, calling it a misunderstanding...”; took “credit for other people’s work, promot[ing] misinformation about COVID-19, or abus[ing] [her] office to promote [her] candidacy”; and, “refused to do anything to protect Aventura’s children because she knew [the convicted child sex offender] from their time living in the same neighborhood in Columbia.”<sup>1</sup>

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<sup>1</sup> The complaint and its exhibits, including the e-mail from Shelley to Saltzman-Friedland and her response as well as Saltzman-Friedland’s response to the complaint were reviewed in their entirety by this Hearing Examiner.

## FINDINGS

1. Pursuant to Section 2-11.1.1(B) of the Miami-Dade County Code, the Miami-Dade Commission on Ethics and Public Trust has jurisdiction to hear violations of the Ethical Campaign Practices Ordinance (ECPO).
2. Respondent agreed to be bound by the voluntary section of the ECPO.
3. Complainant alleged violations of the mandatory and voluntary portions of the ECPO by Respondent.
4. In accordance with Section K of the Ethics Commission Rules of Procedure and County I.O. 2-8, governing expedited process of complaints regarding the ECPO, a timely hearing was held on this matter.
5. Complainant was represented by Attorney Ben Kuehne. Respondent, also an attorney, represented herself.
6. After hearing from both sides and reviewing the complaint as well as all the documentary material submissions, I find that because the September 4, 2020 e-mail did not constitute "campaign material," it did not violate the VCFP.
7. I also find there was no violation of the MCFP because the evidence was insufficient to establish that the September 4, 2020 e-mail was published with actual malice or that it exposed MEZRAHI to hatred, contempt or ridicule or caused her to be shunned or avoided or injured in her business or occupation.

Wherefore, I find No Probable Cause to sustain this complaint and the complaint is hereby Dismissed. Done and Ordered this 5<sup>th</sup> day of October, 2020.



Judge Rosa I. Rodriguez (Retired)  
Florida Bar # 564303  
Hearing Examiner  
Commission on Ethics and Public  
Trust Overtown Transit Village  
701 Northwest 1<sup>st</sup> Court, 8<sup>th</sup> Floor  
Miami, Florida 33136