

MIAMI-DADE COUNTY COMMISSION ON ETHICS AND PUBLIC TRUST



In Re: Dana Goldman

C 22-11-02

PUBLIC REPORT AND FINAL ORDER

On or about February 16, 2022, Complainant, Greg Capra (Capra), a candidate for Sunny Isles Beach (SIB) Commissioner, Seat 3, who ran unsuccessfully against Commissioner Fabiola Stuyvesant, filed this complaint against Dana Goldman (Goldman), Mayor of SIB, alleging Goldman violated Section (C) of the Ethical Campaign Practices Ordinance (ECPO) by, with actual malice, publishing an email and distributing a flyer made by his opponent, all containing untrue statements, causing harm to the complainant, his family or his business. Capra also alleges a violation of the Sunshine Law when Goldman stood next to Stuyvesant at the polls, wearing a T-shirt for another candidate (Rabinovich). Lastly, Capra alleges Goldman committed a violation of Florida Statute Section 104.31.

Legal sufficiency exists where the complaint adequately alleges a violation of an ordinance within the jurisdiction of the Ethics Commission, committed by an individual within the authority of the Ethics Commission, based substantially on the personal knowledge of the Complainant and filed with the Ethics Commission within three years of the alleged violation.

The ECPO extends to “candidates and their respective campaign staff.” Goldman was not a candidate and there are no facts establishing that Goldman was employed or retained by the candidate to be part of her campaign staff, i.e., campaign manager, finance director, campaign treasurer, political, media or fundraiser consultant, speech writer or coordinator- roles traditionally performed by a candidate’s campaign staff.

The ECPO does not convey jurisdiction on another government official who expresses support (or opposition) for a particular candidate.

Further, the Ethics Commission does not enforce the Sunshine Law or state election laws.

On April 13, 2022, the Ethics Commission unanimously dismissed the complaint for lack of legal sufficiency.

Wherefore it is:

ORDERED AND ADJUDGED that COMPLAINT C22-09-02 against the Respondent is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on April 13, 2022.

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST

By:

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Dr. Judith Bernier
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Dr. Judith Bernier,
Chair

4/19/2022

Signed: _____

Cc: Dana Goldman, Respondent
Greg Capra, Complainant

