

Meyers, Robert (COE)

INQ 05-49

From: Meyers, Robert (COE)
Sent: Monday, April 04, 2005 3:43 PM
To: Owens Jr., Farrel J. (MDPD)
Subject: RE: Conflict of Interest Review

Mr. Owens,

This is to follow-up on our conversation last week which clarified some of the information you provided me in your e-mail. As I understand it, your department is concerned about your service on the County's Community Relations Board (CRB) and your activities with a non-profit organization. In analyzing this matter it is necessary to examine the authority of the Community Relations Board and whether your non-profit agency stands to benefit from any actions taken by the CRB. Based on your description of the mission of the CRB and its powers, there is no conflict of interest for you to serve on this board and also affiliate with a non-profit agency. If in the future the CRB dispenses money to non-profit agencies and your non-profit agency were to apply for funding from the CRB, a conflict could be created. Similarly, if the CRB had the authority to regulate your non-profit, then a conflict could exist as well. Absent these conditions, there is no conflict of interest.

Lastly, please realize that all County departments have the discretion to approve or disapprove requests for outside employment. The opinions of the Ethics Commission with respect to outside/conflicting employment questions are not binding on the departments.

If you wish to discuss the above with me in greater detail, please contact me at your convenience.

Sincerely,

Robert Meyers

From: Owens Jr., Farrel J. (MDPD)
Sent: Monday, March 28, 2005 11:30 AM
To: Meyers, Robert (COE)
Cc: 'farrelowens@yahoo.com'
Subject: Conflict of Interest Review

Mr. Meyers,

Recently a concern was presented to the Miami-Dade County Ethics Commission regarding whether my involvement and appointment to the Miami-Dade County Community Relations Board (CRB) and my position as a sworn Miami-Dade County Police Officer was a conflict of interest. The commission determined that there was no conflict and that my involvement was of good moral and ethical practice.

In accordance with the Miami-Dade Police Department's standard operating procedures, I submitted a request for outside employment which included not only the positions where I am gainfully employed, but as well as all of my civic board member affiliations. It was determined by the police department's legal bureau that my affiliation with the CRB was a conflict of interest with the non-profit organization that I head. The perception of the legal counsel was that since my non-profit is geared towards community and economic development and his individual belief that the CRB is attempting to get more involved in similar areas, my outside employment request with the department was disallowed, although the perception of the conflict does not directly involve the department. The CRB was designed to and focuses on its mission to dissolve any community tension throughout Miami-Dade County and any business or activity outside its charter is a violation. The CRB is not and has not acted as an advisory board, oversight committee or independent review panel with any authority to approve or disapprove any decisions made or the daily operations of any entity outside of the CRB. The CRB proactively seeks to engage members from all disciplines to provide a diverse composition of members who will present the board with various perspectives on how to affectively proceed. As of this day I am not aware of

nor have I heard of any such desires to take on any such duties by the CRB that are outside the scope of its charter. It was recommended by the legal bureau that I resign from the CRB and the possibility of departmental approval of my outside employment request for the non-profit would be considered.

At this point I have no intentions to resign from either board and the department has agreed to allow the Ethics Commission to make the determination on whether there is any conflict with my affiliations and the approval of my outside employment request. I am respectfully requesting the involvement of the commission to assist in resolving this issue and if there is any additional information needed from me, please do not hesitate to contact me at (786) 486-7409 or by email farrelowens@yahoo.com <<mailto:farrelowens@yahoo.com>>. Thank you for your time and consideration.

Sincerely,

Farrel Owens

Meyers, Robert (COE)

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Farrel Owens