

ETHICS

From: ETHICS
Sent: Wednesday, September 04, 2002 6:08 PM
To: 'Manuel Soto-Diaz'
Subject: RE: Please open attached letter

Mr.. Howard,

I read the letter you sent to the Ethics Commission via e-mail and I would respond accordingly. The County Attorney's Office called our office asking us to comment on whether Commissioner Rolle could mail out a newsletter to his constituents highlighting his accomplishments in office. As an aside, it is fairly common practice for the County's Attorney's Office to consult with us regarding ethical issues involving members of the county commission. The County Attorney's Office stated that Commissioner Rolle has mailed out newsletters in the past. I indicated to the County Attorney's Office that as long as the newsletter was devoid of language encouraging his constituents to vote for him on September 10th, it was not unethical for him to mail out such correspondence.

I have seen the newsletter and it seems perfectly reasonable for an elected official to make a plea for people in the official's district to exercise their constitutional right to vote. Furthermore, incumbents throughout the course of our history have used their franking privileges to provide constituents with a list of their achievements. As far as the timing goes, there is no law at the local level that bars such publications from going out after qualifying has closed. I cannot comment on the charge that the mailing did not go out to all registered voters. In my discussion with the County Attorney's Office, this item was not addressed.

Given the content of the newsletter, our office believes there is no ethics violation in this case as Commissioner Rolle did not exploit his official position when he mailed out newsletters to the residents in his district. If you are not satisfied with my response, you may wish to contact the Florida Commission on Ethics located in Tallahassee, which also has jurisdiction over Miami-Dade county elected officials.

Sincerely,

Robert Meyers
Executive Director

-----Original Message-----

From: Manuel Soto-Diaz [mailto:Manuel_SotoDiaz@hotmail.com]
Sent: Wednesday, September 04, 2002 12:52 PM
To: ethics@miamidade.gov
Subject: Please open attached letter

Thank you!

Biscayne Building
19 West Flagler Street
Suite 207
Miami, Florida 33130
Phone: (305) 579-2594
Fax: (305) 579-0273

Miami-Dade County Commission on Ethics and Public Trust

Fax

To: Gail Dotson From: Ardeth Walker
Fax: (305) 348-2301 Pages: 2
Phone: 348-8359 Date: 1/2/03
Re: _____ CC: _____

Urgent For Review Please Comment Please Reply Please Recycle

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To: Wall Watson From: Andryth Walker
 Fax: (305) 348-301 Pages: 2
 Phone: 348-8359 Date: 1/2/03
 Re: _____ CC: _____

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DATE, TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	MODE	

TIME : 01/02/2003 13:32
 NAME : COMMISSION ON ETHIC
 FAX : 3055790273
 TEL : 3055792594
 SER.# : BR002J157947

TRANSMISSION VERIFICATION REPORT

ING 02-42

Willis Perry Howard II
8045 N.W. 36th Court
Miami, Fl 33147
786-287-9155

Chairperson Kerry E. Rosenthal,

Just recently, I received a fifteen page-bound-full-color history of the accomplishments of commissioner Dorrin Rolle during his tenure, wherein he reminds the reader to not forget to vote.

The reason why this concerns me is that it seems unfair and unethical that an incumbent publish, using government money, this type of literature in the middle of an electoral process in which he is participating. Furthermore, upon investigating the matter myself, I learned that Mr. Rolle had requested that the Ethics Committee review this publication, and that the committee subsequently gave its stamp of approval.

His submitting the publication to the Ethics Committee suggests that he must of felt a bit of unease about publishing such literature and that it would cause scrutiny. My question thus becomes:

What line of reasoning did the Ethics Committee use to approve the spending of thousands of government dollars on a publication whose underlying purpose was that of electoral propaganda? If Mr. Rolle were head of a group that championed voter registration, his, "don't forget to vote", in the publication would have been more justified. Secondly, why only send the publication to twenty-five of District 2's over sixty thousand registered voters? Are they not concerned tax-paying constituents? Might it be that these twenty five thousand voters are "likely voters" at the upcoming election?

It appears to me that Mr. Rolle has abused his office's franking privileges and bamboozled the ethics committee.

Please send me a response as soon as possible regarding my concern. I appreciate your attention to this matter.

Sincerely,

Willis Perry Howard II
Candidate for Miami-Dade
Commission, District 2

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