

EYE ON ETHICS

NEWSLETTER OF THE MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST



Issue 18 - Eye on Ethics Newsletter



Commission on Ethics & Public Trust by the Numbers:

Although the COE was hampered by the interruptions caused by the pandemic in the most recent fiscal year, the COE handled 101 hotline calls. These calls are miscellaneous reports and inquiries that logged and responded to by investigators and attorneys.

Director's Message



Dear Friends & Colleagues,

This last month, a Miami-Dade Circuit Judge was formally charged with violating judicial standards of ethical conduct. It was alleged, in part, that the official used members of his staff to run personal errands during the workday on the taxpayer's dime.

Regrettably, for many who have worked in government for any amount of time, the conduct that was attributed to the official was, if not commonplace, then certainly not unheard of. Lamentably, this will likely not be last time that our community will read about ethical transgressions relating to misuse of public staff or resources

Quick Links



Commissioners

for personal gain.

Many elected officials and senior government officials are blessed with an ideal assistant. The title may be Secretary, Legal Assistant, Executive Assistant, or Administrative Assistant. The actual job description, irrespective of title, is someone who is competent, dependable, organized, and courteous. The best assistants knows what you are thinking and what needs to be done; before you do. These assistants have access to calendars, take calls and messages, and are privy to the public and the more private conversations that take place at work. Over time, these essential public servants can become much more than relied-upon assistants to the elected official, government executive, or supervisor.

However, whether from a benevolent and even affectionate sense of familiarity and reliance on the assistant, or from a misplaced sense of entitlement, it is imperative that elected officials and government employees remember that the assistant is there to do public's work – not his or her supervisor's private or campaign work.

The Ethics Commission has long cautioned against the use of public paid staff for non-work related tasks. Ethics staff has diligently emphasized in the biannual election season memoranda for incumbent local elected officials seeking reelection, in countless training seminars for local elected officials and employees, and even in courtesy training sessions for members of the judiciary.

The Miami-Dade County Ethics Code that applies to county and municipal elected officials, board members, and employees, prohibits the use or attempted use of an official position to secure special privileges or exemptions for himself or others. Clearly, using a government assistant as a personal valet, courier, or yard worker would implicate this prohibition. Moreover, particularly during election season, workday elections campaign work by public employees – at their supervisor's direction or not – can constitute criminal conduct.

Elected officials, government executives and supervisors, would be well served to pause from time to time and honestly ask themselves if they are heading down this slippery slope – and if so – stop. No good can come from this conduct, for the official or the assistant.

Best regards,

Jose Arrojo

Nelson C. Bellido Esq.,
Chair
Dr. Judith Bernier,
Vice Chair
Judge Lawrence A.
Schwartz
Charlton Copeland, Esq.
Wifredo Gort

Executive Director
Jose J. Arrojo, Esq.

Advocate
Michael P. Murawski, Esq.

General Counsel
Martha Perez, Esq.



FAQ



**Florida Commission
on Ethics**

Let's Help Stop the Spread of Coronavirus



Why Get Vaccinated?

To Protect Yourself, Your Coworkers, Your Patients, Your Family, and Your Community

- Building defenses against COVID-19 in this facility and in your community is a team effort. And **you** are a key part of that defense.
- Getting the COVID-19 vaccine adds **one more layer of protection** for you, your coworkers, patients, and family.



Here are ways you can **build people's confidence** in the new COVID-19 vaccines in your facility, your community, and at home:

- ✓ **Get vaccinated** and enroll in the **v-safe** text messaging program to help CDC monitor vaccine safety.
- ✓ **Tell others why** you are getting vaccinated and encourage them to get vaccinated.
- ✓ **Learn how to have conversations** about COVID-19 vaccine with coworkers, family, and friends.



12/09/20

www.cdc.gov/coronavirus/vaccines

Join Our COE Team



The Miami-Dade County Ethics Commission is accepting applications for the position of Advocate. The candidate must have a JD from an ABA accredited law school and membership in good standing with the Florida Bar. A minimum of ten years' experience in criminal or administrative prosecution is required and local government law and supervisory experience is preferred.

This is an Florida Retirement System (FRS) position. The anticipated hire salary range for this position is \$133,903 to \$167,378.

For a more detailed description of the position available [click here](#). If you need further information please call the Ethics Commission at: 305-579-2594.

To apply for this position [click here](#) and type "advocate" in the keywords basic job search field.

COE Chairman Recognized



Commission on Ethics & Public Trust Chairman Nelson Bellido was recently honored as one of the nation's most esteemed and skilled litigators in high stakes legal matters.

Chairman Bellido has been with the COE since 2010 when he was appointed by the Chief Judge of the Eleventh Judicial Circuit and has been reappointed to additional 4-year terms.

Congratulations to our Chairman for this professional recognition.

COE Director Partners with Experts in Procurement

The COE Executive Director recently partnered with Miami-Dade County Procurement Officer Namita Uppal, Florida Atlantic University Professor Clifford McCue, and local government ethics expert Robert Myers to provide training on ethics procurement best practices.



WEBINAR

Best Legal and Ethical Practices: Local Government Procurement and Purchasing

Thursday, April 8, 2021
Noon - 2:00 p.m. via Zoom

CLE Credit Pending in Florida

» Register Here



Join us for an informative discussion with a panel of legal professionals and local government procurement experts as they examine the critical legal standards and ethical principles that should govern decisions and actions taken by county and municipal government procurement personnel.

Speakers:



Jose Arrojo,
Executive Director, Miami-
Dade Commission on
Ethics and Public Trust



Dr. Clifford McCue,
Professor of Public
Administration, Florida
Atlantic University



Robert Meyers,
Partner, Weiss Serota
Helfman Cole + Bierman



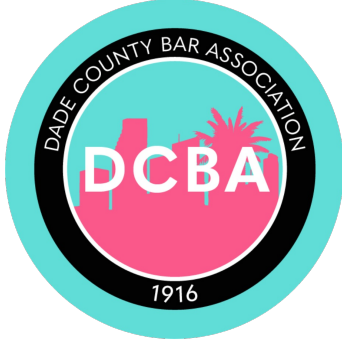
Namita Uppal,
Procurement Director,
Miami-Dade County

Free Webinar
Co-Sponsored By:



COE Advocate on Panel at DCBA Annual Conference

Commission Advocate Michael Murawski recently took part in the 11th Annual Bench and Bar Conference as a criminal courts committee panelist in a discussion titled "Politics, Ethics, and Crime," a virtual event moderated by Miami Herald courts reporter David Ovalle that also included the participation of Tim Vandergiesen, Deputy Chief Assistant and head of the Miami-Dade State Attorney Public Corruption Unit and Thomas Cobitz, a longtime criminal defense lawyer and committee member.



The event was hosted by the Miami-Dade County Bar Association (DCBA), the largest lawyer network in Miami-Dade County and the largest voluntary bar association in Florida. Founded in the early 1900's, the DCBA's goal is to support and inform the county's lawyers, as well as the public and the community at large.

April Ethics - Commission Meeting Actions



Summary of the Miami-Dade County Commission on Ethics & Public Trust Meeting Held on April 14, 2021

The Miami-Dade County Commission on Ethics and Public held a Commission Meeting on April 14, 2021. The following actions took place:

Letter of Instruction Ratified in Case Involving Miami Beach Commissioner

C 21-03-01: The Ethics Commission voted unanimously to ratify a Letter of Instruction for Miami Beach Commissioner Michael Gongora. The Commission previously found Probable Cause that Commissioner Gongora violated the Gifts and Disclosure section of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance when an investigation uncovered that he failed to fully disclose free tickets/entry for his friends to accompany him as guests to the January 15, 2020 New Order concert at the Fillmore Theater in Miami Beach.

Former City of Coral Gables Commissioner Stipulates to Finding of Probable Cause

C 21-04-03: Former City of Coral Gables Commissioner Pat Keon stipulated to a finding of Probable Cause and agreed to accept a Letter of Instruction for violating the Exploitation of Official Position section of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance. A COE investigation revealed that Ms. Keon, who at the time was a mayoral candidate for the City of Coral Gables, used her city email account to inquire from a constituent whether Ms. Keon's campaign could place a campaign sign in the constituent's yard.

Doctor at Medical Examiner's Office Stipulates to Probable Cause

C 21-07-04: Forensic Pathologist Mark Shuman, a doctor at the Miami-Dade Medical Examiner's Office stipulated to a finding of Probable Cause and agreed to accept a Letter of Instruction and pay a \$500 fine for violating the Prohibition of Outside Employment section of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance. An investigation by the Office of the Inspector General revealed that during a five-year period, Dr. Shuman had been engaging in outside employment in several capacities and did not accurately disclose the amount of compensation he received from his outside employment for the years 2018 and 2019.

Defense Motions Dismissed and Hearing Date Set in Case Involving a Former Opa-Locka Mayor and Commissioner

C 19-05-02: The Ethics Commission denied Motions to Dismiss and Suppress and set a hearing date for May 6 in a case involving former Opa-Locka Mayor and Commissioner John Riley. The COE previously determined there was Probable Cause that Mr. Riley violated the exploitation of official position and financial disclosure sections of the County Ethics Code by allegedly interfering with

police officers responding to landlord tenant matter and failing to disclose his financial relationship with the building's owners.

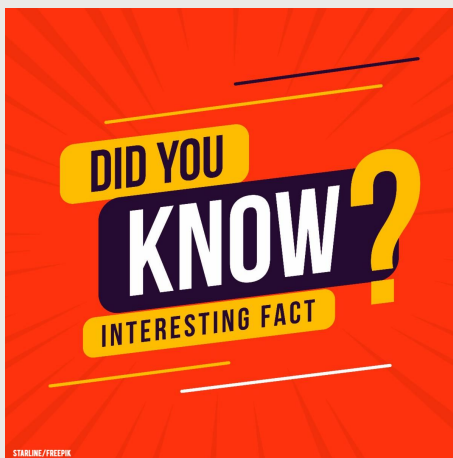
Ethics Commission Declines to Issue Suggested Ethics Guidance to County Commissioner

RQO 2021-01: The Ethics Commission declined to issue the staff suggested ethics guidance to County Commissioner Raquel Regalado regarding her private employment as a radio program host where the program invites local government employees and officials and addresses issues of local governance. The Commission directed staff to return with modified ethics guidance that included greater restrictions and also requested additional facts regarding the Commissioner's employment.

Educating the Community / Upcoming Events



**ALL IN PERSON MAY TRAINING
SESSIONS/EVENTS ARE CANCELLED
UNTIL FURTHER NOTICE. LOBBYIST
AND LOBBYIST REFRESHER COURSES
ARE NOW AVAILABLE ONLINE AND
CAN BE TAKEN ANYTIME.
MAY 19 – ADVISORY BOARD VIRTUAL
TRAINING
VISIT WWW.ETHICS.MIAMIDADE.GOV
FOR MORE INFORMATION.**



The Miami-Dade Board of County Commissioners adopted legislation, which requires persons or entities employed or retained by a principal seeking to influence official County or municipal action, to register as a lobbyist with the County Clerk of the Board within 5 business days of being retained or before engaging in lobbying, whichever comes first.

Miami-Dade County Commission on
Ethics & Public Trust
Phone: 305-579-2594
Email: ethics@miamidade.gov
Website: www.ethics.miamidade.gov

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