



**Miami-Dade Commission on Ethics & Public Trust**

**Report of Inquiry**

**Investigator:** Sylvia Batista

<b>Case No:</b> PI 13-022	<b>Case Name:</b>	<b>Date Opened:</b>	<b>Date Closed:</b>
<b>Complainant(s):</b> Joseph Niasse	<b>Subject(s):</b> Jimmie L. Williams	09/19/13	10/15/13

**Allegation(s):**

On 09/18/13 candidate for Homestead City Council, District 4, Rochenel Marc (Marc), called the COE hotline and informed that a resident of Homestead by the name of Joseph Niasse (Niasse) called him the previous evening and told him that a man working for incumbent Council member Jimmie L. Williams (Williams) had come to his house and asked him to sign a paper that he had brought. The paper may have been a ballot or a request for ballot form. He signed the paper and the man took it with him. Niasse told Marc that he thinks by signing the paper, he may have voted for Williams. Niasse told Marc that he had planned to vote for him, so he called to let him know what happened. Marc provided the COE with Niasse's address and telephone number.

It was noted that Niasse did not have a strong command of the English language. Arrangements were made for an interpreter from the SAO to be present at the time of Niasse's interview. Niasse was contacted by the SAO's Creole interpreter, Yves La Fontaine, and a meeting was scheduled for 09/20/13 at 11:00 a.m.

**Relevant Law:**

Florida Statutes, Section 104.047

**Investigation:**

***Document Review:***

A review of the City's 2013 Primary Election results show that Williams received a total of 984 votes. Out of this total, Williams collected 424 absentee ballot votes, almost half of the total votes. The candidate with the next highest number of absentee ballot votes was Norman L. Hodge, Jr. (Hodge), who received 162 absentee ballot votes out of the 458 total votes collected. Williams and Hodge are set to run in the General Election on 11/05/13.

***Interviews***

**09/20/13 – Joseph Niasse, 761 SW 4<sup>th</sup> Avenue, #1, Homestead, FL –**

Niasse was interviewed at his home with the assistance of SAO interpreter Ives La Fontaine. Niasse was asked to explain what happened and replied that a man came to his house a while back to get his signature on a form. The man brought the form with him and asked him to sign it. The paper may have been a ballot. The man was there working for Jimmy Williams' campaign because he was carrying Williams' campaign materials. Niasse said that he signed the paper and the man took it with him. Niasse said he did not know what the paper was for. Niasse said that he had not requested an absentee ballot. He said he would not know who to call or how to request a ballot on-line. Niasse said he does not own a computer.

Niasse said that the same man returned five days later and asked him for the ballot. Niasse said that he told the man that he had opened the ballot envelope. The man said, "hey, you were not supposed to open up the ballot." The man then said that he would receive another ballot in the mail.

Niasse said that the same man returned for a third time and asked whether he had received the new ballot. Niasse said that he told him he had not received it yet. The man also asked him whether anybody had been there to talk to him. Niasse said that his mailbox is locked. Niasse said that he will call us if the person comes to see him again. Niasse described the man as a young African-American who spoke without any accent.



**09/23/13 – Miami-Dade County Elections Department –**

The Clerk in the absentee ballot unit, Caridad, advised that the voter, Niasse, had called on 09/17/13 to say that he had torn the ballot by mistake and asked for a new ballot. A new ballot was delivered to Niasse on 09/18/13.

Caridad explained that the voter requested an absentee ballot in July 2013. Caridad advised that the voter has a standing request to receive an absentee ballot for elections occurring on or before 12/31/16.

**10/15/13 – Miami-Dade County Elections Department –**

Caridad said that M-D Election records reflect that an absentee ballot was not submitted by voter Niasse and that Niasse voted in person at his corresponding precinct.

**10/30/13 – Councilman Jimmie L. Williams, III –**

Williams is opposing Hodge in the General Election. Williams is the incumbent in this race. Williams was advised of the information brought to the COE. Williams said that this is the first time he heard of the allegations against him. Williams said that he had campaign workers knocking on doors along with him. The only campaign worker who worked in his campaign was Antravious Smith (Smith). Williams said he and Smith knocked on many doors telling people about himself and notifying them of early voting, but he did not ask anyone to sign any paper. Williams explained that he and Smith were focused on getting the vote out, talking to voters, knocking on doors and sending out mail pieces to convince voters to vote for him.

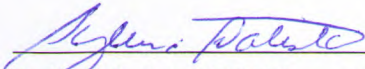
Williams was asked about efforts applied by his campaign to get absentee ballot votes. Williams replied that his main goal was to canvass neighborhoods to advertise early voting. He did not have any ballots or requests for absentee ballots in his possession at any time. Williams advised that he did see a story in the paper that people were going to voters in his area and saying that they were working for his campaign when they were not.

**10/30/13 – Antravious Smith, Williams' campaign worker –**

Smith was advised of the allegations brought to the COE. Smith said that he had seen a story in the paper where people were going to an area in the City and claiming to be working for Williams' campaign. Smith said that he did not go to the house of any voter to ask that they sign a paper. Smith said that he did not do anything to get the high number of absentee votes that Williams received. Williams received the votes because the two of them canvassed the area three times a month asking people for their vote.

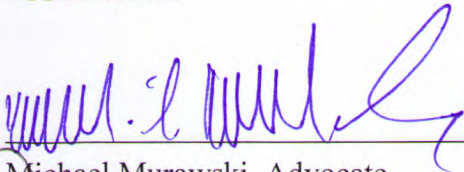
**Conclusion(s):**

In view of the information obtained in this investigation, there appears to be insufficient evidence to show that absentee ballot fraud was carried out. For this reason, this inquiry is closed without further action.

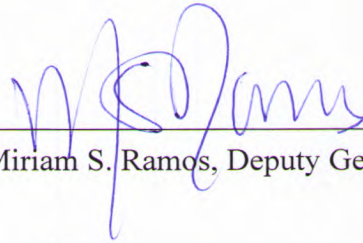


Sylvia Batista, COE Investigator

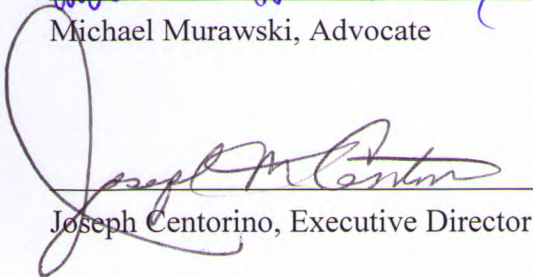
**Approved by:**



Michael Murawski, Advocate



Miriam S. Ramos, Deputy General Counsel



Joseph Centorino, Executive Director

11/11/13

Date