

OFFICE OF THE INDEPENDENT ADVOCATE
REPORT OF INVESTIGATION

C/N: K 07-054

Date Opened: April 24, 2007

Date Closed: April 26, 2007

Name of investigator: Kennedy Rosario
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Allegation:

This investigation was initiated via a complaint received by the Office of the Inspector General and referred to the COE.

The complaint was received via an e-mail from a Gerald Schwartz to the OIG and originally “copied” to the COE.

The electronic mail claims Deede Weithorn, a candidate for the office of Miami Beach Commissioner Group IV, “misleads the residents and voters of his [sic] (note: Deede Weithorn is a female) community by claiming that the Miami Herald and the Sun Post are already endorsing her”.

Investigation:

OIA Investigator Kennedy Rosario first established that Ms. Weithorn executed, via her signature, the Declaration for Candidates Covered by the Mandatory Provision of the Ethical Campaign Practices Ordinance. The campaign material in question, cited by the e-mail, referred to Ms. Weithorn’s campaign website, deedeweithorn.com.

A look at the website revealed two slogans that did not clearly and /or factually communicate to the reader that the Miami Herald and Sun Post newspaper endorsements were in fact for a previous, losing, election Ms. Weithorn had postulated herself for.

Item number eleven (11) of the above noted declaration states: "I will not use or permit the use of campaign material that falsifies, distorts, or misrepresents facts."

In a series of telephone conversations between Investigator Rosario, Ms. Weithorn and finally the website manager, Mr. Mark Weithorn the website was changed to clearly read "recommended in a previous election by" as to both newspapers.

CONCLUSION:

Given the Weithorns cooperation to factually change the misleading "endorsement" slogan, it is recommended that no further action be taken by the COE and the investigation be closed.

Note: copies of the original and subsequent website changes have been made a part of the investigative file.