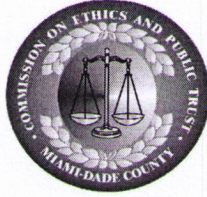


MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST



REPORT OF INVESTIGATION

K 11-065

Date Opened: May 9th 2011

Date Closed: October 12, 2011

Name of investigator: Breno Penichet

Allegation:

This Investigation is predicated upon information received from Miami-Dade Fire Rescue (MDFR) Administration requesting assistance in determining if an employee has a conflict of Interest with Outside Employment.

Investigation:

COE Investigator Breno Penichet reviewed all the information provided by MDFR. According to the forms, it appears that Fire Inspector Alejandro Cid (Cid) was requesting permission to work on his off time as a private investigator. Cid's request is not very specific regarding the types of investigations he will be working on or the locations of the same. The request was reviewed by Cid's immediate supervisor and was rejected. The supervisor felt the outside employment would present conflicts with Cid's County duties and work hours.

Suzanne Gilmore (Gilmore), Fire Code Compliance Administrator wrote an e-mail explaining the circumstances and requested an advisory opinion in order to aid the department in evaluating this request.

On June 15, 2011, this investigator contacted Gilmore who advised that MDFR management was aware that it was their prerogative not to grant the outside employment request, but felt it was necessary to have the COE review the request before a final decision was reached. Gilmore also advised that a previous advisory opinion was issued in a similar circumstance by the Florida Commission on Ethics (FCOE). According to opinion CEO 88-59, City of Miami Fire Department arson investigators, could not conduct private investigations dealing with job-related matters. This investigator reviewed the opinion with Staff Attorney Victoria Frigo (Frigo) and she suggested Cid request a formal opinion from this office.

This investigator contacted Cid in order to obtain further information as to the types of investigations he planned to become involved in. Cid advised that he had not received his Florida Private Investigator's License (PI license). Cid advised that he would be working general investigations and some surveillance. Cid assured this investigator that no work would be performed during MDFR working hours or using any MDFR equipment. Cid was advised to request an opinion.

CONCLUSION:

Closed, awaiting request for opinion from Mr. Cid.