



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

**Investigative Report**

**Investigator:** Breno Penichet

<b>Case No.:</b> K13-083	<b>Case Name:</b> City of Miami Civilian Investigative Panel (Call In)	<b><u>Date Open:</u></b> May 14, 2013	<b><u>Date Closed:</u></b> May 29, 2013
<b>Complainant(s):</b> Julia Dawson	<b>Subject(s):</b> City of Miami Civilian Investigative Panel		

**Allegation(s):**

The staff of the City of Miami Civilian Investigative Panel did not inform Julia Dawson of the fact that an agenda item could be discussed under a general agenda item, not necessarily under a specific agenda item.

**Relevant Ordinances:**

Citizens' Bill of Rights, Part 1, Home Rules Charter  
(A)(2) Truth in Government  
(A)(5) Right to be Heard  
Exploitation of official position, Sec. 2-11.1(g), Miami-Dade Conflict of Interest and Code of Ethics Ordinance

**Investigation:**

***Interviews***

Julia Dawson, Complainant

On 5/14/2013, COE Investigator B. Penichet spoke to Dawson reference a call-in complainant. Dawson advised that she is a member of the American Civil Liberties Union (ACLU) executive committee, as such Dawson along with committee members and other community minded groups formed a coalition and requested City of Miami Civilian Investigative Panel (CMIP) investigate the recent shooting incidents involving the City of Miami Police Department (MPD).

Dawson advised they requested from the CMIP that whenever the topic of the shooting investigations are placed on the meeting agenda they are to be notified and, in fact, the committee has in the last several meetings called to check if the item is on the agenda.

Dawson advised the committee has become aware that, although the item was not listed on the agenda, it was discussed under a "general item." Dawson wanted to inquire if the COE had jurisdiction over this type of conduct and if they could file a formal complaint.

Executive Director Centorino was consulted and he suggested COE investigator contact Charles Mays (Mays), Independent Council for the CMIP and find out if discussing topics under general items is part of conducting business. Centorino advised that if it is common practice then it is allowed.

On 5/29/13, I spoke to Dawson and advised her of my findings.



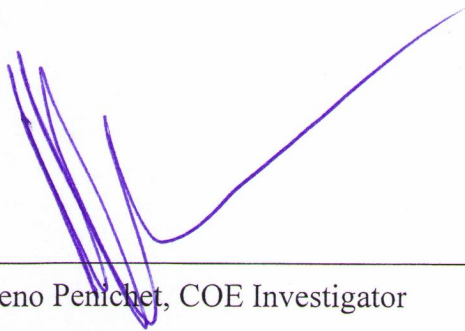
Charles Mays, Independent Counsel  
City of Miami  
Civilian Investigative Panel  
970 SW 1<sup>st</sup> Street #305  
Miami, Florida 33130  
(305) 960-4951

On 5/28/2013, COE Investigator B. Penichet spoke to Mays in the office of the CMIP. Mays advised that he was well aware of Dawson's complaint and there is an agenda published for all meetings. Mays advised that at times items come up and are discussed under general agenda items for several reasons. Mays advised that this is common practice and confirmed that the Moore matter came up and was discussed.

Mays advised that at no time was there any effort on the part of staff to conceal the placement of any agenda item, and that the law was satisfied when the agenda was published.

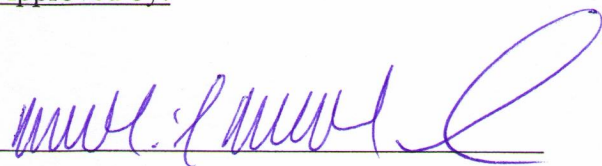
**Conclusion(s):**

There is no evidence that a violation of any ordinance within the Ethics Commission's jurisdiction was violated. Accordingly this matter is closed without further action.

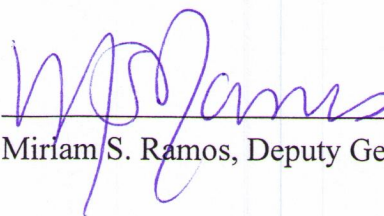


Breno Penichet, COE Investigator

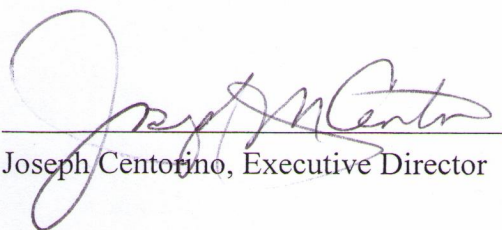
Approved by:



Michael Murawski, Advocate



Miriam S. Ramos, Deputy General Counsel



Joseph Centorino, Executive Director

5/30/13

Date