



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Sylvia Batista

Case No.: K14-004/ C14-005	Case Name: Crespo v. Zayon	Date Open:	Date Completed:
Complainant(s): Al Crespo	Subject(s): Angel Zayon	01/14/14	02/20/14

Allegation(s):

Al Crespo (Crespo) filed a complaint with the COE stating that City of Miami Chief of Communications Angel Zayon (Zayon) was involved in an automobile accident on 12/15/13 in the parking lot of the Rusty Pelican restaurant while driving a city vehicle. Crespo alleged that City of Miami Police Department Officer Ivonne Verde (Verde) issued Zayon a traffic ticket for careless driving but that the next morning, Zayon showed up at police headquarters and called Assistant Chief Jorge H. Gomez (Gomez) out of a meeting. Crespo did not say what Zayon discussed with Gomez, but asserted that this piece of information together with the fact that a month later the ticket still does not appear in the Traffic Bureau System supports the idea that Zayon asked for and received a break on the ticket.

Relevant Law:

Conflict of Interest and Code of Ethics Ordinance, Sec. 2-11.1(g) *exploitation of official position prohibited.*
“No person included in the terms defined in Subsections (b)(1) through (6) and (b)(13) shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.”

Investigation:

Interviews/Contacts

01/22/14 – Assistant Chief Jorge H. Gomez, City of Miami Police Department –

Gomez acknowledged being told by Zayon about the accident and the traffic ticket that he received from Verde. Gomez explained that Zayon wanted to know what could happen to him as a result of the ticket. Zayon was concerned for his job and also asked whether his insurance rate would go up. Gomez said that Zayon described the accident as a minor fender bender. Gomez told Zayon that he would look into it, but he has not. Gomez said that this is a common reaction from employees who have accidents while driving their city vehicles—they want to know how the accident can affect their jobs.

Gomez said that Zayon did not ask him to void or cancel the traffic ticket. Even if he wanted to, he cannot stop the citation from being recorded due to the Tracs system. In the Tracs system, once you issue a citation it goes straight to Tallahassee and cannot be removed. Gomez explained that it takes time for tickets to show up on the record.

Gomez said that he was not called out of a meeting by Zayon to discuss the accident. On that day (12/16/13), Zayon was there helping with the gun buy-back program right before they discussed the accident. Zayon was given a flyer advertising the gun buy-back event, which is scheduled to take place on 01/23/14. Gomez said that Zayon has not talked to him about the accident or the traffic ticket again. Gomez said that he has not looked at the accident report.

01/24/14 – Officer Ivonne D. Verde, City of Miami Police Department –

Verde (Verde responded to the call of an accident in the parking lot of the Rusty Pelican Restaurant. The Rusty Pelican Restaurant is inside the City of Miami's jurisdiction.

Verde said that she does not recall whether Zayon's car had the City seal on it, but it did have a city tag. Verde said that while she was assessing the damage to the vehicles, Zayon commented that she must have noticed the City tag on his car, and confirmed that he is an employee of the City of Miami. Verde said that Zayon mentioned that he was at the Rusty Pelican for a City event. The accident happened on a Sunday at 6:30 p.m. Zayon hit the other car as he was getting out of the parking space.

Verde said that Zayon did not try to dissuade her from giving him the ticket. Verde said she told Zayon that she had to charge him with the accident and he said he understood. Verde said that she has not had any contact with Zayon since she gave him the ticket.

02/20/14 – Angel Zayon, Chief of Communications and Protocol and Executive Director, Mayor's International Council –

Zayon was previously advised of the allegations made against him in the ethics complaint. Zayon said that he received the citation for the accident that occurred while driving his city vehicle, however the allegation that he tried to have the ticket voided is untrue. On the day of the accident, he collided with the car parked in front of him while pulling out of the space.

Customarily, he would have left a note on the windshield with his name and telephone number, but because he was driving his City vehicle, he called City of Miami police. Zayon said that he did this because he did not want to take a chance that the note would be removed or fall off the car's windshield.

Zayon said that he pled not guilty on the day of the pretrial conference and expects to receive a notice of trial soon. He was the only person present at the pretrial in connection with his citation.

Note: The driver of the vehicle involved in the accident with Zayon, Sonia Cristina Morais Reis Dos Santos, failed to reply to a contact letter from the COE mailed on 01/27/14.

Document/Audio/Video Review:

01/21/14 – review of the Clerk of the Court's Traffic Online Case Summary Folder reflects that citation #A008VXP was issued to Zayon by Officer Verde on 12/15/13. The citation is entered into the system. Zayon entered a plea of not guilty.

02/12/14 – review of a letter dated 02/06/14 from Zayon enclosing a copy of the notice of appearance reflecting that a pretrial conference was held on 02/11/14 in connection with the citation issued to Zayon.

Conclusion(s):

The investigative report was turned over to the Ethics Commission Advocate to for probable cause recommendation.