



Miami-Dade Commission on Ethics & Public Trust

Report of Inquiry

Investigator: Sylvia Batista

Case: PI 17-03	Case Name:	<u>Date Open:</u>	<u>Date Closed:</u>
Complainant(s): Walter Clark,	Subject(s): Daniel Junior, Interim Director of Miami-Dade County Corrections Department.	01/06/17	CASE CLOSED Date: <u>1/31/17</u>

Allegation(s):

On 01/06/17 Walter Clark (Clark), President and CEO of Special Consultant for African American Government Employees (SCAAGE) informed the COE that his e-mail account had been blocked from sending e-mails to Miami-Dade County. Clark alleged that the block was placed at the request of the Corrections Department Directors office (MDCR) on 06/22/16.

Clark said that he met with Commissioner Barbara Jordan on 10/27/16 to inform her of the block. During the meeting, the Commissioner placed a conference call to Deputy Mayor Russell Benford, who is the immediate supervisor of the interim director of Corrections, Daniel Junior (Junior). Russell Benford did not take any action. Clark informed that he called Director Angel Petisco (Petisco) of the Internal Technology Department (ITD) on 12/12/16, who had Lars Schmekel (Schmekel), Chief Security Office of ITD look into the matter.

On 12/21/16 Schmekel advised Clark that one of his e-mail accounts, scaage@msn.com, was blocked on 06/22/16 at the request of the Corrections Department Director's office. Schmekel's e-mail further advised Clark that the block on the subject e-mail account was removed, and that his other e-mail account, scaage1@gmail.com had not been blocked from sending e-mails to Miami Dade County.

An inquiry was initiated by the COE to determine what, if any, violation of the Conflict of Interest and Code of Ethics Ordinance, and/or the Citizens' Bill of Rights had been committed.

[Redacted]

Relevant Law:

[Redacted]

Investigation:

Document Review:

12/21/16 – E-mail from Schmekel to Clark with cc: to Angel Petisco – e-mail advises that the e-mail scaage@msn.com was being blocked at the request of the MDCR Directors office on 06/22/16. The block has been removed. E-mail account scaage1@gmail.com has not been blocked from sending e-mails to Miami Dade County.

12/27/16 – E-mail from Clark to Schmekel asking the name(s) of the MDCR employees who initiated the blocking of his e-mail.

12/27/16 – E-mail from Schmekel to Clark with copy to Daniel Junior and Arleen Gomez advising that Information Technology technician Angelia Paul received a complaint from Corrections staff member Valerie Coleman who reported receiving spam e-mail from an unrecognized account (SCAAFE@msn.com). Ms. Paul opened a service request on behalf of the MCR Director’s office to have the e-mail account restricted from sending e-mail to the County. The request was completed by 06/22/16. Ms. Coleman has since separated from County employment.

Interviews(s):

01/30/17 – Daniel Junior, Interim Director of Miami Dade Corrections and Rehabilitation -

Daniel Junior (Junior) was informed of the allegations. Junior provided the COE with an e-mail from Schmekel dated 12/27/16 which identifies the person that placed the block on Walter Clark’s e-mail account.

Junior said that he was aware of a number of complaints received by some MDCR staff over Clark’s e-mails. E-mails from SCAAGE@msn.com were sometimes received on a daily basis. The e-mails were antagonistic and harassing in nature.

Junior explained that the question posed to ITD was what could be done to restrict Clark’s e-mail communication with the director’s office only, and not the entire department. Clark was e-mailing employees directly with antagonistic communications, and they requested not to be subjected to them. Junior explained that apparently ITD could not restrict only the access to particular individuals or groups, and made the mistake of blocking access to all county employees.

Junior said that Clark did not attempt to contact him before December. He was made aware that Clark contacted the deputy Mayor's office and the Commissioner. Clark may also have contacted the SAO.

Junior explained that, as reflected in the 12/27/16 e-mail from Schmekel of ITD indicates, the employee from the MDCR Director's office who called the Information Technology technician was Valerie Coleman (Coleman). Coleman has since retired. According to Schmekel, the ITD technician who received the call was Angelia Paul (Paul). Paul's notes indicate that Coleman had contacted her and advised that the Director's office had received a complaint from a corrections staff member who reported receiving spam e-mail from an unrecognized account (SCAAGE@msn.com). Schmekel further advised in his e-mail that Paul opened a service request on behalf of the MDCR Director's office to have the e-mail account restricted from sending e-mails to the County. Junior said that according to Schmekel, the request was completed and closed the following day, 06/22/16, by ITD e-mail support staff.

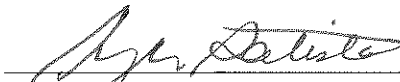
Junior said that Clark is a self-proclaimed corrections watchdog. Clark retired in lieu of termination and he has been an advocate for corrections employees. Junior said that when Clark started, his title was Office of Minority Corrections Officers.

Coleman was a Fair Employment Practices representative in MDCR, and they were clear that all employees should be free of antagonistic communications. Coleman hoped to protect employees from that type of communication.

ITD did not tell Coleman that they could not restrict Clark's e-mails from only the corrections office. They could only restrict them from the whole county. Clark tormented members of all minority groups. Clark was representing an employee in an incident, and proceeded to contact the immediate supervisor and antagonize them via e-mail.

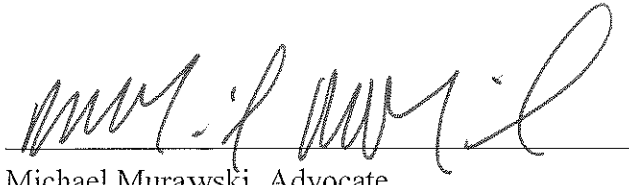
Conclusion:

After review by the Ethics Commission's Advocate it was determined that Junior did not violate any portions of the ethics code or the Citizens' Bill of Rights, accordingly, this case is closed with no further action.



Sylvia Batista, COE Investigator

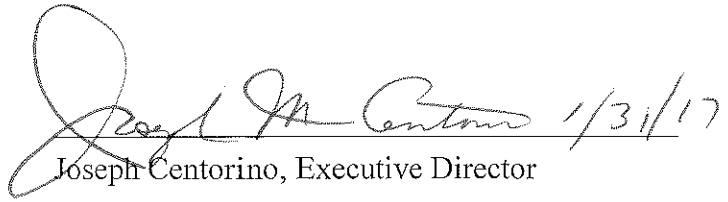
Approved by:



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